

3<sup>RD</sup> February 2009

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**REPORT ON LOCH LOMOND AND THE TROSSACHS NATIONAL PARK  
CONSULTATIVE DRAFT LOCAL PLAN**

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**1. SUMMARY**

- 1.1** This report summarises the main issues contained within the Loch Lomond and The Trossachs National Park Consultative Draft Local Plan November 2008, and recommends appropriate responses in relation to Argyll and Bute Councils interests.

**2. RECOMMENDATIONS**

It is recommended that the Committee:-

- 2.1** Agree the recommendations made in part 2.2 below and pass these for endorsement at the Executive Committee on 19<sup>th</sup> February
- 2.2** That Argyll and Bute Council;
- Is broadly supportive of the Loch Lomond and the Trossachs first local plan and in particular welcomes the proposed policies which accord with the aims and objectives of the Argyll and Bute Structure and Local Plans, in particular policies TRAN 1 and TRAN 3,
  - That the Council objects to COM 2 where it seeks to prevent change of use of Libraries and Schools unless they have been marketed for such uses for 12 months, because these services are predominantly provided by local authorities within the areas which they are responsible for, as such no alternative market exists for these uses, where a local authority declares them surplus to requirements due to closure or replacement.
  - That the Council object to RET 1 in relation to retail development, because the lack of reference to sequential approach and definition of small scale retail development is not consistent with the approach advocated by SPP8 or the Argyll and Bute Structure Plan as it applies to the Argyll and Bute sector of the National Park.

### **3. BACKGROUND**

**3.1** The Loch Lomond and The Trossachs National Park Authority have issued a Consultative Draft Local Plan. This new local plan will replace all of the local plans currently operating in the National Park area, including the Cowal Local Plan 1993 and the Dumbarton District Wide Local Plan 1999, which the Park Authority inherited from this Council upon its formation in 2002. The Consultative Draft Local Plan can also be viewed on the National Parks web site at: <http://www.lochlomondtrossachs.org/>

**3.2** The Local Plan seeks to reflect the four statutory aims of the National Park:

- To conserve and enhance the natural and cultural heritage of the area;
- To promote sustainable use of the natural resources of the area;
- To promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and
- To promote sustainable economic and social development of the area's communities.

The Local Plan will also have to reflect the National Park Plan 2007-2012 which sets out the Park Authorities long term vision for the park area. This vision aims amongst other things, to enrich the Park's scenic qualities, promote a high-quality built and historic environment, secure vibrant, sustainable, and inclusive communities, as well as a prosperous living and working countryside that maximises the Park's social, economic and environmental assets.

**3.3** Much of the content of the National Park Local Plan is broadly similar to that of the Argyll and Bute Local Plan. This is to be expected as policies have been informed by consultation with bodies such as SNH and SEPA who have sought a consistent approach to policies which deal with their interests. Other policies detail how the National Park will deal with development proposals within their area in a way which reflects the unique characteristics of their area and have little consequence outwith the park area. There are however a number of matters are considered to be of more direct interest to Argyll and Bute Council and this report seeks to highlight these.

**3.4** The National Park Local Plan provides support for transport infrastructure proposals including improvements to the A82 north of Tarbet subject to appropriate landscape and visual impact assessment, and for the improvements to the pier at Arrochar to enable marine access through policy TRAN 1 and Schedule 7. Policy TRAN 2 supports sustainable travel

and improved travel options to make a positive contribution to encouraging sustainable travel in accordance with national, regional and local transport policy. It also, through policy TRAN 3, seeks to ensure that new developments within the park do not have an adverse effect on traffic flows on the existing road network with particular reference being made to potential conflict between tourist traffic and through traffic on trunk roads (A82, A83, A84 and A85). These are particularly important in providing access to and from Argyll and Bute, and as such these policies are supported and welcomed.

- 3.5** In relation to housing policy the Housing Market Areas of both Helensburgh and Lomond and Cowal include parts of the park. As an overall aim the National Park Authority are seeking to arrest population decline within the area by seeking to secure a slight increase in building rates. However, the way in which this aim is to be applied varies across the Park. For the Loch Lomond side villages the existing approach based on affordable local needs only will continue, including a new allocation for 100% affordable housing at Luss. Elsewhere a more flexible approach is taken to housing including new allocations at Ardentinny, and Arrochar/Sucboth. A variable approach is also taken to the requirement for affordable housing: in Loch Lomond side settlements this is 100%; in Arrochar and Sucboth 50%, while in Ardentinny, Blairmore, Strone and Kilmun it is 25% on developments of four or more houses. The National Park Consultative Draft Local Plan also includes policy HOU 3 which recognises that in exceptional cases new housing development outwith settlements will be supported where it meets identified housing needs for affordable housing in perpetuity, and where it is demonstrated that there are limited opportunities within the settlement boundary. Policy HOU4 also contains a positive approach to development of small scale housing within rural communities and single dwellings within existing building groupings in the countryside where these contribute to affordable housing needs in perpetuity.
- 3.6** The National Park Local Plan also seeks to be generally supportive of new economic development and had identified an allocation for this purpose at Arrochar, and a rural activity area centred around the existing timber yard south of Strachur for small scale wood processing, sale of timber products and small rural business units.
- 3.7** The National Park Local Plan also seeks to promote the development of sustainable communities as part of their statutory remit. The approach which the Park have used to do this is largely similar to that used in the Argyll and Bute

Local Plan in terms of policies which seek to retain existing recreational land and playing fields, and support for new community facility developments. The National Park Local Plan policy COM 2 Change of Use of Community Facilities seeks to prevent the change of use of community facilities unless it can be demonstrated beyond reasonable doubt that it is not viable to continue operating as a community facility by: a) remaining vacant for a minimum of 12 months; and b) the existing use has been marketed at an appropriate price for 12 months as demonstrated in a marketing plan. This is largely similar to the Argyll and Bute Local Plan POL COM 2, however the National Park Authority have extended their definition of community facilities to include shops, pubs, halls, post offices, banks, petrol stations libraries, public toilets, churches and schools. This policy could therefore have implications for services provided by Argyll and Bute Council such as schools and libraries. These uses are predominately provided by local authorities, no market would exist for the use of schools and libraries as schools and libraries if a local authority had declared them surplus to requirements. The requirement to market them for such uses would have little effect other than to introduce a 12 month delay, during which time, often attractive traditional buildings would deteriorate through lack of maintenance thereby hindering the sustainable reuse of such buildings. It would also be counterproductive as the closure of a public building such as a school can often provide an economic or social opportunity that otherwise would not be available to a community.

- 3.8** The National Park Local Plan recognises that retail development contributes to the vitality and viability of the Parks settlements and the sustainability of the rural economy. The plan states that retail opportunities will largely remain small scale in keeping with supporting local community needs and associated tourism related economic development. The retail policy therefore seeks to support new retail opportunities in the settlements, and in conjunction with Sustainable Tourism Policy TOUR 1 and Schedule 4 as well as at Loch Lomond Shores, Balloch as this is identified as an out of centre retail location in the Glasgow and Clyde Valley Structure Plan. While the introduction to the policy refers to small scale, no definition of scales is given in the policy, nor is there any reference to a sequential approach which is required both by Scottish Planning Policy 8 and by PROP SET 2 of the Argyll and Bute Structure Plan which presently the National Park Local Plan is required to conform to. In the absence of a reference to the sequential approach, the definition of appropriate scales of retail development, and particularly because of the promotion of retail developments as part of

tourism developments within the park it is possible that retail developments could be permitted in the park which would undermine the viability and vitality of the town centres identified in the Argyll and Bute Structure Plan.

- 3.9** The other main area where there may be cross boundary issues is in relation to Renewable Energy Developments. The National Park Local Plan has policies which refer to Wind, Hydro, Biomass and Solar schemes. In accordance with the policy contained in SPP6 the policies do not support large scale (20MW plus) Windfarm developments or Hydro electric schemes (1 MW and over). The policy approach for medium or small scale developments of either Wind or Hydro schemes is broadly similar to that adopted by the Argyll and Bute Local Plans. The National Park Local Plan also has a policy (REN 5) which sets out how the Park Authority will respond to consultations on renewable energy developments outwith the park area. This policy states that they will object to renewable energy developments where they individually or cumulatively have an adverse impact on the landscape setting of the Park (particularly principle gateways); result in significant negative impacts on Natura 2000 sites, protected species or biodiversity within the park; or result in significant adverse impacts upon residential amenity. In the case of Argyll and Bute it is considered that all of these issues would be taken into consideration by the policy considerations included within the Renewable energy chapter of the Argyll and Bute Local Plan, and the Council as relevant planning authority would be well placed to adjudicate on these issues, however the support of the National Park Authority in relation to applications deemed inappropriate by the Council as relevant planning authority would be welcomed.

## **4. CONCLUSIONS**

- 4.1** The Loch Lomond and the Trossachs National Park Authority have consulted on their new National Park Local Plan. The plan contains many policies which are similar to those of the Argyll and Bute Local Plan and which have few implications for developments outwith the National Park area. There are a number of policies which are supportive of the aims and objectives of Argyll and Bute such as TRAN 1 and TRAN 3 relating to improvements to the A82 north of Tarbet, and prevention of conflict between through traffic and tourist traffic on trunk roads. There are however, a number of policies such as COM 2 and RET 1 which have unacceptable implications for Argyll and Bute Council both a local authority responsible for services such as education and libraries, and a planning authority, and therefore have been identified as areas where objections

are required in order to protect the Councils interests.

**5. IMPLICATIONS**

**Policy:** None for Argyll and Bute Council as Planning Authority

**Financial:** None

**Personnel:** None

**Community:** The new National Park Local Plan will result in an up to date local plan for those communities in Argyll and Bute for whom the National Park Authority is the Planning Authority.

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