

## The ongoing development of Loch Lomond – the failures of the National Park Authority

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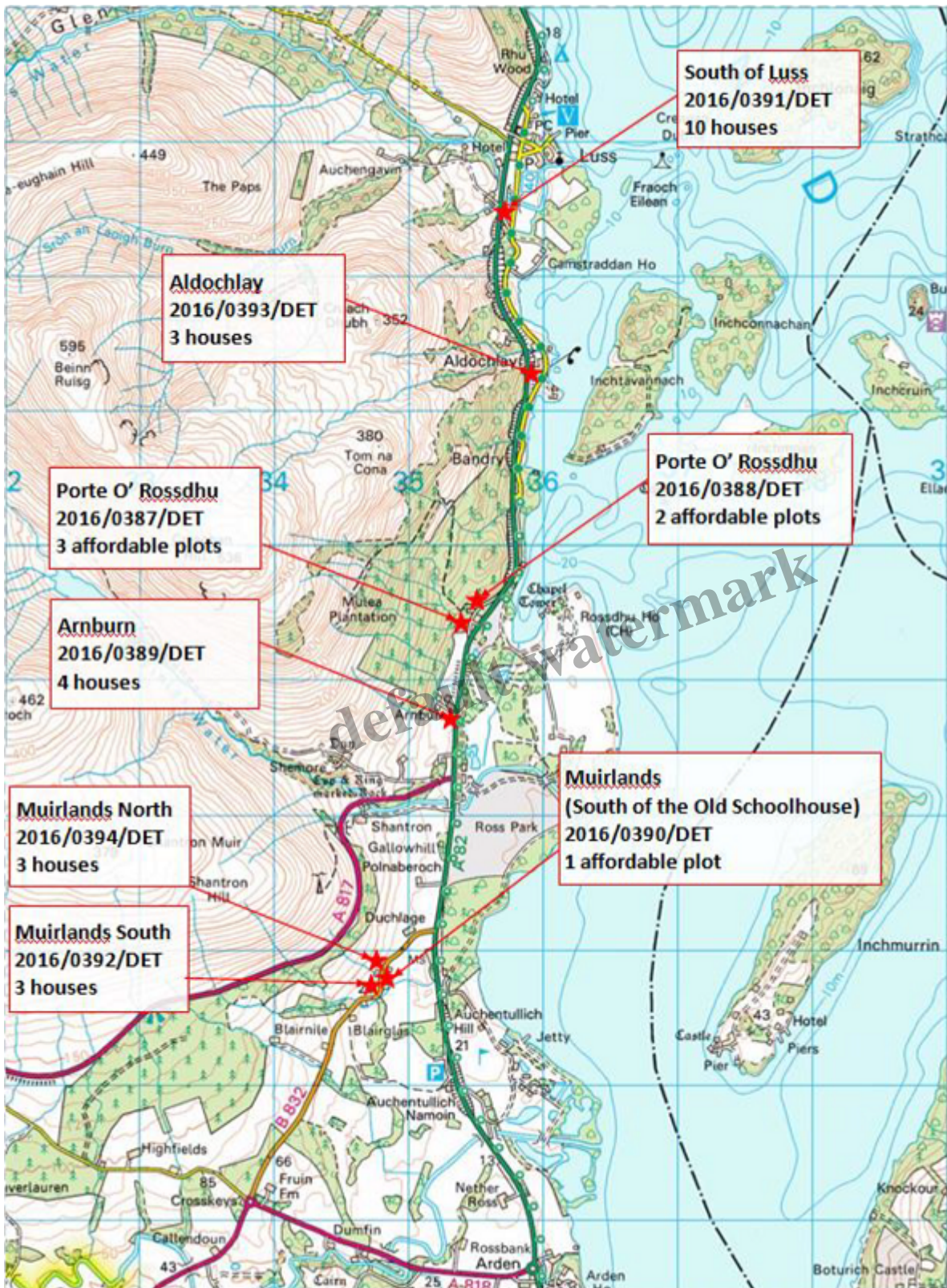


Figure 2: Location of the application sites

Although the Flamingo Land Planning Application may have been temporarily withdrawn, the relentless development of the south west quarter of Loch Lomond continues from Balloch in the south to

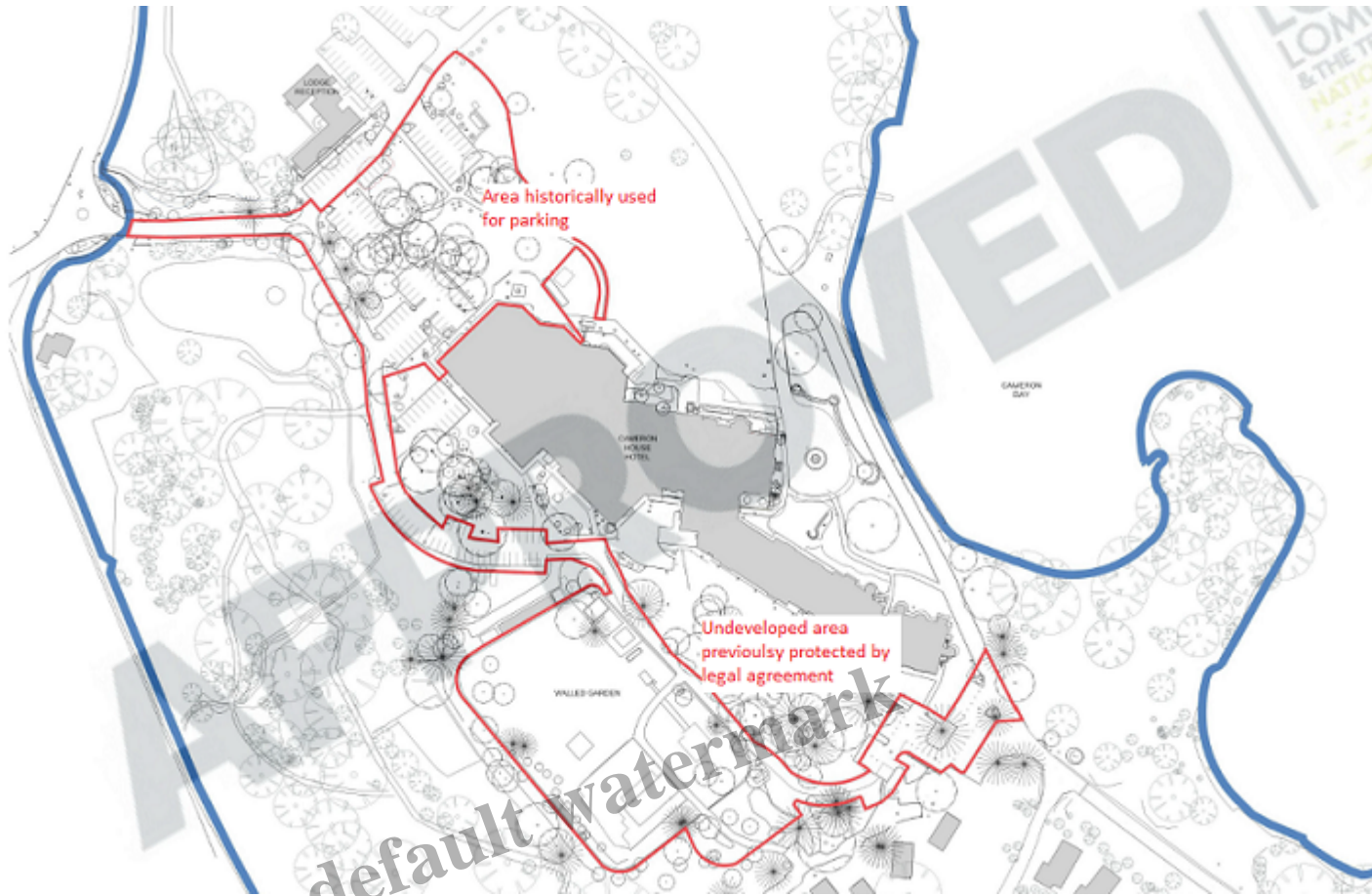
Mouldale Properties plans for Tarbet in the north. In October the Loch Lomond and Trossachs National Park Authority's Planning Committee approved plans to increase the size of the Cameron House Hotel, in the name of jobs, and build 23 new houses on the Luss Estate, on the grounds of the need to increase affordable housing. However, not a single one of these houses, dubbed "family homes", will be "affordable" and instead 6 "affordable" building plots are on offer. The poorer among us are now expected to build their own houses!

The decisions reveal how corrupt the planning process in the National Park has become and the strategic failure of the LLTNPA to deliver housing for those who may end up working in the area. This has serious social and environmental consequences which will affect the National Park for years.

## **The Cameron House development**

Just before Xmas LLTNPA officers used their delegated powers to approved ([see here for papers](#)) a large extension to the Cameron House hotel along with new car parking places. This follows the disastrous fire in December 2017 where two people died. Instead of just restoring the former buildings, suitably fire proofed, the owners have used the fire as an opportunity to apply to enlarge the development. That is what such businesses do, they grab opportunities to expand and make more profit.

The LLTNPA has actively supported this business expansion. At the beginning of December officers amended a legal agreement with Cameron House which, after previous planning approvals, protected the rest of the land around it by creating a "zone of no development" ([see here](#)). Development of the site which was deemed unacceptable back in 2003 is now declared to accord with the Park's statutory objectives. That is a good demonstration of just how far the LLTNPA has abandoned its founding principles.



Existing site plan – extract from planning application with labels added



Approved plan with labels added. The new extension is not small, it adds 4,500sqm floorspace “containing 68 Bedrooms over the upper three storeys and, at ground level, a banqueting hall/ballroom (with capacity for 350 persons), pre-function space and associated kitchen/stores”. There is also a net increase of at least 48 new car parking places.

The basis for the LLTNPA’s approval for the application is economic development, that the “applicant has confirmed that 300 on-site jobs would be reinstated upon re-opening Cameron House Hotel and that this would be supplemented by an additional 150 on-site jobs as a result of the proposed extension”. While a lot of people lost their jobs as a consequence of the Cameron House fire the restoration of the existing hotel and reinstatement of those jobs should have been treated as a completely separate issue to the creation of new jobs.

The Park’s adopted policy on tourism development ostensibly opposes new large scale tourism developments in the countryside such as where Cameron House is located:

*“Proposals for medium to larger scale tourism development within the countryside will generally be resisted unless there is demonstrable evidence of:*

- (a) Strong market demand for the development that is currently not being met, and*
- (b) The benefits that development would bring to the local economy and/or the local community*

Proviso (a) is a Trojan Horse which appears to have been deliberately designed to allow development anywhere in the National Park. Imagine if the LLTNPA allowed every inch of the southwest shore of Loch Lomond to be covered with hotels and housing, just as has happened along hundreds of miles of the mediterranean coast, there would be huge demand. People would buy houses, timeshares etc not least because our dodgy pension system means people are always looking for bricks and mortar into

which they can “invest” their savings and because its in a National Park this would be seen as a “safe investment”. The existence of demand, however, does not make development right. Why have a National Park if it offers no protection against “demand”, if its incapable of defending “no development” zones? On this logic why not a cafe on the summit of Ben Lomond?

In relation to the second proviso and the benefits of the development, the report from officers provides no evaluation of whether the promised new jobs will be worthwhile, whether even the Scottish Living Wage will be paid (rightly an issue at Flamingo Land) or whether the jobs will be full time or on zero hours contract. All of this has serious financial and social implications for the people who might work here in future.

Within the application there were no proposals to create additional housing for the workforce and no provisions to help the new workforce get to work, meaning they will have to do so at their own expense – out of what are likely to be already meagre wages. The section in the travel plan approved by the LLTNPA on the workforce is a joke :

*“Measures will be put in place to encourage staff to travel to the Hotel by public transport as follows:*

- *Provide all new employees with up-to-date public transport information on commencement of employment;*

**[Comment:** as if people without cars would not have already checked this before applying for the job] and

- *Provide a staff noticeboard in an accessible location, permanently displaying up to date route information, service frequencies, National Rail and national / local journey planner websites and enquiry phone numbers*

**[Comment:** given the lack of bus services along the West Shore of Loch Lomond anyone using public transport to get to work would need to walk from Balloch -fine for some on a nice day but in winter at the end of an evening shift?]

The LLTNPA report also makes no attempt to analyse how this development in the countryside, with all its implications for housing and transport, fits with the other large developments being floated for the west shore of Loch Lomond. The Flamingo Land and Mouldsdale Property proposals at Balloch and Tarbet are, unlike Cameron House, at least partially on land identified for development. If they were to go ahead that would be at least another 400 new jobs without ANY provision for new social housing or proper public transport links.

The approval of the Cameron House extension on land which was not earmarked for development will also have consequences for Woodbank House ([see here](#)), the listed building bought by Flamingo Land and which was earmarked for tourism development but which they wanted to turn into flats. .

The attitude of the LLTNPA to these issues appears to be to leave it to the “market”, to ignore its own plans and tp shrug off all responsibility for the well-being of the workforce. I find its incredible that the LLTNPA Board has allowed a development with such important strategic considerations to be decided by staff. That would have never been allowed in the Cairngorms National Park Authority where all such decisions are taken by the Planning Committee.

## The LLTNPA's response to objections

There were only three objections to the development, from the Scottish Environment Protection Agency, the Woodland Trust and myself. I believe that tells us more about the dire state of planning in Scotland than what people actually think.

SEPA objected to the original development as the new extension protruded onto the flood plain. Cameron House then revised their application, reducing the size of the building by two bedrooms and removing an artificial terrace, so the development is no longer on the flood plain. That at least is in accordance with government policy which is that development on flood plains should be avoided. How this fits with SEPA's response to Flamingo Land, where the proposed "water park" on the Riverside Site was on the floodplain but deemed acceptable on the grounds that it was "a water compatible use" is unclear. A building on a flood plain, whether filled with a glorified swimming pool or not, is still at risk of flooding – let's hope the changes to the Cameron House development at least set a precedent that both the LLTNPA and SEPA will in future refuse all built developments on flood plains.

The Woodland Trust seems to be about the only organisation which takes the protection of ancient woodland seriously. As a result of its objection one large oak has been saved but a whole lot more of ancient woodland is to be cut down and replaced by a similar area of "compensatory planting". New planting can't compensate and the Woodland Trust said as much. Wildlife in woodlands develops over time and if we keep chopping down woods of medium age (and worth), we will never allow wildlife rich woodlands to develop. There are red squirrels at Luss and trees around Cameron House that might have provided suitable habitat and a stepping stone to Balloch will now be destroyed.

In its disregard for woodland, the LLTNPA is being consistent. The Committee Report on Flamingo Land's proposals at Balloch, for example, also deemed it quite acceptable to chop down medium age trees and replace them with saplings. This is a National Park that has no real interest or understanding of conservation and whose planning policies on woodland are not fit for purpose.

My own objection covered the points considered above but also Transport/Access/Parking:

- *"The access from the A82 is dangerous and is contrary to the Local Development Plan policies on safe access;*
- *Creation of 86 new car parking spaces is contrary to the Local Development Plan policies on sustainable travel;*
- *The southern approach road, which was granted temporary planning permission would effectively become permanent;"*

The LLTNPA dismissed the concerns about access from the A82 on the grounds that Transport Scotland had raised no objection: this is the same Transport Scotland who raised no objection to all the new traffic that would be attracted to Balloch if the Flamingo Land Development went ahead.

The Officers Report welcomed the "restoration" of the walls walled garden when most of the area within it is due to be turned into a car park!

While I have been unable to tell from the revised application the total number of new parking places, what is clear is that there will be a significant increase in traffic both from visitors and staff who will

have little option but to drive to work. The targets in the travel plan commit Cameron House to nothing and mean that nothing will change:

- *reduce single-occupancy car trips to the site by 10% by the end of Year 5 (five years after implementation of the Travel Plan and baseline travel survey completion);*
- *increase pedestrian mode share by 1% by the end of Year 5; and*
- *increase cycle mode share by 2% by the end of Year 5; and*
- *increase the proportion of car sharers by 2% by the end of Year 5.*

If none of the 450 staff walked or cycled to work when the extension opens – its just over 2k from Balloch Station – success would be 4.5 people walking and 9 cycling to work after FIVE years. The LLTNPA still has its head in the sand when it comes to the climate emergency.

The approval of this useless travel plan, however, does have the consequences that the “temporary” access road to Cameron House from Balloch, which has suburbanised the very south west corner of Loch Lomond will, as parkswatch predicted ([see here](#)), become permanent.

## The Luss Estates housing developments

If the reasoning used to approve the Cameron House development is bad, that used to approve the multiple applications for new housing by Luss Estates – which has taken three years – is appalling. The full report is well worth reading ([see here](#)) and should become a classic on how Planning Authorities are subverting their own rules. Having coined the term “parkspeak” to describe the LLTNPA’s misuse and abuse of language, it seems appropriate to introduce readers to “parklogic”.

The proposal from Luss Estates that has been approved is for 23 open market houses and 6 affordable houses – or rather “affordable sites” – in 8 locations (see top map). All these houses are in the countryside and the policy position the LLTNPA initially adopted in their Local Development Plan 2017-21 is that ALL new houses should be “affordable”.

Note that “affordable housing” is not the same thing as social housing, its just cheaper housing that those hoping to get onto the bottom rungs of the home owning property ladder might be able to buy. Its unlikely that anyone employed in tourism who was even on the living wage would be able to afford such housing. The six new affordable housing plots south of Luss therefore are unlikely to be much use to most of the 450 people who may be taken on by Cameron House.

So, how did the LLTNPA get from the position of 100% affordable housing set out in its LDP to approving a set of developments which, if all the “affordable sites” are developed by self-builders, will at most comprise 20% social housing?

The LLTNPA’s first step was to change the requirement for 100% social housing set out in the LDP by adopting a separate “pilot” Rural Development Framework for the Luss Estate. In 2013 the Luss Estates Company produced a “Strategic Development Framework” for the area which forms the basis for Rural Development Framework ([see here](#)). In that document the LLTNPA accepted Luss Estates argument that they would not be able to supply land for affordable housing without cross subsidy from

open market housing and reduced the requirement for affordable housing to 50% (with the inevitable provisos). The rationale was that both Luss Estates and the LLTNPA appear to have accepted that there was no chance of persuading the Scottish Government to fund social housing in the area.

The 50:50 requirement should have meant that out of 29 new houses, 15 would be “affordable”.

The LLTNPA’s first step to getting round this was to count FIVE houses that had already been built in 2017!

*“The applicant’s Supporting Statement asserts that the land provided to Link Housing Group (for £1) following the submission of these applications, facilitated delivery of 5 affordable houses at the site in Luss and these should be credited against the requirement. When these five houses are taken into account this would result in a market to affordable housing ratio of 23 to 11 (or 68%/32%).”*

Then the LLTNPA decided that some “additional finance” provide to this same housing development – the report does not say if this is a repayable loan or not – should also count as further new housing:

*“The completion of the Link Housing scheme required a further £80,000 in additional finance which was provided by Luss Estates. The applicant considers this additional financial assistance to be equivalent to a further 3 affordable houses based on contributions per unit of £27,500. This figure reflects the per-unit sum outlined in the HSG [Housing Supplementary Guidance] where financial contributions for off-site affordable housing are accepted in lieu of on-site provision in the Accessible Rural and/or Loch Lomondside areas. If this contribution ‘in lieu’ approach is accepted then it would result in a market to affordable housing ratio of 23 to 14 (or 62%/38%).”*

In effect, the provision of three of the LINK houses back in 2017 have been counted twice, as representing 6 affordable homes!

The LLTNPA then decided to accept another development, which had already been partially completed, and had nothing to do with housing as counting as “affordable housing”:

*“Finally the applicant contends that the works to provide and maintain the new village green in Luss, at an estimated cost of £137,500, would be equivalent to 5 affordable houses at £27,500 per unit. If this community infrastructure in lieu approach is accepted then this would bring the market to affordable housing ratio to 23/19 (or 55%/45%).”*

The Report makes it clear this doesn’t fit any LLTNPA policy:

*“An ‘equivalent’ or ‘in lieu’ approach to affordable housing provision is not expressly supported within the Policy of the RDF (criteria b) which envisages actual affordable housing delivery. The policies of LDP also lend no support to this approach with the HSG denying the option of financial contributions in lieu of on-site provision on sites adjacent to villages and within building groups. The RDF provides no guidance on the circumstances in which contributions might be accepted in the West Loch Lomondside Area acknowledging its specific locational constraints do not permit accordance with the LDP.”*

Despite all this:

*“It is the Planning Officer’s assessment that, in the absence of specific guidance, the ‘equivalent’ approach is acceptable since it accords with the overall spirit of the RDF which is to support and facilitate cross-funded proposals which deliver the Development Strategy.”*

I doubt somehow this was the Planning Officer’s assessment – it has all the hallmarks of an instruction from above. Still, parklogic has determined that the target of 50% affordable housing has been almost reached, but not quite!

The provisos to the 50:50 affordable housing policy in the Rural Development Framework are then brought into play, namely it is argued that the proposal would help fulfil the development strategy for Luss, as set out in Section 3 of the RDF, that other public/community gains would be delivered (the village green again) and that any open market elements of the proposal would help cross-subsidise their delivery. Rather than trying to analyse the argument, which also dismisses all the objections to the developments (it is found in paras 9.16 – 9.38 in the report), its worth stepping back a bit.

Despite all the tourist developments in the National Park the resident population has been falling. In 2001 it was 15,600, 2011 it was 15,168 (6,594 households) and by 2016 14,900. A further 7% decline was projected to 2026. The population that is left is ageing but those of working end tend to commute out of the National Park to work while most of the people working in the Park at any one time have to commute in to work. This situation was made worse when the LLTNPA dropped the requirement that it used to make through planning consents that any new housing in the National Park had to be lived in on the grounds that it interfered with the free market.

The Committee report, in another example of parklogic, chooses to ignore this fact:

*“Some objectors have raised concerns that the open market housing would not fulfil the Development Strategy is they are likely to be purchased as second homes or holiday /retirement homes and not by local families employed in the area who would contribute to maintaining the local school roles. Whilst these concerns are acknowledged there is no local or national policy basis to impose a restriction on the occupancy of open market units.”*

If the LLTNPA needs evidence of why it should once again adopt a residency requirement, it need look no further than Luss Estates. There, a little bird tells me, houses which were formerly rented out for people to live in have been converted into luxury holiday lets. In this respect it is interesting that the section on housing in the Rural Development Framework states that Luss Estate “sites are located at farm steadings, land within an established building group (Muirlands) or are conversions of existing buildings.” So what are all the farm steadings and existing buildings now being used for since NONE were included in this application? (They are all for new build). Given that NO new affordable houses are guaranteed in this application – only affordable building plots – it appears likely that the number of low cost homes on Luss Estates are reducing not increasing.

There is a housing crisis in the National Park and a crying need to provide housing for people on lower incomes working there, both social housing for rent and “affordable” housing. I would also recognise that because of austerity and the lack of any significant initiatives to help combat this, like a rural investment bank, providing new social and affordable houses is problematic. While I believe the Development Plan was right to say that all housing in rural areas should be “affordable” I can even recognise that some compromise might be acceptable. However, the Luss Estates Housing proposals

are NOT a compromise and cannot even guarantee that a single “affordable” plot will be taken up. What the Park has agreed to is 23 new open market “family” homes.

Its worse than that though because there is no guarantee that a single one of these houses will be bought and lived in by people working in the National Park. The Committee report makes the dire comment that it will still be open for people working in the Park to buy these houses. The likelihood is that the majority of these houses will be bought by people who want a nice place to live but work somewhere in the central belt – commuters – or without any residency agreement they are bought up and converted to holiday lets to add to those already available on Luss Estates.

The LLTNPA would have been far better refusing the application and arguing the case with the Scottish Government for more social housing investment in the National Park. That at least would have meant that if such funding became available, there were sites available for investment. Instead, if and when such funding becomes available, more land will have to be found for housing and the south west corner of Loch Lomond will become even more developed.

Having drafted this piece, I found that a local resident, Andrew McLay, (whom I don’t know) had made similar arguments in his objection to these Planning Applications back in December 2018 ([see here](#)). The LLTNPA therefore cannot say they were not told about the implications of what they agreed.

Parklogic has undermined the LLTNPA’s statutory duty to promote sustainable economic development for local communities. They need to stop putting profit before people and the environment.

## Afterword

The development issues described here affect many other communities in the Loch Lomond area, some of whom lie outwith the National Park, like Portincaple on Loch Long ([see here](#)). I am delighted to have been asked to speak further about this on 20th January:

### **PROTECT PORTINCAPLE SAVE LOCH LONG**

#### **CAMPAIGN LAUNCH**

**MONDAY 20<sup>TH</sup> JANUARY 2020**

**Main Hall, Helensburgh Parish Church, Colquhoun Street,**

**Helensburgh G84 8UP 7.00pm**

If you live in the area, do come along if you can and support the local community at Portincaple.

## Category

1. Loch Lomond and Trossachs

## Tags

1. climate change

2. conservation
3. Development Plan
4. Governance
5. LLTNPA
6. planning
7. public transport

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