



SCOTTISH CAMPAIGN FOR NATIONAL PARKS

LOCH LOMOND AND THE TROSSACHS NATIONAL PARK: FINALISED DRAFT LOCAL PLAN CONSULTATION. RESPONSE BY THE SCOTTISH CAMPAIGN FOR NATIONAL PARKS.

Preamble.

The SCNP's primary aim is to promote the protection, enhancement and enjoyment of nationally outstanding areas that are National Parks, or are appropriate to be designated as such, or are of sufficient merit to warrant special protection. This is manifest in our support for good stewardship of the country's best environmental assets and encouragement of environmentally sustainable methods of development, particularly within areas of national park potential. SCNP is a recognised Scottish Charity.

Introduction.

The Local Plan for Loch Lomond and the Trossachs National Park is the first comprehensive local plan for the area and is the instrument whereby the National Park Plan will be delivered. It is also an opportunity to recognise the change that National Park designation has brought about with new criteria governing what should be encouraged and resisted. ***The policies in the local plan should be consistent with and spring from the National Park Plan and we are not satisfied that the Local Plan achieves this essential requirement in relation to conservation, housing, renewable energy and mineral extraction.***

We have not used the standard forms as they tend to restrict how we can comment. We are grateful for the opportunity to make an input through this consultation.

2. Planning and Development in the National Park

2.1 National Park Aims

SCNP welcomes the emphasis in Policy NP1 on the Sandford Principle which calls for the primacy of conservation in cases of irreconcilable conflict and also the application of the Precautionary Principle in cases where there is lack of knowledge or uncertainty of likely impacts. The wording of the first paragraph is, however, curious. We suggest as a clearer alternative, ***“Only development proposals which contribute to the collective achievement of the National Park’s four statutory aims will be supported and”***. It is important that this is clearly understood and acted upon by all Board members who have responsibility for planning and development control matters.

3. Development Strategy

3.1 Our Vision.

We are generally supportive of the wording of the Vision for the Plan but would wish a commitment to conservation TO BE included together with a minor but significant change to the wording of line 2 to read, ***“....quality, environmentally sustainable development.....”*** Unfortunately the word sustainable has been hijacked by the development industry so that a development which might be economically viable is then described as sustainable and the two are not the same. In a national park, environmental sustainability is an essential prerequisite. ***We recommend that you***

re-consider this proposal as it makes the NPA's commitment to the environment much clearer. It would also be beneficial to include a definition of sustainability and **we recommend that you include one in the final plan** so that we all know what we are considering.

3.2 Planning Context.

Population and Housing. If the Park is providing new housing for people who are employed elsewhere ie commuters, the level of population will be a function of environmentally sustainable uses in the Park together with people living in existing accommodation over whom there is no influence. It is likely that established properties which go on sale will be bought mainly by better off people who may be in employment or retired but wish to enjoy the lifestyle and environment the park has to offer. Population loss is often caused because younger people cannot afford properties in the park and are forced to move out. Indeed, some may be in employment in the park and have to commute in, to get to work. **This points to the need to place new housing emphasis almost entirely on local needs and affordable housing, not on open market speculative development.** There is no ideal population level and the park cannot be viewed in isolation from its surroundings.

There is a mismatch between the level of new jobs likely to be created by the policies for growing the rural economy and tourism and the targets/locations for new housing. **There is a danger of the majority of the new housing ending up being used by commuters** and others not in employment within the Park unless more pro-active strategies and policies are adopted to deliver the additional local employment aspirations within the timeframe of the Local Plan.

3.3 The Development Strategy.

We generally support the development strategy but would welcome a strengthening of the third bullet point (page 14) by including "**conserve and protect...**" to reinforce the importance of the park's national and international designations. We do however, have strong reservations about housing numbers and housing land supply and the implications for population growth about which we will say more later on. We do however, welcome the statement in Table 1 page 16 that for certain communities including Luss, Drymen etc., all new housing should be affordable.

3.4 Locational Strategy.

SCNP supports the principle of directing most new development to existing settlements but is concerned with the potential for encouraging a proliferation of housing in the countryside for which there is no functional case. A house being self-build is not a locational justification. **We maintain our objection to self build being used as a locational justification for new housing.**(Table 2: Locational Strategy)

Small scale renewable energy schemes also need careful definition as this could have an adverse impact on the National Park's outstanding landscapes and environment despite some assurances and policies later in the Plan aimed at preventing this happening. The policies need to be more robust and the definition of small-scale renewable energy projects requires to be refined further as 20 metre high wind turbines in the National Park could be damaging and in conflict with landscape and conservation objectives.

3.5 Housing need and demand.

SCNP **welcomes** the focus on affordable housing and choice of housing tenure. We remain concerned however, about the means of attaining that goal. Considerable areas of the park are within commuting distance of the main centres of employment

and population and therefore, **a residency or employment requirement** could play a significant role in achieving adequate provision of affordable and local needs housing. The vast majority of the existing housing in the park is currently available to all comers when it comes on the market. New house building is therefore, the only opportunity to meet local need and affordable demands. As such it requires very careful planning in terms of appropriate location and ensuring that it remains affordable in perpetuity.

There is, in our view, still too much dependency on open market speculative housing, some of it in locations where there is little local employment. The likely buyers, in the absence of any residency requirement, are likely to be retired people, well off business people or second home purchasers. This could increase the proportion of the population in the upper age ranges or in the case of second homes, do little to help sustain local services.

There are sites within the park, eg Gartness Road, Drymen which have a complex and inconsistent planning history with consequent difficulties of contributing to current needs. We understand that the inappropriate consents which have been granted in the past have now lapsed. The current plan is, therefore, a once and for all opportunity to revisit the future use of such sites and remove them from the housing land supply if the allocation is no longer appropriate. Planning should not only allocate land for specific purposes but change the allocation as necessary to meet current needs.

We are also very concerned about proposals in Callander where changes have now removed the Churchfield site from inclusion in the conservation area in favour of a proposal for housing in a very sensitive location subject to flooding. We are not aware of the justification for this change. There are also dangers in losing existing facilities such as the Gart Holiday Park to housing and we **recommend** that this should be re-examined and, in the meantime removed, from the land supply.

We recommend that in deciding on the most appropriate sites to allocate for housing, the wider needs of the settlement for environmental improvement, traffic management, car parking and the public realm should be taken into account at the same time. This could well mean that sites such as Gartness Road in Drymen should be removed from the housing land supply and safeguarded for facilities serving the whole community.

The character of settlements will change over time but if quality is to be maintained it is surely desirable for settlements to encompass change gradually. As such we welcome the changes which have reduced the targets for places such as Ardentiny. However, ***we are still not satisfied that the overall provision over the plan period can be justified and object to the over reliance on open market speculative housing*** which seems to be supported only because affordable and local needs housing might ride on the back of it. This is an approach which has failed elsewhere because generally speaking, people in employment find a job and then look for a house in suitable surroundings and accessible to their employment. For new open market housing in the park, this almost certainly means commuters.

At public meetings during the run up to the consultation, it was made clear by park staff that the figure for house numbers on allocated sites would not necessarily be followed by developers. Experience tells us that developers always go for higher numbers and density and therefore, if quality is to be maintained, the NPA must ensure that the land supply in the plan is what it claims. The policy of 25-50%

affordable housing on each site still means that in most cases the majority, 50-75%, will be open market housing. ***This is not a sustainable approach.***

We object to the elements of Policy HOUS 1 placing reliance on open market housing to deliver affordable local needs housing.

We object to the 10 year limit in Policy HOUS 2 as no justification has been given as to why the restriction to local needs will have changed.

We also have concerns about Policy HOUS 3 because it could lead to a lost opportunity to integrate new residents with the local community.

SCNP is generally supportive of Policies HOUS 4 to 8.

3.6 Economic Development

Whilst supporting the intention to safeguard existing economic and employment areas (Policy ED2), it is surprising that further work is required to gain a better understanding of economic development in the Park to inform future initiatives. Councils and the Park Authority should, as a priority, adopt a more pro-active role in undertaking a review and identifying actions which will make a real difference and sustain local communities.

3.7 Sustainable Tourism and Recreation

Whilst being generally supportive of Policies TOUR1-3, ***we object to the potential loss of the existing large site at Gart Holiday Park in Callander for housing*** despite suggestions that the site may be replaced elsewhere. The tourist accommodation base in Callander has already been severely eroded by speculative housing development on sites such as the former Tannochbrae Chalet Park and it would be difficult to replicate the quality and scale of the Gart Holiday Park which has previously won the accolade of 'Best Holiday Park in Britain' due to its parkland setting and the quality of facilities and services. Reference is made to safeguarding a site at Auchinlaich for static caravan provision when in fact this should be for touring provision at the Gart Holiday Park which is predominantly used by tourers. It is important that adequate provision is available for touring vans in the Callander areas as the town is an important 'gateway' to the Trossachs and the eastern part of the National Park.

We are generally supportive of Policies REC1 and REC2 and Schedule 6 which details specific recreation opportunities/constraints within the Park but we have reservations about the Park's ability to manage intense recreational activity in some areas through land use policies alone. More emphasis needs to be given to encouraging quiet enjoyment of all the areas referred to in Schedule 6(p.44). There needs to be more pro-active use of the Ranger Service and other visitor management techniques and in this context the recent announcement to get Rangers out on the ground interacting with visitors and local residents more is very welcome as are the plans for new camping byelaws on East Loch Lomondside.

SCNP is concerned that the Plan still does not address the problem of Jet-skis and Float planes neither of which should have a place in a national park.

We welcome the Supplementary Guidance on Advertisement Control and ***we recommend*** adding in the intention to restrict advertisements on lorries, trailers etc parked in fields adjacent to roads as there are currently an unacceptable number in sensitive scenic areas such as the approaches to Drymen.

3.8 Transport and Access (p47-51)

SCNP generally supports Policies TRANS1-7. The limited number of transport infrastructure proposals in Schedule 7 is worthy of support subject to being backed up by a more pro-active approach to trying to secure a higher level of take up in transport inter-modal transfers. We generally **welcome** proposals to develop a network of water-based transport services. Linkages should be explored with existing boat trip operators including the historic vessels, as this offers great potential to achieve some of the aims of the Park Plan including enhancing the quality of the visitor experience and reducing car travel around the lochs. Historically it has been easier to achieve public sector revenue support for land-based bus services but if there is to be a significant step change in how visitors get around and enjoy parts of the Park then serious consideration will require to be given to helping fund enhancements to water-based transport services and experiences with the trusts and private sector operators who are active and specialists in this field.

There needs to be more balance in the Local Plan between the provision of transport infrastructure and outdoor access opportunities. It is interesting there is a list of transport infrastructure proposals (Schedule 7, p47-48) yet under the Outdoor Access there is no schedule of proposals. We **recommend** this imbalance is addressed with the inclusion of **strategic access initiatives** such as a round Loch Lomond and the Three Lochs Way long distance footpath.

Initiatives should be included to secure a footpath round Loch Lomond.

4. Enabling and Management Policies

4.1 Environment

SCNP is generally supportive of the policies in this section but to make clear the park's commitment to protecting important designations, some could be reworded to state a '**presumption against unless.....**' rather than the less firm wording eg *Policy ENV1 Natura 2000 Sites (SACs and SPAs) and Ramsar sites. Policy ENV6 Enhancing Biodiversity in New Developments* seems well meaning but unrealistic. Similarly, Policy ENV20 could be strengthened by saying "**Demolition must not begin.....**"

4.2 Sustainable Communities

We are generally supportive of policies in both the Environment and Sustainable Communities Sections but have some particular concerns as below.

Renewable Energy.(pages 84-86 and Draft Supplementary Guidance on Renewable Energy.)

This section of the Plan continues to cause SCNP great concern. ***In SCNP's view, there is no place for commercial scale wind turbines in national parks and that is a stance that has been adopted and supported consistently throughout national parks in the UK.***

Whilst we welcome the emphasis being placed on sustainable and high-quality design, green practices and safeguarding the environment set out in table 1 page 15 of the finalised draft plan, there is a distinct lack of clarity, and omissions and some confusion between the Summary text in Green Practices and the more worked up detailed sections on renewable energy policies (Policy Ren 1 Wind Renewable Energy Projects, page 84) and the supporting technical guidance advice (Draft Supplementary Guidance on Renewable Energy, pages 31 to 38).

In the Summary (p3 of the Supplementary Guidance on Renewable Energy), the impression is given that the Park authority will not support large-scale wind or hydro schemes. ***SCNP supports this position*** if this is indeed the case. However, we

believe the wording of Policy REN1 demonstrates weakness or lack of confidence by the Park Authority and should be stronger and clearer. In terms of Hydro the Summary states that “ new large-scale impoundment is considered unlikely to be compatible with the special qualities of the park”. The words “considered unlikely to be” should be substituted by “not” thereby demonstrating a clear approach by the Park authority.

SCNP supports the possibilities of enhancing existing hydro schemes with the provisos identified in the policy. Similarly the wording relating to wind turbines should be strengthened and the policy on “smaller scale turbines” clarified. Thus, the first sentence in para. 2.3 page 3 of the summary should read, ***“development opportunities for large-scale and extensive commercial wind turbines are incompatible with the special qualities of the Park”***. There is no doubt within SCNP (based on bitter experience), that unless all doors are firmly shut, the wind energy industry will attempt to find a way in and propose extensive developments of large or small scale wind turbines within the park. The special qualities of the park are not the industry’s prime interest.

The clear wording would also make Scottish National Parks consistent with their English counterparts where there is no support for such developments by government. In landscape terms a 20mw windfarm is not medium or small. A 20mw windfarm would comprise ten, 100 metre high turbines or six or seven, 125 metre high turbines together with all the road building, trenches, substation, power lines, etc that go with it. All electricity generated goes to the national grid and brings no benefits, only detriment to the park area. Any money offered by the industry is effectively a bribe and should have no part in the decision making process.

A national park is designated because of its high landscape value, sensitive habitats, cultural history and high conservation needs. ***The Plan’s policy, therefore, ought to be a clear presumption against commercial scale wind turbines unless there is some over-riding need in the national interest to support it.*** Such a situation is highly unlikely and applications have been refused on appeal in less sensitive locations acknowledging that there was no national case to support them. A policy as written in the draft plan shows a failure to appreciate the true responsibility of caring for a national park. Every commercial scale wind turbine has some adverse impact on a good landscape. For users of the park for countryside recreation, wind turbines are not welcome.

The Summary highlights the potential of small-scale hydro schemes and biomass which SCNP is generally supportive of. In the case of wind generation the document states that power lines from sources of generation should be underground. ***We recommend that it should be clear that power lines from any source of electrical generation should be underground.*** This is particularly relevant in the case of remote hydro projects. To quote from the summary, a large number of small-scale hydro schemes could achieve “substantial generation potential”. ***SCNP recommends that a cautionary note be added*** to the effect that such projects could raise the issue of the need to upgrade the local grid network resulting in unacceptable visual impact is, i.e. visual impact offsite could be a significant issue for some or a group of schemes.

SCNP notes the potential for electrical generation from biomass and supports the cautionary caveats in the summary. We note and agree that the transport of raw materials could be an issue with such schemes. Again, we would expect clear guidance that all electrical cables from the generating location to the existing grid connection be undergrounded.

SCNP considers that the only turbines that might prove acceptable in the park would be domestic scale turbines providing energy for a farm or steading for example. Even here, there would need to be a searching examination of the impact on the wider environment.

The concept of a community windfarm can be misleading unless the community own the land and the turbines. In such circumstances, the electricity is still likely to go direct to the National Grid but with a financial benefit to that community. ***The real issue that has to be considered is whether the windfarm is acceptable in landscape and other environmental terms.*** The Gigha example used in the Supplementary Guidance has turbines nearly 150 feet high which in our view would be unacceptable in the park. The money the community might make is not, in our view, a relevant factor. The worked up example in the Supplementary Guidance gives the impression a cluster of 6 wind turbines each 40 metres (132ft) in height would be acceptable within the Park. ***We consider is unacceptable on visual amenity grounds.***

To conclude, SCNP objects to policy REN 1 and the Draft Supplementary Guidance on Renewable Energy. We urge the NPA to adopt a Policy on Wind Energy that has a clear presumption against commercial scale turbines in the park and makes it clear that proposals for domestic scale turbines will be subject to close scrutiny to ensure they do not adversely affect the landscape or present other environmental problems in the community. ***We consider this part of the local plan and the Supplementary Guidance to be incompatible with the National Park Plan.***

We also recommend that the Draft Supplementary Guidance be rewritten and the map associated with wind energy withdrawn immediately before more harm is done. It should be made clear in any future publications whether any firm used by the Park Authority to produce this work is listed as a member of Renewable UK, formerly the British Wind Energy Association whose web site says "Our primary purpose is to promote the use of wind, wave and tidal power in and around the UK." In such circumstances, there is the potential for a serious conflict of interest.

SCNP strongly supports Policy REN5 Renewable Energy Development Adjacent to the National Park Boundary. However, the vague, weak wording on policies for renewable energy schemes within the park together with the Supplementary Guidance and the Map seriously undermines the NPA's position.

5. Action Programme and Monitoring

Some of the monitoring proposals planned are fairly weak. For example, under the Sustainable Tourism and Recreation Development theme, it is only proposed to undertake an annual audit of new tourism developments delivered in the National Park. In isolation this will not be an effective barometer of whether or not the sustainable tourism and recreation objectives and policies of the Plan are being achieved. A more comprehensive approach is required which should involve 'How's Business Surveys' which gauge occupancy/trading levels, emerging trends and future investment intentions. Similarly, under the Transport Infrastructure heading simply monitoring the number of projects and completions will not be an accurate or meaningful measure of the scale of modal shifts to more sustainable forms of transport including water based transport. It should be possible to secure the co-operation of transport operators and measure usage levels on an annual basis.

Statistics for the use of car parks where there is a charge should also be readily available from local authorities and attraction operators(eg Callander and Luss Car Parks, David Marshall Lodge and Loch Katrine). Road traffic counts are also a useful barometer of trends and it is understood electronic counters are in place at various locations throughout the Park.

It will be interesting to see the level of investment planned for the Plan period in the revised Table 7: Transport Infrastructure Proposals. It is unlikely they will come anywhere near matching the level required to achieve the implementation of the targets and policies in the Plan but this should help to scope out the scale of the challenges being faced in delivering the Local Plan outcomes and more generally in supporting the aims of the National Park.

Mineral Extraction.

The park is already under threat from proposed mineral extraction including the re-opening of the goldmine near Tyndrum. There is no place in a national park for activities of this kind and the carbon footprint of the means of securing the range of metals aimed to be recovered may be economically viable but cannot be environmentally sustainable. The minerals policies should not be equivocal in any way on this issue.

To conclude.

The park has had to work with policies and development proposals inherited from predecessors with all the difficulties that can arise. However, when this plan is finally approved, it will be the vehicle for ensuring that the National Park Plan is put into practice. There are clear indications that the Board is still going through a learning curve and has some way to go before it can be said that there is a full appreciation of what it means to manage a national park. There have been development control decisions which do not reflect the Vision, the Sandford and Precautionary Principles eg the Hospice; Rowardennan Hotel; former Harvey's Garage; loss of valuable woodland to another golf course etc.

Ultimately, conservation for the long-term is the key factor in sustaining Scotland's first National Park and it will require an approach which is robust, clear, consistent and committed – and we wish the Park well in that task.

Robert Maund.

**Robert Maund
Chairman
For SCNP
5 April 2010**