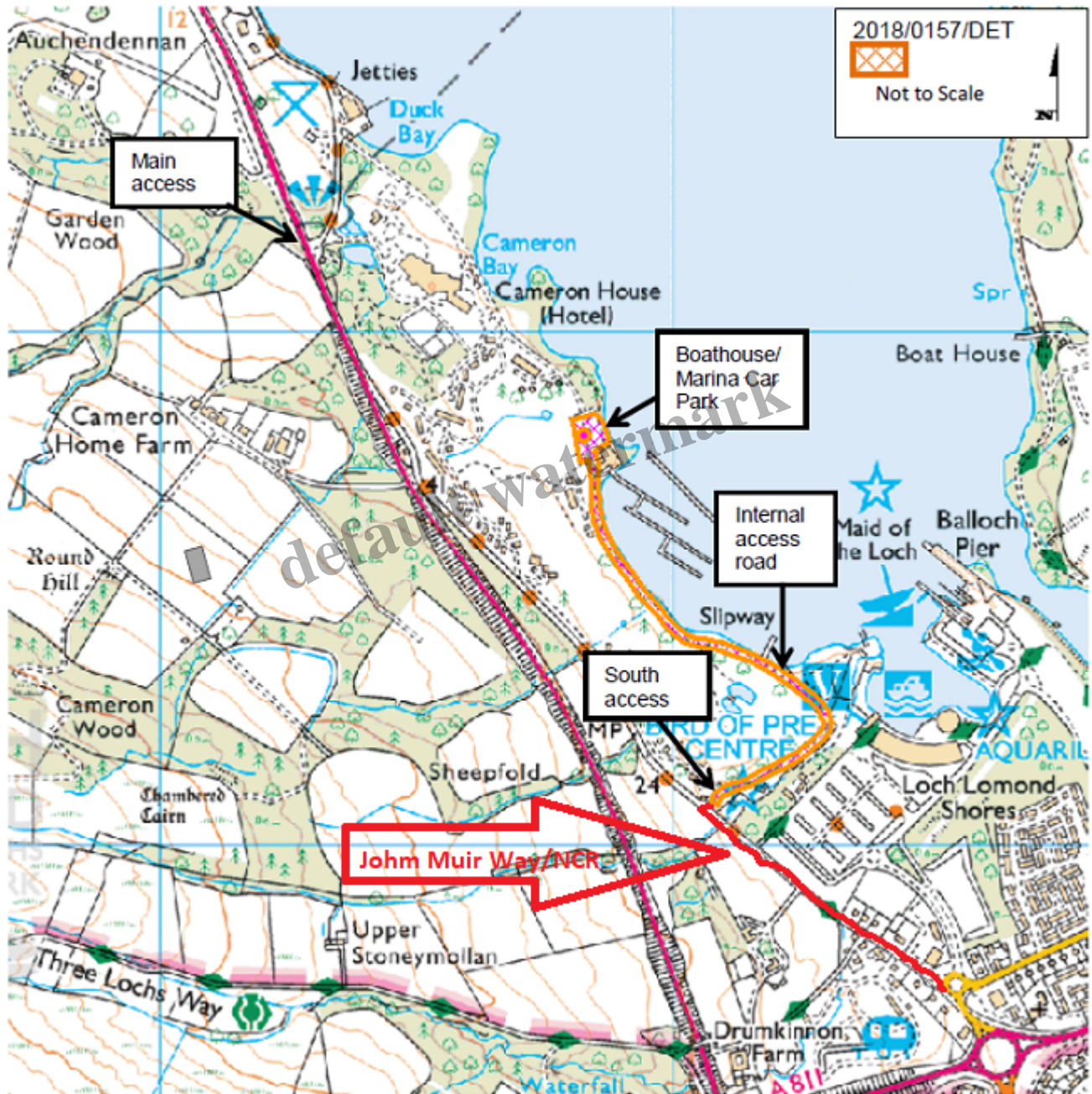


## The failure of the LLTNPA planning system – Cameron House and Flamingo Land

### Description



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**Figure 2.** Site Plan. Application site outlined and hatched in orange

Map from Committee report with additions in red marking the Old Luss Road and its junction with the John Muir Way, Three Lochs Way and National Cycle route. The “Main Access” label marks the existing junction off the A82 and just 50m west of this, off the road to Duck Bay, lies the existing main entrance to Cameron House

After the fire in December 2017, in which two people tragically died, Cameron House needs to be rebuilt. There are a number of other associated businesses on the site (234 berth marina, 87 lodges, restaurant, golf course and sea plane flights) that have continued to operate since the fire and need to do so during the re-building period. In May Cameron House (Loch Lomond) Ltd submitted a planning application ([see here for all papers](#)) to the Loch Lomond and Trossachs National Park Authority for what is effectively new access to the site for visitors from the south, along the Old Luss Rd and then turning off onto a section of private road along the shore of Lomond (marked in orange on map above). The story of what has happened since then should be of interest to anyone who is concerned with the integrity of the planning system in Scotland and has implications not just for the south shore of Loch Lomond – the whole of which now appears up for grabs for developers – but for access routes across the National Park. Without a sustained campaign by local residents, who have forced the LLTNPA to make public certain documents and been pressing other public authorities to fulfil their legal obligations, none of the issues covered in this post would have come to light.

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The private road as it appeared last week, together with boat launching hoist (you can see the turning to the slipway just beyond on the right). Cameron House wants to divert about 1000 vehicles a day along this route by the loch side

As a result of the level of local concern (there have been 27 objections against one letter of support from the Friends of Loch Lomond and Trossachs) the LLTNPA has been forced to refer the decision to their Planning Committee (which they very rarely do unlike the Cairngorms National Park Authority) and this will determine the case on Monday 27th August. Officers have recommended in the Committee Report ([see here](#)) that the decision be approved.

## **The alleged justification for the proposal**

The Planning Application was accompanied by a Transport Assessment which was only published after pressure from local community activists. This justified the application as follows:

To facilitate the reinstatement works at the hotel under an access agreement, principal access from the A82 into Cameron House will require a dedicated contractor for the duration of the building works. The existing entrance is identified as suitable to serve as primary access for lodge owners and visitors to the marina for the duration of the reinstatement process.

So, what evidence did the Applicant produce to show that the existing entrance required to be “exclusively utilised” by the building contractor?



Photo of existing entrance to Cameron House, which lies off minor road to Duck Bay, from LLTNPA committee report

The six page Transport Assessment (a 6MB pdf file so too big to give a direct link to but on the planning portal) is actually not an assessment at all but rather a description of how Cameron House was proposing to upgrade the new route into the hotel complex. The only justification I can find for separating visitor from construction traffic is as follows:

*Proposed Access Arrangements*

*In order to reduce the potential for vehicle conflicts during the construction period, the existing southern access has been identified as a suitable means of access for lodge owners and visitors to The Boathouse for the duration of the build, anticipated to last around 1 year, from September 2018 to September 2019.*



Ignore the fact that the new road is needed for one year while the application is for it to remain for three and the LLTNPA is now recommending permission for two years! The only justification for this new road is “*the **potential** for vehicle conflicts*” during the construction period. Not that they are going to occur, just that they might.

Nowhere is it stated that the junction off the A82 is insufficient to take the new construction traffic along with existing visitor traffic – indeed if there was a problem here one might have expected Transport Scotland to have a view. Moreover nothing is said about there being any conflict between construction vehicles and visitors to Duck Bay on the short stretch of road between the A82 and entrance to Cameron House (photo above). Yet when this mixed traffic then turns off into Cameron House, suddenly there is a problem. Now maybe the road into Cameron House might be rather a squeeze for lorries and cars to pass each other in the opposite direction (the LLTNPA reports says its 5.5m wide) but if so, why not just widen that section of road?

Instead, Cameron House are proposing a whole series of upgrades to proposed new access route:

- Traffic calming measures from No.16 Old Luss Rd north but not between the roundabout and No.16.
- Resurfacing and widening (but without chopping down trees) the private road between the gatehouse and Cameron House
- Installing lighting along the private road

So why is Cameron House going to all the expense of doing these road improvements for what is supposed to be a temporary access when much cheaper and more obvious solutions are available? The Application makes no sense at all unless there is a plan for permanent access here in the future.....for example to make it easier for people to get from Flamingo Land to Cameron House.

## **The response from the LLTNPA and WDC Roads to the planning application**

For anyone with experience of the planning system as operated by the LLTNPA it will come as no surprise to learn the LLTNPA has been less than transparent with this application and the usual jiggery pokery of documents appearing, disappearing and being published with the wrong date has been going on. Evidence for some of what has been going on – there is a lot more – is well described in this objection ([here](#)) from a local resident which should be read by every member of the LLTNPA Board. There are fundamental governance failings here which the Board need to address.

As seriously, after receiving it the LLTNPA and West Dunbartonshire Council have failed to subject the application to any type of critical evaluation and basically left this to local residents to do. Examples include:

- Flooding (local residents had been reporting floods on the Old Luss Rd for years to West Dunbartonshire Council but there was no mention of this in WDC's response to the application)
- Daily number of vehicles likely to use the new route (neither LLTNPA or WDC roads asked the applicant to provide estimates of vehicle usage based on current visitor numbers)
- Safety issues relating to the Old Luss Rd being used by both the National Cycle Route and John

Muir Way and the footpath having been unfit for use for years (so people walk down the road).

You can read an excellent example of the sort of evidence local residents have had to supply [here](#) and I will take just one example from that to demonstrate the abject failure of our public authorities to evaluate this application properly, the likely increase in traffic into Balloch and along the Old Luss Rd.



Looking down the Old Luss Rd from the south

The original response from WDC ([see here](#)) was made without any evidence about the volume of new traffic that might be directed into Balloch and along old Luss Rd and concluded *“Although this proposal will result in an increased volume of trips, the impact is not considered significant”*. And then when forced to admit they had not even looked at the Transport Assessment and had failed to consider the number of vehicles that might use the new route they provided a revised response ([see here](#)). This concluded: *“As previously stated, this road is the former A82 trunk road and has a capacity in excess of 1,000 vehicles per hour, therefore Old Luss Road can comfortably accommodate the generated trips indicated”*. It appears that because the Old Luss Rd could once accommodate 1,000 vehicles an hour WDC is completely uninterested in what the implications of the increased traffic might be on either residents or the town.

Rather than accept Cameron House’s estimate of vehicle numbers (744 bi-directional movements) Kenny Gibson did his own research and came up with this:

## Traffic increase evaluation

Below are figures obtained from Cameron House numbers who will be using their facilities and will use Luss Road:

- a) customers of the boat house restaurant (200 by restaurant supervisor)
- b) marina boat owners which has 240 berths (reception)
- c) golf members wee demon 212 with over 900 (Information supplied by the Carrick golf club)
- d) the frequent shuttle car/bus service to their homes
- e) timeshare lodges 87 each with at least 2 cars (submitted by applicant and google maps)
- f) employees cars (restaurant, bar, marina, Golf)
- g) miscellaneous i.e. sea plane, sightseer visitors

As can be seen from the above numbers it is obvious that there will be a significant vehicular increase to the current traffic using Old Luss Road

Potential daily increase  $200+240+(87 \times 2)174+212$   
Total 976 (not including over 900 people who have cars)  
Movements  $976 + 976 = 1952$



That's a huge increase for what is at present a very little used road (on the times I have been along it its rare that I have seen a car) and where the main vehicle is by local residents and businesses. WDC's assessment gives no consideration to:

- The impact of a further 1000 vehicles a day on Balloch, the entrance to which is already gridlocked on popular weekends, or more specifically the roundabout at the junction of the Old Luss Rd with the Lomond Shores access road
- The impact of this new traffic on the long distance walking and cycling routes that now use Old Luss Rd or the junction with the private road



The start of the private road by its junction with the Old Luss Rd (beyond the gates) – the old gatehouse to the Cameron House grounds is now sadly in a state of disrepair.

In response to this abdication of any responsibility the LLTNPA planning report in turn abdicates all responsibility:

*“As planning authority for the National Park there is reliance upon the responses and advice from West Dunbartonshire Council Roads Service, as the key statutory consultee and authority with respect to*



*road capacity and safety matters. The Council's Roads Service has considered all of the documents submitted and has been alerted to the serious concerns of residents (detailed in the written representations received). On this basis the Council has responded to the proposal and the proposed traffic calming measures for Old Luss Road and raised no objections, subject to conditions to enhance and ensure safe cycle provision whilst the temporary measures are in place (recommended planning condition detailed in Appendix 1 of this report)."*

In other words anything to do with road safety is nothing to do with the LLTNPA. Nowhere to do they mention public safety, especially pedestrians. This is just wrong:

- first, the LLTNPA is an access authority, core cycle and pedestrian routes now take sections of the Old Luss Rd and the LLTNPA has responsibility for this. This is all clearly stated in its transport policies:
- second, this totally ignores the fact that WDC is only responsible for public roads and after the gatehouse the proposal is all about a private road.



Looking down the start of the private road from near the gatehouse towards Loch Lomond where the road turns sharp left



Looking up the private road to the old Luss Rd. This is supposed to take 1000 vehicles a day once it has been upgraded (note the rubbish on the right). The only planning condition set about this road is for its junction with Old Luss Road.

The issues are obvious: junctions, parking of vehicles, width of road and room for pedestrians but the LLTNPA has chosen to ignore them. Why? It seems the potential for conflicts on this road will be far greater than those of mixing construction traffic and visitors on the current road into Cameron House.

When pressed by local residents, however, to look at alternatives, the LLTNPA has refused, saying that as Planning Authority it can only consider planning solutions put before it in the form of planning applications. This is how it puts it in the Committee Report:



*The letters of objection received all raise concerns about the principle of using Old Luss Road as a means of access, despite being on a temporary basis. These objections are summarised in para 4.4 of this report. The concerns raised regarding the capacity of the road system and connecting road network and the standard of the condition of the road and footways to accommodate the increase in traffic and level of pedestrian/walking/cycling use are all acknowledged. Furthermore, the alternative options suggested by contributors for Cameron House to continue use of the main access (via the A82) for all traffic are also acknowledged. However the Roads Authority, as the key consultee on such matters, has raised no objection to the proposal to use the southern access. Consequently, there is no evidence to support the objectors' request that the principle of the application should be refused and that submission of an alternative proposal should be sought. As planning authority, the National Park is required to consider and determine the application that has been submitted.*

This totally ignores the fact that the LLTNPA has a strategic planning function. It could have told Cameron House to look at how it could upgrade the current access route but has chosen not to do so. Why?

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# Transport

## TRANSPORT POLICY 1:

### Safeguarding Sites to Improve the Transport Network

Land will be safeguarded for, and support will be given to, the transport infrastructure proposals identified within Town or Village proposals maps.

## TRANSPORT POLICY 2:

### Promoting Sustainable Travel and Improved Active Travel Options

All development proposals will make a positive contribution towards encouraging safe, sustainable travel and improving active travel options throughout the Park by enabling opportunities for:

- (a) Sustainable transport modes, based on a hierarchy of walking, cycling, public transport and motorised transport; for freight, a shift from road to rail and water-based transport where possible,
- (b) Access and opportunities for water transport on the sea lochs and on some inland lochs,
- (c) Modal change from private car to more sustainable transport modes within settlements including the provision of integrated new or improved transport infrastructure,
- (d) New and improved links to existing and proposed walking and cycling routes, as described in the Core Path Plan and included in the National Walking and Cycling Network (NWCN). Former railway lines should be safeguarded to provide walking, cycling and bridleway opportunities.

## TRANSPORT POLICY 3:

### Impact Assessment and Design Standards of New Developments

#### 1) Assessment of Impact

To minimise any adverse impact on traffic flows on the local and strategic road network, development proposals (except for minor and small scale householder developments) will require to be accompanied by:

- (a) A transport statement; or
- (b) In the case of larger-scale developments, a full transport assessment to assess the implications of development (including cumulative impact with other development proposals) and a travel plan indicating measures to reduce the impact of travel; and
- (c) Developers will be required to implement any measures identified in, or arising from, a transport statement or assessment that the National Park Authority, in consultation with the Roads Authority and/or Transport Scotland have determined as appropriate.

#### 2) Design Standards

All developments must be designed to meet the standards set out in the National Park Design Standards. Small scale developments will require to be accompanied by:

- (a) Footpath and cycleway design details
- (b) Building design details
- (c) Building design details
- (d) Building design details

The local plan for Balloch, while showing the proposed area of development around Woodbank House, on the west side of the Old Luss Rd, shows no new transport routes between Balloch and Cameron House and indeed the land between the two might in the past have been treated as green belt. While



the Committee Reports makes reference to the Local Development Plan policies, it doesn't explain how this proposal fits with the policy hierarchy of walking, cycling, public transport and then motorised transport. The Planning Application puts walkers and cyclists second on what are national routes.

## **Other amenity issues**

The impact of all this increased traffics on local residents' amenity and on other Balloch residents should be obvious. Trunk roads are not just about speed of connection, they are designed to offer local communities some protection from traffic but instead of keeping this traffic on the A82 and accessing Cameron House directly our public authorities now want to divert this through what is a quiet area.

There are however other adverse impacts which the LLTNPA has failed to consider properly and which relate to the impact of upgrading a private road along the shore of Loch Lomond. At present people can walk along the shore of Loch Lomond between Loch Lomond Shores and Cameron House and its quiet – a good place to sit on the beach and enjoy the loch. The unpaved road, though uncared for, has a fairly natural feel but now the LLTNPA say there are no issues with it being put under tarmac – in fact they claim this is a permitted development. If that was right, every unsurfaced track in the National Park be upgraded to tarmac. The implications are horrific, any landowner could upgrade their hill tracks to tarmac (and conveniently address the erosion problems which result from inappropriate designs and location).

The issue here is a fundamental one, the same as at Coull Links and at Flamingo Land and that is how we protect our sea and loch shores from being overdeveloped. That the LLTNPA does not see any issue with suburbanising this corner of the loch suggests that Flamingo Land will also be allowed to do the same at the pier head.

The LLTNPA will of course argue that the permission is temporary. Having argued that the road upgrade and lighting is permitted development, however, they cannot impose any condition that the road is returned to its original state and lighting removed once the Planning Permission expires. This development is therefore permanent in its effect and there will be nothing to stop Cameron House using it in the long-term.

The LLTNPA is acting like a Special Development Authority or Business Enterprise Agency rather than a National Park. One of the striking things about this case is that having raised issues about the Old Luss Rd flooding for a number of years and got nowhere, after residents raised this as a reason for rejecting the Planning Application (the road being unfit for use), suddenly work – not adequate but work nonetheless -was undertaken to improve the water flow through the offending blocked culvert. So, rather than being neutral, as they claim, our public authorities seem to be doing everything they can to help business interests rather than local residents.

## **What needs to happen**

I hope LLTNPA Board Members wake up, refuse this planning application and initiate a Board Inquiry into what has got wrong in this case.

If they do not do so, I hope local politicians will step in – I have been copied into various correspondence and both Jackie Baillie, the local MSP, and Jim Bolland, a Community Party Councillor, have been supportive of local residents in their campaign. I hope they will be prepared to take it further if the LLTNPA take the wrong decision.

More generally though we need a root and branch reform of our planning system to look at what is going wrong and how it can be addressed. This should include why work Public Authorities should be doing is being left to individuals to do on a voluntary basis. The Scottish Government's review of the Planning system failed to consider the sort of issues raised in this case. One of the three members of that review, Petra Biberbach, is current chair of the LLTNPA Planning Committee. It will be interesting to hear if she calls for change after hearing local residents next week.

There is much talk of empowering local communities but when local communities try to raise issues, as they have done here, it appears that our Public Authorities almost invariably side with business interests.

(The public can attend the Planning Committee which is on Monday 27th 1.30pm at the LLTNPA HQ, 20 Carrochan Rd, Balloch).

### **Category**

1. Loch Lomond and Trossachs

### **Tags**

1. Governance
2. LLTNPA
3. Local communities
4. planning

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