

# Kilmaronock Community Council

Chair: Jim Morrison

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## Consultation Response for LLTNPA

### Draft Planning Guidance – Jan 2022

#### 1. Guidance on sustainable and active travel

How your proposal can make a positive contribution?

Have we been ambitious enough with the requirements/measures we are expecting developments to deliver in relation to sustainable and active travel?

<b>KCC</b>	<ul style="list-style-type: none"><li>• There could be more requirements/measures for larger housing developments and less of them for smaller ones with single household or agricultural developments being exempt.</li><li>• Low Carbon transport is not developing as fast as the proposal indicates. The proposal is dependent upon general availability of Low Carbon solutions which do not exist or are not mainstream today.</li><li>• Proper care and repair of local existing footpaths are required and overdue now.</li></ul>
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Do you agree that this approach will help make proposals more resilient to the impacts of climate change?

<b>KCC</b>	<ul style="list-style-type: none"><li>• Partly. More will be achieved with personal behaviour changes rather than through planning. Disconnected rural areas still need private transport as the public transport infrastructure is missing. General economic factors will be kicking in soon e.g. ban on new petrol and diesel vehicles. It is good to have the built environment prepared though, hence “partly”.</li><li>• All developments in green field areas should all have a Travel Plan as part of the EIA to measure impact of Climate change and calculate Scope 3 Emissions. Health and Safety impact and impact to the sustainable economy, communities and utilities are required.</li></ul>
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Do you have any comments on the measures that should be included?

<b>KCC</b>	<ul style="list-style-type: none"><li>• Policies have to ensure that rural communities are not adversely affected.</li><li>• Measures should include Greenhouse Gas impact in Kg/tonnes, safety Hazid reports should be mandatory.</li><li>• There has been amazing technological advances in the last 30 years. You don't seem to make allowances for future developments e.g. Hydrogen or Solar powered vehicles which would make EV charging points redundant.</li><li>• Car parks should have a EV plan for EVERY space even if only required to start with a small portion of spaces with EV charging e.g. how to retrofit more charging points in future.</li><li>• Very large developments e.g. Flamingoland size ought to have an obligation to provide for wider off site community projects e.g. bus shelters, bicycle storage, public EV charging points etc</li></ul>
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Do you envisage any difficulties for applicants in with meeting these measures?

<b>KCC</b>	<ul style="list-style-type: none"><li>• Operation and Maintenance budgets shall be evident before project sanction.</li><li>• Cost of producing &amp; implementing the plan along with further costs of monitoring could be an additional barrier to development although probably necessary.</li><li>• Rural areas with existing infrastructure will suffer as development costs may prevent development unduly.</li><li>• Scottish weather not always conducive to cycling. Cars/vans might be needed to transport tools/materials for work.</li><li>• Travel time much longer walking or cycling.</li><li>• Current cycle lanes are very underused.</li></ul>
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## Transport Assessments and Travel Plans

Do you think the thresholds as to when a Transport Assessment is required are set at the correct scale for the National Park?

<b>KCC</b>	<ul style="list-style-type: none"><li>• Green field sites and additional facilities should be subject to a Transport Assessment – small, medium and large including total GHG impact.</li><li>• The statement below is subjective. “There may also be cases where a Travel Plan will be required for smaller-scale developments than listed above. This would be where it is judged that the development will have significant travel generating uses and where it is considered important to monitor travel patterns resulting from development”</li><li>• Thresholds could be varied by a Community’s agreed Local Place Plan feeding into the Local Development Plan.</li></ul>
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Do you think a Travel Plan should only be required for larger scale developments or for all housing, economic and tourism developments (excluding householders)?

<b>KCC</b>	<ul style="list-style-type: none"><li>• All developments in green field areas should all have a Travel Plan as part of the EIA to measure impact of Climate change and calculate Scope 3 Emissions. Health and Safety impact and impact to the sustainable economy, communities and utilities are required.</li><li>• It is very important that the travel plan is proportionate to the scale of the development so it doesn't stifle small scale rural development.</li><li>• Should be clearer that single house builds are exempt. No mention of agricultural developments but probably not applicable there either.</li><li>• There is scope to reduce the scale criteria though to medium scale at least for housing. Maybe for all commercial and tourism developments or at least medium scale.</li></ul>
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Do you have any comments on what should be included in a Travel Plan and whether there would be any difficulties for applicants in meeting these requirements?

<b>KCC</b>	<ul style="list-style-type: none"><li>• Scope 3 Emissions shall be provided. Safety HAZID report.</li><li>• Developers would have to take into account age, fitness, occupations, family size of occupants.</li><li>• Long term Travel Plans are going to be unreliable as they largely depend on state of future public transport provision which is too unreliable while it remains privatised.</li><li>• On street parking should not be allowed so any car parking requirements should be generous not minimal (e.g. &gt;1.5 per household).</li><li>• There should be some indication of the penalties for failing to live up to any plan to avoid 'lip service' plans being submitted.</li></ul>
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## Next Local Development Plan

Do you have any comments on whether the next Local Development Plan should make any of these measures mandatory e.g. proposals must link to existing walking/cycling routes, must provide EV charge points or must provide space for cycles and scooters?

<b>KCC</b>	<ul style="list-style-type: none"><li>• Not all measure to be mandatory. Community led LPP may be able to prioritise measures that matter to their community.</li><li>• The Transport Assessments, HAZID reports, community impact reports should be mandatory.</li><li>• Provision of equipment should be not be mandatory since there is no certainty of technology or the economics.</li><li>• Measures should only be mandatory where feasible and flexible if technology advances and only if they are proportional to the scale of the development and are practical to achieve.</li></ul>
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Do you have any other suggestions about how we should develop our sustainable and active travel and transport policies, or any final comments about this piece of guidance?

<b>KCC</b>	<ul style="list-style-type: none"><li>• It has to be accepted that some people are either unable or simply don't want to walk or cycle.</li><li>• There is a problem in that these plans are submitted to get the planning permission but once the development is in place they no longer have any value as development cannot be reversed. Any plan may easily become redundant by virtue of outside factors changing with time.</li></ul>
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## 2. Guidance on safeguarding important local facilities and businesses

Why safeguard?

Do you agree with the reasons for including policies to protect local facilities and businesses around the National Park?

<b>KCC</b>	<ul style="list-style-type: none"><li>• Yes but they need to be effective.</li><li>• The NP have failed this community in favour of their own agenda up until now, so a big change of approach is needed. The environment has been devalued under past policies. Visible by measures such as more pay parking for local people, more locked gates needed for security, more litter. Local people now need to travel further to reach the same qualities.</li></ul>
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Do you agree with the list of the types of uses that would be safeguarded under the community facilities policy? Are any missed?

<b>KCC</b>	<ul style="list-style-type: none"><li>• In general, yes but they are too biased towards protecting visitors' interests not local residents' interests and amenities. E.g. The loss of car parks in Balloch has significant impact on residents even outside the tourist season. These should not be allowed to be built upon without concern to replacement facilities.</li><li>• Other uses to be safeguarded should be bus stops, play areas, cafes (especially where there is only one).</li><li>• Free <u>use</u> of facilities such as toilets and car parks should be protected and not be removed from local residents just to earn a buck from tourists.</li></ul>
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What change of use is required and what policy applies?

Do you agree with how we have interpreted the use class order in terms of what policies would apply to each change of use?

<b>KCC</b>	Yes but maybe the following can be added : <ul style="list-style-type: none"><li>• Class 2 – Add public parks and gardens</li></ul>
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Supporting Information

Do you agree with the level and type of supporting information we are asking for?

<b>KCC</b>	<ul style="list-style-type: none"><li>• Add category for Public Open Spaces e.g. parks, gardens, greens, benches etc</li><li>• No. If a business is not viable, it will close and these policies will not alter that. further, these policies will not encourage a vibrant and thriving community. they will inhibit change and there is a real danger of properties lying empty for in excess of 1 year while the planning process grinds its way through the bureaucracy. This policy will make the planning process more expensive again stifling development. This whole section is about inhibiting change of use. The National Park has 4 aims, one of which is to "promote sustainable economic and social development of the areas' communities"</li></ul>
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	The proposed legislation would be contrary to this aim. It is important that the views of the affected community are taken into consideration in the planning process.
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Do you envisage any difficulties in providing this information?

<b>KCC</b>	<ul style="list-style-type: none"><li>• See previous answer.</li><li>• There will be a large administrative cost for such reports which is not so good for a struggling business probably already short of cash.</li><li>• The required format and level of detail should perhaps be specified to make more transparent and easier to provide</li></ul>
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Do you think this level of information is required in every case? And do you have any suggestions for any other information we should require? i.e. where marketing should take place.

<b>KCC</b>	<ul style="list-style-type: none"><li>• The level should vary but if a change of use is required then the reasons will already have been thought through so something will be available for submission.</li><li>• It is important to note that residences are needed for locals and not just tourists to prevent population decline.</li></ul>
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## Next Local Development Plan

Thinking about the next Local Development Plan, should the policies be more stringent in terms of requirements and length of time that properties should be vacant or be marketed? For example, is 12 months long enough?

<b>KCC</b>	<ul style="list-style-type: none"><li>• 12 months is too long. Change of use is not a threat to Safeguarding it could facilitate it and be encouraged before loss of amenity value. Delay can be cause of projects failing. Too much regulation will be counter productive. Track record shows that investors will not wait but will go elsewhere.</li><li>• Genuine requests need to be separated from the chaff but I don't think a time limit is indicative as some businesses may be able to absorb that but others won't.</li></ul>
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## Final comments

<b>KCC</b>	<ul style="list-style-type: none"><li>• You must be careful not to be over zealous in attracting tourists to the detriment of the peace and beauty of the countryside.</li><li>• Change from visitor accommodation to permanent residence should be encouraged.</li><li>• There should be the same scrutiny of change of use from residential to tourist and from any public amenity (as defined by a LPP for example or real time consultation if not in LPP).</li></ul>
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Please add any final comments about this piece of guidance.

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## 3. Updates to visitor experience guidance & accompanying documents

Do you agree that the guidance needs to be revised in light of an increase in applications for visitor infrastructure?

<b>KCC</b>	<ul style="list-style-type: none"><li>• No but it does need updating due to visitor pressure on existing infrastructure which impinges on local residents' amenities and the need for new infrastructure before increasing visitor numbers any further.</li><li>• The increase in demand for infrastructure was due to Covid and the NPs limited response. This was a one off situation and should not set the benchmark for demand.</li></ul>
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### Small-scale definition (pg11)

Do you agree with the definition of what is to be considered 'small scale' (10-30 spaces) in order to protect countryside locations from the pressures to expand or create new car parks?

<b>KCC</b>	<ul style="list-style-type: none"><li>• No - small should be 10-20, medium 20-30 and large &gt;30 spaces.</li><li>• Consider derogations for temporary visitor car parks to maybe encourage farmers to allow use of fields in peak visitor season.</li></ul>
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### Design criteria (pg 19 and 20)

Do you agree with the design criteria and requirement for a supporting statement for any new car park proposal?

<b>KCC</b>	<ul style="list-style-type: none"><li>• No - All small scale or larger greenfield parking developments should be subject to Travel Plans assessments and EIA assessments under the regulatory precautionary principle and National Park aims. Car parks should not be at the expense of green field land in a National Park.</li><li>• Add a Litter Management Plan to every car park application (all scales) → define number of bins and frequency of emptying etc.</li></ul>
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Do you agree that the additional text provides clarity over how the policy would be applied in relation to visitor centres and facilities?

<b>KCC</b>	<ul style="list-style-type: none"><li>• Yes. However, visitor management can enable visitor control. Expansion is not mandatory.</li></ul>
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### Final comments

Please add any final comments about this piece of guidance

<b>KCC</b>	<ul style="list-style-type: none"><li>• The impact of the changes by Covid have proven that the NP's natural infrastructure is limited - more signs and portaloos will not solve an excess of people, vehicles and associated impact. The Outdoor Recreation Plan has a risk of being another cause of over loading. The solutions can only be applied if they are economically viable and in many cases the economy is not sufficiently robust and never will be due to short</li></ul>
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	<p>seasons, local geography and utilities. This plan should not be over ambitious and thereby fail the primary aim of the National Park and reduce the amenity value of the National Park itself.</p> <ul style="list-style-type: none"><li>• A new or larger car park should not be created to attract more visitors but only to accommodate a greater demand.</li><li>• There has been no mention of any consequences of failing to follow submitted Management Plans – should there be?</li><li>• All developments involving impact to flora and fauna should be subject to appropriate level of environmental scrutiny to ensure compliance with the Aims of the NP.</li><li>• All green field sites near or close to SSSIs should be subject to environmental scrutiny, this is a National Park and this is the minimum that can be expected.</li><li>• Habitat Regulation Appraisals should apply the precautionary principle.</li></ul>
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## Accompanying documents

Please add any comments you may have about the accompanying documents to this consultation, including the Strategic Environmental Assessment screening report, Habitat Regulations Appraisal, and Equalities Impact Assessment.

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