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Dear Ms Davies,

The development referenced 20/00094/PP must be stopped now. There has already been extensive clearing of the oak woodland and the following contains the grounds for my objection:

Minor Settlement

Policy LDP DM 1 establishes the acceptable scale of development in each of the above mentioned categories as follows:-

- C) Within the villages and minor settlements up to *small scale on appropriate sites*.

In paragraph 2.7.1 the justification is that the DMZ's support the settlement strategy by guiding larger scales of development to the larger key settlements, and safeguarding the more sensitive and vulnerable areas from **inappropriate** scales of development. There is no exceptional case for a large or medium scale development to be allowed, as Portincaple is not classified as an ROA,(Rural Opportunity Area), In the Countryside Zone, Very Sensitive Countryside or Greenbelt Zones.

Policies LDP PROP 2 and LDP PROP 3 indicate the Proposed Allocations in the LDP. Chapter 8.2, Helensburgh and Lomond goes on to detail the areas under each of the main allocation headings. **Portincaple is not listed in these tables under any of the headings.**

Furthermore, under LDP Prop 2 the list of Allocations identifies 6 categories in section B) for development land supply, and then in section D) states that "development of the allocations for uses other than those identified, will be contrary to the LDP and WILL NOT BE PERMITTED".

I note from your electronic notices to both Statutory and other Consultees, that this proposal is being considered as, **"Holiday Camps & Sites Other Woodland Uses"**

As a result of all of the above, the proposed development contravenes every statement in this section of the Adopted LDP, and as such should be refused.

Ancient woodland

With reference to the above, SG LDP ENV 6 – Development Impact on Trees/Woodland, contains Schedule FW2. This states that:-

The prize features of an important woodland may include,

The remaining part of an *"ancient, long established or semi-natural woodland"*.

Recreational value to local people,

Settings of listed buildings (Inverallt)

The woodland setting

The habitat value

The important contribution of the woodland, as key landscape features, to local and regional landscape character and distinctiveness.

In addition in the Scottish Planning Policy 2014 document, Para.216 states:-

Ancient semi- natural woodland is an irreplaceable source and along with other woodlands, hedgerows and individual trees.....should be protected from adverse impacts resulting from development.

The Ordnance Survey map of Portincaple shows that the area of woodland destined for removal under this scheme, provides a “green corridor” link to other woodland areas, which is very important for wildlife preservation. In addition, this area of woodland is shown on the first edition of the Ordnance Survey map of the area surveyed in 1860 by Major Bayly R.E. and published in 1865.

Similarly, in the **Firth of Clyde, Seascape Assessment, produced by Scottish Natural Heritage, Section 5, Loch Long**, mention has been made of the potential for visual clutter, if additional development onshore or offshore, is sited near to the existing Coulport or Finnart developments. To this can be added the redevelopment of the jetty at Glen Mallen for the M.O.D. which has recently commenced, and adds further to the potential industrialization of the shoreline in an Area of Panoramic Quality.

For these reasons the application should be rejected.

Area of Panoramic Quality

With reference to the above, in the Local Development Plan, SG LDP ENV 13, refers to the “Development Impact on Areas of Panoramic Quality”, and provides additional detail to Policy LDP 3.

It states:- “***A & B Council will resist development in, or affecting an APQ, where its scale, location or design will have a significant impact on the character of the landscape***” unless it is adequately demonstrated that:

- (A) Any significant adverse effects on the landscape quality for which the area has been designated are clearly outweighed by “***social, economic or environmental benefits of community wide importance***”; there are no benefits of community wide importance
- (B) Developments will be expected to be consistent with Policy LDP 9 – Development Setting, Layout and Design, associated SG and the relevant A & B Landscape Capacity Assessment.

Policy LDP 9, references Development Setting: i.e. Development shall “***be sited and positioned so as to pay regard to the context within which it is located;***” and also Development Layout and Density: It shall “***effectively integrate with the setting, and also, “Developments with inappropriate layouts or densities including “Over Development and Overshadowing of sites will be resisted.”*** In this respect the proposed density of this first stage application is both inappropriate and does not integrate with the setting, and will overshadow both Inverallt (Listed) and also Lochside.

As set out in Paragraphs 196 and 197 in Scottish Planning Policy 2014, it is clear that the APQ designation was applied, quite rightly to this area, because of its distinctive character and quality, and should therefore be afforded the protection to safeguard and enhance the landscape and its species diversity, species or habitat rarity, naturalness and extent of habitat, and maintain its status as a potential “green corridor” between areas either side. .

From the foregoing, it is obvious that the proposed development fails to satisfy any of the criteria set out in either your Policy statements or Supplementary Guidance notes and as such should be resisted.

Settlement Pattern

Policy LDP 9 Refers to Development Setting, Layout and Design.

This proposal conflicts with:- “*the development shall be sited and positioned so as to pay regard to the context within which it is situated*”

Also “the layout and density shall effectively integrate with urban, suburban or countryside setting, and shall be adapted, as appropriate, to take into account the location or sensitivity of the area. Developments with inappropriate layouts, or densities including overdevelopment and overshadowing of sites shall be resisted.” Compare plot sizes of existing houses with those proposed, and also the listed building, Inverallt, will be overlooked.

Further in **Policy LDP DM1** which refers to development within settlements.

Portincaple is classed by the Council as a minor settlement, with 58 houses. This policy says that development up to “small scale on appropriate sites” will be encouraged. We know from the Architect’s site section drawing (D006) and the Engineers drawing 12864-02 that further phases are planned, which will eventually double the size of the village both in population and car use terms.

The Council also has a Supplementary Guidance note, SG LDP HOU 1, which sets out what developments will be supported in minor settlements. (it also provides additional detail to Policy LDP 8).The SG note states in section B, ***There is a general presumption against housing development when it involves: in the settlements,..... ii) Medium scale housing development in the villages and minor settlements.*** The table showing the scales of housing development shows Small scale as not exceeding 5 dwelling units, and Medium scale as between 6 and 30. The explanatory notes following state:

1.1.2 Housing in Settlements

In the case of settlements, the presumptions in favour or against are based largely on whether the housing development is of an appropriate scale (small, medium or large scale for the size of the settlement (Main Town, Key Settlement, Key Rural Settlement, Village or Minor Settlement). The scales have been defined in in SG LDP HOU 1.

Para.1.1.3 states: *Where the proposal involves large scale (exceeding 30 dwelling units) in a Key Rural Settlement, or medium scale in a Village or Minor Settlement **there is a general presumption against.** These larger scales of development would only be supported by a deliberate attempt to counter population decline in such an area, to help deliver affordable housing, or else meet a particular local housing need. Such proposals should not overwhelm the townscape character, or the capacity of the settlement, and be consistent with all the other policies and associated SG notes of the LDP.*

We would contend that none of the 3 criteria mentioned in 1.1.3 above are relevant to Portincaple

Community Benefit

Policy LDP STRAT 1 (Sustainable Development), which states that in preparing new development proposals, developers should seek to demonstrate the following sustainable development principles, which the planning authority will also use in deciding whether or not to grant planning permission.

Maximise the opportunity for local community benefit – **other than some picnic tables in the middle of a housing development, I can see no local community benefit; quite the opposite in fact. This development is being imposed on a community which is completely against it. The developer claims to be offering public access to the beach for the first time but we have had this via the main track to the shore for over 140 years now.**

Support existing communities and maximise the use of existing infrastructure and services. **The existing infrastructure is not capable of supporting the housing development being proposed. As can be seen from the application, the roads, electricity, phone, water and drainage will all have to be upgraded with considerable disruption to current services.**

Avoid the loss of important recreational and amenity open space. **The Ancient Woodland in question has been used as a local amenity since houses were first built there and this will be completely lost. This is clearly Phase 1 of the development and if further phases are allowed to proceed the total area of woodland lost will be in excess of 11 acres.**

Conserve and enhance the natural and built environment and avoid significant adverse impacts on biodiversity, natural and built heritage resources. **There is no conservation of the Ancient Woodland planned. The clearing of trees to prepare the site will have a hugely detrimental effect on the Ancient Woodland. By its very definition, newly planted replacement trees will take a very long time to become ancient woodland. When the site was cleared of rhododendrons using a mechanical flail over 40 trees were cut down as collateral damage. The impact on the protected species in the area was terrible and these have taken a long time to return.**

Respect the landscape character of an area and the setting and character of settlements. **By planning terraced houses in an area which only has detached dwellings with large gardens, the applicant and his planners have shown no respect to the landscape character or the setting of Portincaple. They are squeezing 12 houses into the same area currently taken up by 3 homes so can hardly claim to respect the landscape character.**

Climate Change

Policy LDP 11 Improving our connectivity and Infrastructure.

Para. 7.1.6 includes statements such as:- *“directing more significant levels of development to our Main Towns, Key Settlements and Key Rural Settlements”* and also *“to reduce the impact of heavy vehicles on our fragile road network”*

Portincaple is not listed under any of the 3 categories listed above, and is served by Feuins Road, an unclassified, virtually single track road, with 2 narrow bridges on its 0.95Km adopted length. The only public service vehicles that use this road is an infrequent, perhaps once a week, “Dial a Bus”, and school minibuses or taxis.

In Scottish Planning Policy 2014 document, paragraphs 272-274 refer to Development Planning in relation to transport considerations.

Para. 272 states: *“Development plans should take account of the relationship between land use and transport, and particularly the capacity of the existing transport network, environmental and operational constraints”*

Para. 273 states: *“The spatial strategies set out in plans should support development in locations that allow walkable access to local amenities and are also accessible by cycling and public transport. The aim is to promote development which maximises the extent to which its travel demands are met first through walking, then cycling, then public transport and finally through use of private cars”*

Para. 274 states: *“Planning Authorities should ensure that a transport appraisal is undertaken at a scale and level of detail proportionate to the nature of the issues and proposals being considered.”*

Further, under the Development Management Section, Paragraphs 286, 287 and 291 state:

Para. 286 states: *“where a new developmentis likely to generate a significant increase in the number of trips, a transport assessment should be carried out. This should identify ANY POTENTIAL CUMULATIVE EFFECTS. WHICH MAY NEED TO BE ADDRESSED”*

Para. 287 states: ***“Planning permission should not be granted for significant travel generating uses at locations which would increase reliance on the car and where:***

Direct links to local facilities via walking or cycling networks are not available or cannot be made available,

Access to local facilities via public transport networks would involve walking more than 400m,

The transport assessment does not identify satisfactory ways of meeting sustainable transport requirements,

Para. 291 states: *“Consideration should be given to appropriate planning restrictions on construction and operation related transport modes, when granting planning permission, especially where bulk material movements are expected”*

As there is no Transport Assessment in any of the supporting documentation to this application it fails to comply with Scottish Planning Policy and should therefore be rejected.

Because the development does not comply with many aspects of Scottish planning policy, it must be wholeheartedly rejected.

Yours faithfully,

Maureen Marshall