



# THE MOUNTAINEERING COUNCIL OF SCOTLAND

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Dear Sir / Madam

Please accept these comments from the Mountaineering Council of Scotland (MCofS) on the LLTNP Draft Local Plan. We are recognised by the Scottish Government as the Representative Body for hill walkers, climbers and ski mountaineers. We have over 10,000 members and aim to represent the interests of all the approximate 400,000 regular Scottish mountaineers on issues relevant to access to, and conservation of, Scotland's mountaineering environment. This makes a significant contribution to rural economies. Mountaineers contribute approximately £150 million to the Scottish economy each year. This includes hills, mountains, sea cliffs, upland and lowland crags.

## **LLTNP Finalised Draft Local Plan February 2010**

### **2.1 NATIONAL PARK AIMS**

#### **Policy NP1: Development in the National Park**

The MCofS supports the Sandford Principle and we expect the Park Authority to uphold this when some of the more contentious forms of developments referred to in the draft Local Plan and supplementary guidance publications, such as wind farms, come before them for consideration. It is not clear from the main or supporting documents when the Sandford Principle would need implemented and we suggest that addition of some examples to demonstrate the application of the Sandford Principle would be invaluable where development proposals create conflict between the first and any of the other statutory National Park aims. This would be useful for those involved in determining planning applications as well as prospective developers.

### **3.3 THE DEVELOPMENT STRATEGY**

#### **Table 1: Development Strategy Schedule**

Dealing with Climate Change - The statement on the location of new development omits to address the issue of avoiding development on existing carbon sinks, especially peat. This issue needs to be tackled in order for developments not to disadvantage the action to tackle climate change.

Safeguarding The Environment – This associates “identified conservation interests” purely with statutory designations, but much of the special qualities of the Park lie outside these sites and some valuable qualities have no designation, such as wild land. This section must make it clear that safeguarding the environment does not mean safeguarding islands of quality environment through restricting conservation to statutory designated sites.

Recreation - This section emphasises facilities and infrastructure. It should be made explicit that much recreation can be enjoyed without such associated development and is therefore likely to present fewer issues than those requiring development of facilities.

### **3.4 LOCATIONAL STRATEGY**

“This approach differs from previous and existing local plans which are very restrictive towards new development in the countryside. However the approach applied to date has helped to ensure that the National Park’s outstanding landscapes and environment have been protected from strong development pressures. It is important to ensure that the revised approach in this finalised draft plan does not undermine this important objective.” This statement does not therefore justify the change in approach and a justification of this change of emphasis is necessary, as else if the previous approach was delivering the desired outcome, there seems little reason to change. Indeed unless an objectively-based reasoning can be offered for this change, PolicyNP1: Development in the National Park statement of the Precautionary Principle should ensure retention of a more directive Plan to support the Sanford Principle. This could be stated in conjunction with reference to the SPP encouragement to development in areas where conflict between the aims does not arise. Appropriate support for development is offered by the locational mapping that should direct development to the appropriate areas, and support development by avoiding economically wasteful applications in unlikely areas. This would better support both the SPP and the Sanford Principle in parallel.

#### **Table 2: Locational Strategy**

“COUNTRYSIDE DEVELOPMENT STRATEGY ... Rural diversification, small-scale renewable energy, opportunities for affordable self-build housing within established building groups in the countryside, tourism and recreation opportunities.” This promotes the misconception that renewable energy development issues are dependent upon size alone. Even a small-scale development in the wrong location or of the wrong design can have a disproportionately large impact.

### **3.7 SUSTAINABLE TOURISM AND RECREATION**

#### **Schedule 5: Tourism Opportunities in the Visitor Destination Areas**

The MCofS is concerned that the Breadalbane section states that there is support for “small-scale infrastructure to support and better manage wild camping at Loch Lubnaig and Loch Earn.” It should be made clearer that what needs managed better is informal roadside / lochside camping and should not be confused as the current statement does with true wild camping, which is not a problem currently. The definition in SOAC may be helpful – “Access rights extend to wild camping. This type of camping is lightweight, done in small numbers and only for two or three nights in any one place.” As evidenced by the current consultation on Byelaws, this is also an important action for East Loch Lomondside where the term “informal camping” has been more accurately used to refer to the type of camping that is creating the problems.

### **3.8 TRANSPORT AND ACCESS**

#### **Policy TRAN7 Encouraging Outdoor Access**

“Policy TRAN7 upholds the general right of responsible access to the outdoors, including protection of core paths, rights of way, and the wider access network of formal and informal paths from inappropriate development.” This statement unfortunately promotes the misconception that paths are of greater importance than wider rights to responsible access. It needs to be made explicit that there is an equality of importance of non-path outdoor access and protecting these from inappropriate development is just as valid

### **4.1 ENVIRONMENT**

## **Policy L1 Conserving and Enhancing the Diversity and Quality of the Park's Landscapes**

Based on the stated precautionary principle in the introductory chapter, the statement that “Until it is possible to assess the acceptability of development proposals against a Parkwide Landscape Strategy, there shall be an overriding priority given to the conservation and enhancement of National Scenic Areas as a landscape entity and the Landscape Character Assessment for the Park 2009 will be used for assessing development proposals, along with other material considerations.” In order to implement the Precautionary Principle, caution should be exercised, particularly with respect to wildness as there is no current consideration of this as a feature for selection of NSA. Using LCSs should also be treated carefully as they are descriptive rather than value judgements on which to base which areas outside of designated sites have other qualities that must be safeguarded. It is further stated that “Policy L1 is designed to guide development to ensure valued landscape is not lost,” although it has been shown that wildness is valued, but does not equate to a statutory designation. Safeguarding this non-designated but valued feature will not be delivered through the currently worded policy. Additionally, it is welcomed that other statements in this section put perception of the landscape at the heart of valuing wildness, but without explicit explanation that value is independent of number of receptors, there is a great danger that application of this policy will be ineffectual in safeguarding qualities such as remoteness and tranquillity as are inherent in the challenge of reaching areas where these qualities exist, and therefore self-regulating numbers of visitors. There must be no doubt in the Plan that the quality of landscape is not dependent on number of receptors as well as that the receptors perception is an indicator of quality. As currently worded this policy does not deliver what it should in this respect, and needs revised accordingly.

## **Policy SUSDEV1 Sustainable Development**

Demonstration of development being sustainable should require a consideration of landscape impacts, which has been omitted from the list of considerations. This needs inserted.

## **4.2 SUSTAINABLE COMMUNITIES**

### **Policy REN1 Wind Renewable Energy Projects**

The MCofS welcomes the draft supplementary planning guidance on renewable energy as we believe this is a vital mechanism for achieving the outcome that “these developments are balanced against the need to protect natural and cultural heritage and landscape values of the Park.” We welcome the commitment to only support developments where there will be no negative impact. This is particularly important where proposals are on wet heath or peat where any climate change benefits will be at least partially negated, or where there is incremental cumulative impact. We are however wary that without a definition of landscape capacity for these types of development it will not be possible to define when capacity has been reached. This comment is particularly relevant to landscape impacts. The MCofS urges LLTNP to work towards achieving indicators of landscape capacity for such developments as without this, there will be a lack of strategic indicator when capacity has been reached.

### **Policy REN2 Hydro Renewable Energy Projects**

The comments in the previous section also apply to this policy.

## **LLTNP Draft Supplementary Planning Guidance on Renewable Energy February 2010**

### **4. Hydro**

#### **4.2 General Locational Guidance**

From experience of hydro developments across Scotland, the MCofS finds that the primary impacts of hydro schemes are tracks for all types of scheme, and for storage schemes it is the tracks plus the dam and drawdown zones. For this reason, guidance on the acceptability of tracks should be strengthened. In some cases, tracks that are proposed as permanent could, after the construction phase, be at least partially restored due to the very low level of traffic required during the operational phase. A “green track” may be sufficient and greatly reduce the landscape and biodiversity impact in the medium and long term.

**Table 4.2: - Summary of Recommended Concept Development Stage**

Depending on viewpoint location, hydro schemes can have as much impact through dams, drawdown zones and access tracks as wind farms. There is no explanation why 10km should be used as the limit in the initial desk study for landscape and visual assessment. The draft SNH guidance on *Assessing the Cumulative Effect of Onshore Wind Energy Developments Version 3 - Draft November 2009* uses 30km radius from the development as the general distance for consideration. SNHs *Siting and Designing Windfarms in the Landscape Version 1 December 2009* states that between 5–15 km wind farms will be prominent in clear visibility. The use of a greater distance as the basis of assessment has been supported in other technical guidance documents, hence 10km is too small a radius in which to guide developers to scope impact and should be increased.

## **6. Wind**

### **6.1.1 Commercial Scale Development**

This section draws attention to the likely more acceptable size of turbine, but makes no mention of the likely acceptable number of turbines. A larger number of smaller turbines can have just as much impact as a smaller number of larger turbines. The impact is location-dependent. The restriction of this section to considering turbine size overemphasises the importance of considering size and ignores the highly important consideration of number. Editing of this section should redress this balance.

### **6.2 General Locational Guidance**

The MCofS welcomes the guidance to avoid areas on “hilltops and ridges” as this will contribute to focussing developments away from the areas where they impact upon a wider area of the landscape through inter-visibility. The spatial mapping is welcomed as an easily understood guideline to more acceptable locations. The comments with reference to track permanence in section 4.2 are also relevant to wind farm developments. We are, however, put in the unfortunate position of having to object to the Plan on the basis that there has been no explanation forthcoming as to why the 600 m limit was chosen. The MCofS will sustain this objection until we are satisfied with the explanation.

**Table 6.2: - Summary of Recommended Concept Development Stage**

As for table 4.2, the MCofS questions why 10 km has been chosen as the radius in which the desk study should consider landscape and visual impacts. The use of a greater distance as the basis of assessment has been supported in other technical guidance documents such as the draft SNH guidance on cumulative effects where 30km is used as the minimum radius for study and SNH *Siting and Designing Windfarms in the Landscape Version 1 December 2009* states that between 5–15 km wind farms will be prominent in clear visibility. MCofS believes that 10km is too small a radius in which to guide developers to scope impact, and on this basis we object to the Plan. We requested an explanation for the choice of 10km, and no reasons could be offered. On this basis the MCofS will maintain this objection, but requests further investigation as to how the figure of 10 was arrived at.

### **6.3.3 Screening / Scoping**

The updated version referred to in comments on Table 4.2 of the *Guidance for the Assessment of Cumulative Landscape and Visual Impacts Arising from Wind farm Developments, SNH Advisory Services, Version 2 April 2005* should be substituted as is likely to be finalised at approximately the same time as the LLTNP Local Plan.

### **6.3.5 Assessment of Cumulative Effects**

Cumulative impact on landscape and visual amenity can be affected by all modern development. Cumulative impacts must therefore be considered with respect to any development, including wind energy, hydro schemes and any other relevant developments.

Please do not hesitate to contact me to discuss these issues further.

Yours sincerely

Hebe Carus  
Access & Conservation Officer