

West Loch Lomond – development and tree felling at Tarbet and Ardlui

Description

Moulsdale Properties' planning application at Tarbet



Credit Arrochar and Tarbet Community Development Trust newsletter

In a welcome decision, this week Loch Lomond and Trossachs National Park Authority planners rejected a retrospective planning application from Moulsdale Properties for the enlarged entrance and road leading up the Ben Cruach Lodge ([see here](#)). Key points from the report ([see here](#)) are:

- There was widespread opposition to the planning application locally, with objections submitted by the Community Council, the Arrochar and Tarbet Community Development Trust and 15 residents from the local area. It is great to see a local community standing up to a millionaire developer.
- Scottish Forestry, after issuing a Stop Notice to prevent further felling, has issued a Restocking Notice on Mr Moulsdale while the LLTNPA (rather belatedly) has issued a Tree Preservation Order to protect the remaining trees.
- Transport Scotland strongly objected to the application on safety grounds. This is significant because there is alternative access to Ben Cruach House from the back, up the old military road and the most likely rationale for creating the large entrance and 6 metre wide drive was to

prepare for the major new development Mouldsdale Properties consulted on last year ([see here](#)). If Transport Scotland believes safe access cannot be created onto this section of the A82 that reduces the chances of the luxury lodges proposed for Ben Cruach Lodge – which were never part of the Local Development Plan – going ahead.

- The LLTNPA states in the report that it has “*no conflict of interest with this application site*”. That helps confirm that the LLTNPA were not officially consulted when the land they own at Tarbet was included in Mouldsdale Properties proposals to develop the village. The LLTNPA, however, have still not formally distanced themselves from those proposals or indicated how they would respond if the land they hold on behalf of the public was included in a future planning application.

The two reasons the LLTNPA gave for rejecting the application were on road safety grounds and the impact the entrance and new drive would have on the residential character of the area. That leaves room for Mouldsdale Properties to submit a new application but, even if they were able to revise its plans to the satisfaction of Transport Scotland, it is difficult to see how any such application could be compatible with the current character of the area. In other words approval of an enlarged entrance and road appears only likely if Mouldsdale Properties can persuade the LLTNPA to agree it should turn the grounds of Ben Cruach Lodge into a luxury chalet park.

The question now that the retrospective planning application has been rejected, is how quickly the LLTNPA will take enforcement action to restore the entrance and road to its previous state.

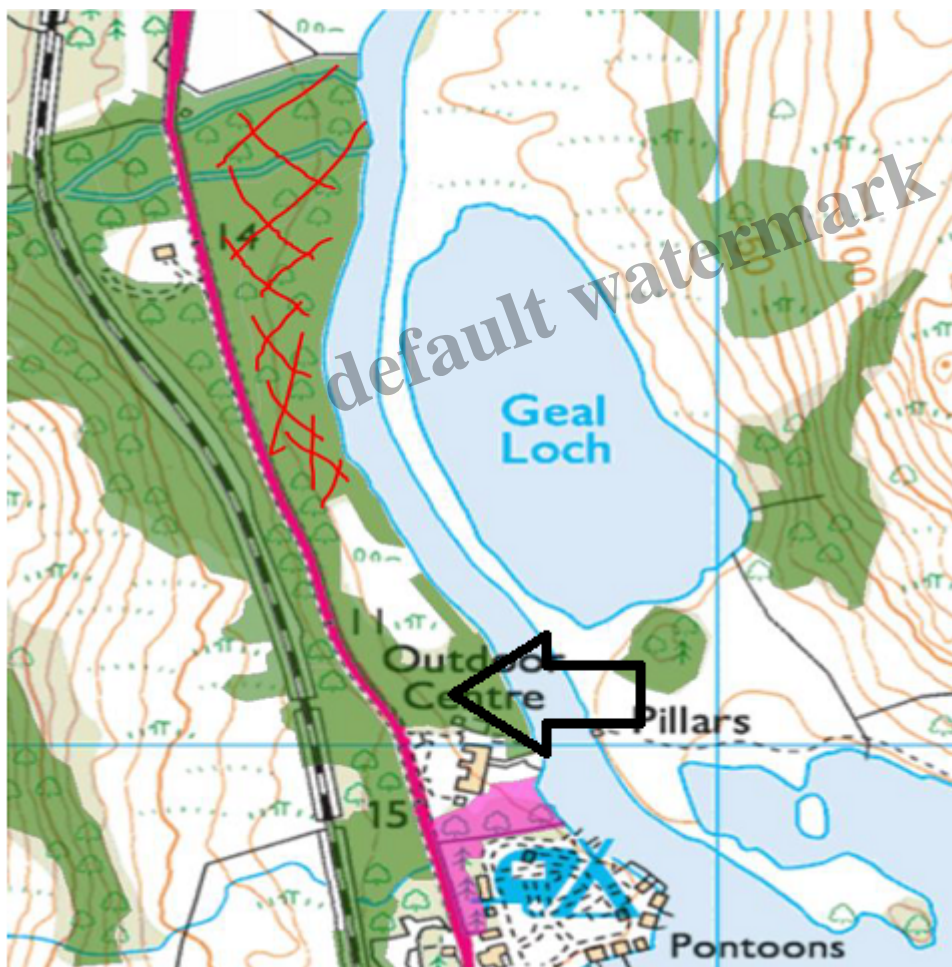
The proposed chalet development and tree felling at Ardlui



Photo credit LLTNPA (from Freedom of Information request)

A couple of days before my post on landownership and the withdrawal of the scoping opinion for a chalet development at Ardlui ([see here](#)), the LLTNPA responded to an information request I had submitted ([see here](#)). Usually, I find the LLTNPA reluctant to release information so their openness in this case is welcome. Besides images of the unlawful tree felling, there are nine other appendices.

These show that on 13th January, the LLTNPA was phoned by a member of the public who reported the felling of over 100 trees north of Ardlui. The information was passed on to the Trees and Woodlands Adviser who notified Forestry Scotland who visited the site on 20th January. The Adviser then asked the Park Ranger service to keep an eye out for any further felling activity. The prompt response from the LLTNPA contrasts with the Mouldsdale tree felling at Tarbet, where planners appear to have taken a couple of weeks before notifying Scottish Forestry. The difference may be explained by the early involvement of the LLTNPA's Trees and Woodlands Adviser at Ardlui.



Red hatching marks felled area as circulated to LLTNPA staff.
Black arrow marks felling by the former Outdoor Centre

Unfortunately, if the map is correct, all of this wasn't quite quick enough to prevent the felling of further trees by the Outdoor Centre, which I photographed in February ([see here](#)). Some lessons here for both LLTNPA and Forestry Scotland staff (and myself, given I failed to report what I saw!) on the importance of speedy communication and action in cases of unlawful tree felling. It is clear from the emails ([see here](#)), however, that the frontline staff involved in this case really did care.

The scale of the destruction was horrific:

"It would take a good few hours to count all the felled trees and require two people, as it is dangerous clambering over felled trees often over very wet ground. There are hundreds of trees, possibly as many as 500-700"

Ironically, a few days after being notified of the felling, the Minister responsible for National Parks, Mairi Gougeon, launched the LLTNPA's Trees and Woodland Strategy aimed, according to the news release ([see here](#)), at..... protecting trees and woodland! Thus far the LLTNPA has, as far as I can see, has never said anything official about this act of environmental destruction and I can find no news release. Quite a contrast to the endless newsbites about litter, campers chopping down trees or and irresponsible parking by visitors that the LLTNPA has issued over the last nine months. An indication of the Park's distorted priorities.

The Information Response also shows that Forestry Scotland acted quickly once it had completed its investigations and in May issued a Re-stocking Note to the landowner ([see here](#)). On the advice of the LLTNPA's Director of Conservation this included oak trees on the dryer ground and a requirement that all trees had to be fully protected from damage. This is code for the LLTNPA Director's recommendation that the whole area should be surrounded by a deer fence, effectively preventing access. No attempt was made to justify this and no provision made for access points.

The Information Response also reveals the landowners' explanation of what happened. Their story, as reported by their agents in the emails, was that they had asked for some brashing work to facilitate access to the site and had no intention of felling 500-700 trees but unfortunately their contractors misunderstood what was intended. Rather, the intention of landowners was to build a mixture of chalets and tree houses linked by raised walkways..



Photo courtesy of LLTNPA FOI response

That would appear unlikely from the number of trees lying on the ground, which suggests there was little room for either chalets or tree houses before the felling.

While reported by their agent to be very apologetic, the landowners – who are involved in another development at Baranold House in South Lanarkshire – still went ahead and submitted a scoping opinion for a chalet development in the summer. Although that request has now been withdrawn, Forestry Scotland and LLTNPA woodland staff would be wise to monitor whether the landowners now try to plant the new trees in denser stands than previously, with open glades, designed for future chalet development, left in-between.

If there was any environmental justice in Scotland, the rich landowners ultimately responsible for the tree felling at Tarbet and Ardlu would now be serving lengthy environmental service orders planting trees.

Category

1. Loch Lomond and Trossachs

Tags

1. conservation
2. forestry
3. forestry scotland
4. Freedom of Information
5. LLTNPA

6. planning

Date Created

October 20, 2020

Author

nickkempe

default watermark