



EIR Ref: 2017/064

23rd August 2017

REQUEST UNDER ENVIRONMENTAL INFORMATION (SCOTLAND) REGULATIONS 2004

I refer to your request for information, received by email on 25th July 2017.

We have applied the exemption under Section 39(2) of the Freedom of Information (Scotland) Act 2002 as we have determined that the information sought in your request is environmental information. We are therefore handling your request under the terms of the Environmental Information (Scotland) Regulations 2004 (EIRs). In this case the public interest in maintaining this exemption and in dealing with the request in line with the requirements of the EIRs outweighs any public interest in disclosing the information under FOISA.

Your specific request and the response from the National Park Authority are provided below.

“All communication between Flamingo Land resort (or applicant for), the much publicised but as yet undetailed development proposals & plans for Loch Lomond National Park. To be known I believe as Iconic Leisure”

“Any related communication from Andy Miller on the behalf of Flamingo Land.”

We have to advise that under R10(4)(c) of the EIRs, the response that you have submitted, is formulated in too general a manner. Under our duty to advise and assist you in accordance with R9 of the EIRs, we can however provide you with an explanation of the role that the Park Authority as Planning Authority has in considering plans to develop the site at West Riverside.

As you are aware, Scottish Enterprise appointed Flamingo Land Ltd in 2016 as the preferred developer of their 20 hectare site at West Riverside, Balloch, located within the National Park. As the relevant Planning Authority, we will take a view on proposals for this site, when they are submitted as a planning application, however, to date, no planning application has been submitted.

Before a planning application is submitted, we recommend that anyone interested in making an application should contact our planning team for advice. This is known as pre application advice and is explained on our website at <http://www.lochlomond-trossachs.org/planning/planning-applications/make-an-application/pre-planning-application-advice/>

This service is provided to anyone, from an individual planning a home extension, to larger scale developments, such as the proposals for the site at West Riverside. The purpose of this advice is

LOCH LOMOND & THE TROSSACHS NATIONAL PARK AUTHORITY

National Park Headquarters, Carrochan, Carrochan Road, Balloch, G83 8EG Long: 4°34'24"W Lat: 56°00'12"N
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for the Planning Authority to help anyone interested in making an application to ensure that it is valid and takes into consideration any specific constraints, such as environmental impact, requirement for habitat surveys etc. This pre application advice is provided on a confidential basis.

In the case of the West Riverside development, due to the scale of the proposed development, the applicant is required to carry out a pre-application consultation prior to submitting a planning application. This is a period of consultation between the applicant and public. The applicant must notify the Planning Authority of this consultation period at least 12 weeks before a planning application is submitted. Further details about this process can be found on our website at: <http://www.lochlomond-trossachs.org/planning/live-park-blog/major-developments-explained>

We understand that following your request for information, a member of the Flamingo land team made contact with you with a view to answering any questions you wished to direct to their team.

When the Park Authority receives a formal planning application from Flamingo Ltd, details will be put on our online planning portal at <http://www.lochlomond-trossachs.org/planning/planning-applications/find-an-application/>

Due to the scale of this proposed development it will be considered by either our Planning Committee or Board, meetings are open to the public to attend, details can be found on our website at: <http://www.lochlomond-trossachs.org/park-authority/our-board-committees/planning-access-committee/>

We hope that this explanation of the planning process will be helpful to you. As advised above, communication with Flamingo Land Ltd for the proposed development at West Riverside is at a very early stage, in an advisory capacity on the part of the Park Authority. Details of any proposals as part of the pre-application consultation will be publically available as will any planning application when submitted.

Yours sincerely

Governance & Legal Team
Loch Lomond & The Trossachs National Park Authority

Review Procedure

If you are dissatisfied with this response, or the way in which the Authority has dealt with your request, you are entitled to ask the Authority to review its decision. Please note that in order for a review to take place you must:-

- Lodge a written request for a review within 40 working days of either the date on which you received a response from the Authority or the date by which you should have received a response under the terms of the Environmental Information (Scotland) Regulations 2004, whichever is the later.
- Include your name, address for correspondence, a description of the original request, and the reasons why you are dissatisfied; and

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address your review request to:

Governance & Legal Team
Loch Lomond & The Trossachs National Park Authority
National Park Headquarters
Carrochan
Carrochan Road
Balloch
G83 8EG
E-mail: info@lochlomond-trossachs.org

Please note that links provided to information available elsewhere are intended to assist you. Requests for information held by other public authorities, and any complaints regarding access to such information should be addressed to that authority. These review procedures relate only to information which is directly under the control of Loch Lomond & The Trossachs National Park Authority.

The review of your request will be handled by staff who were not involved in the original decision. You will receive notice of the result of your review within 20 working days.

If you are not satisfied with the response to your request for review, you can contact the Scottish Information Commissioner, the independent body which oversees the Environmental Information (Scotland) Regulations 2004, at:

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
Tel: 01344 464 610
Website: www.itspublicknowledge.info
E-mail: enquiries@itspublicknowledge.info
Online appeal portal: www.itspublicknowledge.info/Appeal

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