

The butchering of trees at Drumkinnon Bay – what’s going on?

Description



The trees that have been chopped lie behind the former Loch Lomond and Trossachs National Park Centre – as seen through the glass. The last Board update report stated that this building has now no tenant, a weddings business.

In a major embarrassment for the Loch Lomond and Trossachs National Park Authority the Lennox Herald reported over 118 trees were chopped down last week on land which the Park manages and provided an excellent photo of the damage ([see here](#)).



View across Drumkinnon Bay to Lomond Shores, former Gateway Centre (centre) and the tree covered headland (right) where the trees have been chopped

While its unclear at present who was responsible for this, the extent of the tree chopping suggests this was not an act of casual vandalism but was quite deliberate. The report in the Lennox Herald talks of several men leaving in a car, that the number plate was recorded and reported to the police. Lets hope the police investigation establishes both who was responsible for doing this and, as importantly, why.

The LLTNPA has responded by putting a Tree Preservation Order in place ([see here](#)) which covers not just the strip of land where the wood chopping took place but a wider area which, in the news release, it said covers the shoreline up to Cameron House. The map published by the LLTNPA only shows a limited amount of ground affected – the strip of land known as the Orientation area where the tree cutting took place:

Town & Country Planning (Scotland) Act 1997
Section 160
Tree Preservation Order


0 25 50 Metres



Gateway Orientation Area, Balloch
Plan 1

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Ordnance Survey 100031883

KEY

 Protected Woodland

Woodland protected by TPO
W1 – One woodland area including Alder (*Alnus* spp), Ash (*Fraxinus excelsior*), Beech (*Fagus sylvatica*), Birch spp (*Betula* spp), Hawthorn (*Crataegus monogyna*), Holly (*Ilex aquifolium*), Pine (*Pinus* spp) Oak (*Quercus* spp), Spruce (*Picea* spp), Sycamore (*Acer pseudoplatanus*), Western Hemlock (*Tsuga heterophylla*), Willow spp (*Salix* spp).

LOCH LOMOND & THE TROSSACHS NATIONAL PARK

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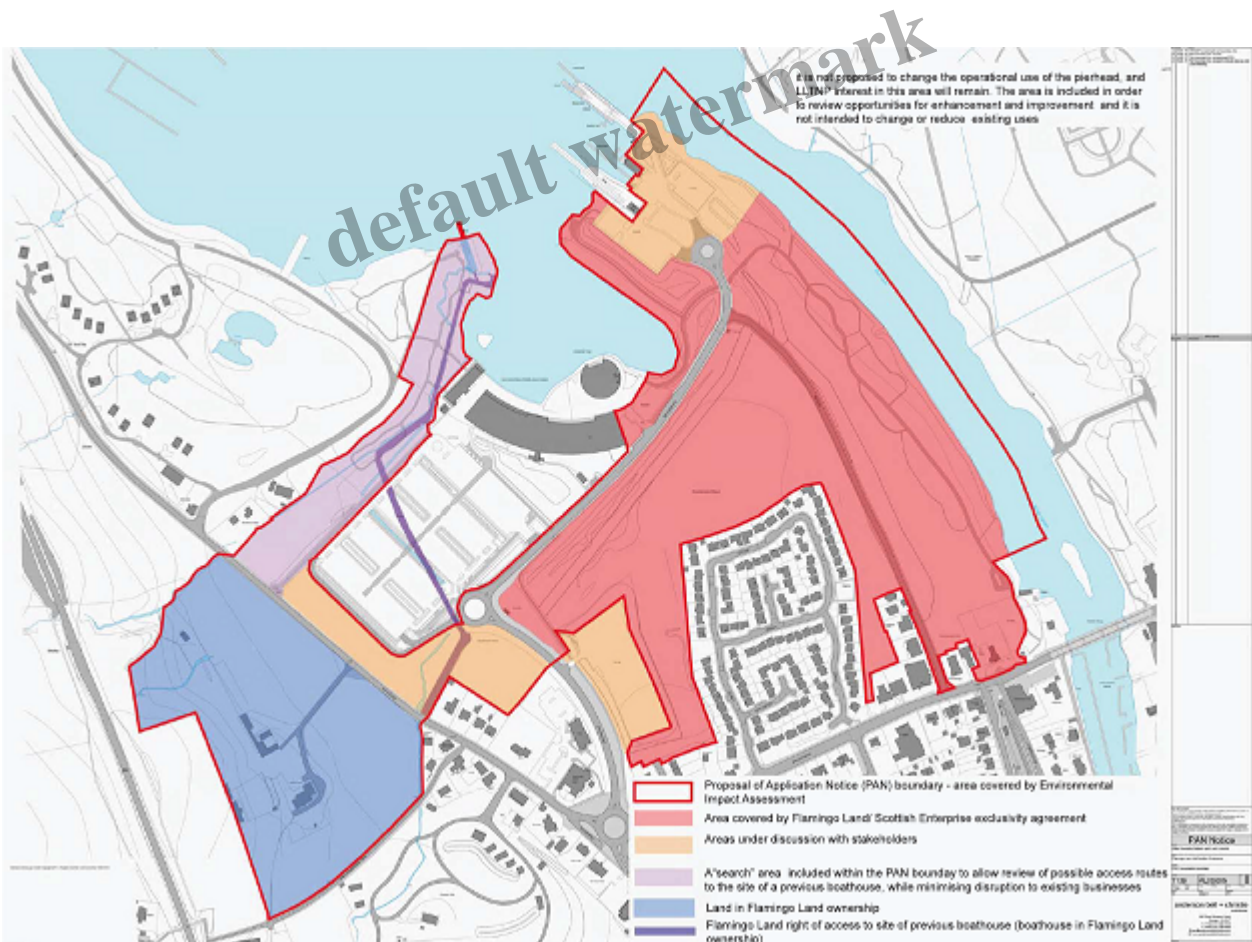
This is the plan referred to in the foregoing Tree Preservation Order entitled
"Loch Lomond and The Trossachs National Park Authority Tree Preservation Order Number 10 of 2018"

Authorised Signatory

The wording of the TPO, however, does indeed appear to cover the shoreline, but it also covers other ground (about which the LLTNPA makes no mention in their News Release):.

Lying within part and portion of ALL and WHOLE (in the First Place) that plot or area of ground extending to 2.89 hectares known as the Orientation Area at Drumkinnon Bay, Loch Lomond Shores, Balloch and being the subjects registered in the Land Register of Scotland DM825028; (In the Second Place) the subjects extending to 41 hectares known as Cameron House, Luss Road, Alexandria G83 8QZ and being the subjects registered in the Land Register of Scotland under Title Number DMB8057; and (In the Third Place) that plot or area of ground extending to 7.3 hectares known as Hamilton House, Lower Stonymollan Road, Alexandria and registered in the Land Register of Scotland under Title Number DMB5973

Hamilton House is another name for Woodbank House so the TPO appears to cover this and the surrounding area which was bought last year by Flamingo Land along with a small patch of ground within the "Orientation Area" affected by the tree cutting. Both were subsequently included in Flamingo Land's outline plan for Balloch along with the Riverside Site owned by Scottish Enterprise:



Map produced by Flamingo Land as part of their consultation on their proposed planning application for Balloch. The area in purple, known as the orientation area, is where the tree cutting took place and appears to be managed by the LLTNPA but Flamingo Land own the pier (marked in red) and a small strip of land behind (marked in

blue). The Woodbank House property is the large area of blue bottom left.

So why is the LLTNPA being coy about the fact that the TPO they have taken out affects the company they helped to appoint – they were on the interview panel – as preferred developers for the Riverside Site?

A primary reason for Planning Authorities making TPOs is to require landowners to get permission before they do any work on trees. While the Lennox Herald claimed the LLTNPA owned the land affected (i.e the Orientation Area), the LLTNPA makes no mention of this in its news release. The LLTNPA does not make public on its website (another failing in transparency) a register of the property it owns or leases so its not easy to tell this for certain but it does provide a list of places it owns where you need to pay a fee to film and the Orientation Area woodland is not on that. It seems probable therefore that the LLTNPA manages rather than owns the Orientation Area. If they suspected the landowner/s might have been responsible for the tree chopping – and unless or until the police rule this out it is one explanation for what has happened – the responsible thing to do was to take out a TPO as a preventive measure. Well done the LLTNPA! But what does it say about the LLTNPA’s working relationship with the landowners or their ability to work in partnership?

Another reason for taking out a TPO is that breaching them can incur penalties of up to £20k which is much higher than the £2500 fine for felling trees (outside of gardens and designated parks) without a licence from Forestry Commission Scotland which would apply in this case. A TPO therefore provides quite a deterrent against casual vandalism or to landowners wishing to chop down trees.

The LLTNPA has now issued two statements on the tree cutting and, once the police investigation allows them to do so, I believe they need to issue a clear statement of exactly why they chose to extend a TPO in the way they have and clarify the effectiveness of their working relationship with the



8. WOODLAND PROMONTARY

- Distinctive, attractive promontory with visitor destinations
- Woodland separates Cameron House Golf Course from Lomond Shores. restricted capacity for development

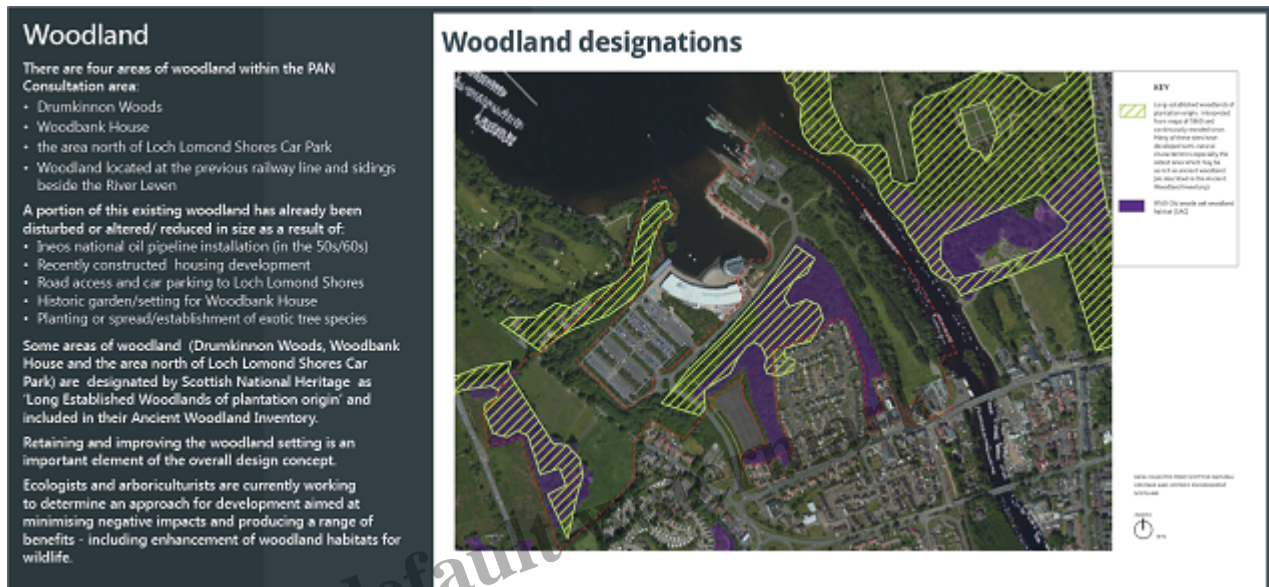
Flamingo Land in their consultation last year made several

statements about the importance of woodland, including the promontory at Drumkinnon Bay where they now own the boathouse (left). They also identified this bit of land variously as having “*potential as a special destination*” and referred to “*limited high quality development at location of previous Woodbank boathouse*”. The tree cutting has prompted the first public announcements on the Iconic Developments website and facebook pages since December – its been a long silence especially when at the consultation they claimed a planning application was imminent – but I am delighted that on FB they have said:

“We’re saddened by the recent events involving unauthorised tree felling at the North side of Drumkinnon Bay. The preservation of woodland and wildlife in the area is important to us and we are

pleased to see that the local authorities are taking further action and carrying out investigations.”

The question is whether this goes far enough? According to the Lennox Herald some of the tree cutting has been on their land and the question that Iconic Developments now needs to clarify is how the removal of the trees on and around their land – and there is no evidence that they are in any way responsible – could impact on the proposals they have been developing for the site. If their plan was to retain these trees, and as proof of their good intentions, they should now make a clear statement that they will replant mature trees to replace the ones that have been chopped down.



Extract from Pre-planning consultation document. Why does the hashed green area, showing woodland of importance, not extend the whole way to the end of the pier which Flamingo Land own?

If not, and the plan above suggests that potentially Flamingo Land was considering removing trees from the headland, then I believe they are in a very embarrassing situation and they owe it to the public to explain how they might benefit, however inadvertently, from what has happened.

The wider implications of what has happened

To my knowledge its quite unusual to apply TPOs to areas of woodland rather than individual trees but I welcome the fact that the LLTNPA has done so and relatively rapidly.

Their actions in this case though rather begs the question of why, if the LLTNPA was so concerned about people on the lochshores – they blamed it all on campers – chopping down live trees for firewood, did they not just protect all the loch shores in the National Park with TPOs? Those of us who were against the camping byelaws have always argued that other legal remedies were available – including criminal damage to trees – but the LLTNPA had what is potentially an even more effective remedy available. Blanket TPOs. The question is why did they not use this? The answer, I am afraid, is that TPOs would have affected not just campers but landowners and the sad fact is the LLTNPA is only normally concerned when its campers who chop down trees. The bigger problem, as what has happened at Balloch illustrates, has nothing to do with campers – even the tiny minority.

While I would like to hope what's happened at Balloch marks a change in attitude, my suspicion is the

only reason the LLTNPA has taken decisive action is because not to do so would have risked undermining the credibility of the whole Riverside development. The test of their good faith will be whether the LLTNPA requires Flamingo Land to replant trees on the land near the pier whoever was responsible, whether they volunteer to do so or not and whatever their future plans

Category

1. Loch Lomond and Trossachs

Tags

1. conservation
2. landscape
3. LLTNPA
4. planning

Date Created

March 28, 2018

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