



EIR Ref:2017/042

7th July 2017

REQUEST UNDER ENVIRONMENTAL INFORMATION (SCOTLAND) REGULATIONS 2004

I refer to your request for information, received by email on 16th May 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.

“Please provide me with all the information the National park holds on the changes to the Loch Lomond Holiday Park site that were undertaken without appropriate planning permission between its purchase by Argyll Holiday in early 2014 and the issue of the Decision Letter approving planning application 2016/0002 on 01/08/2017.”

All relevant information is included in the attached Enforcement officer correspondence. Changes that took place at the Loch Lomond Holiday Park site that were undertaken without planning permission are as follows:

February 2015 - signage, erection of an entrance wall, forming of boreholes in the woodland, lopping of trees and other works

9th March 2016- Engineering works at touring caravan park area, clearing of old static caravan area.

1st July 2016 – New static caravans had arrived on site, engineering operations underway to create new platforms and drainage, touring area in full use and toilet block in place.

“Please provide me the dates of all visits by National park staff to Loch Lomond Holiday Park site, the purpose of such visits and who was involved from both the Park, Argyll Holiday and any third parties, public authorities or advisers, between the purchase of the site by Argyll Holidays and the Decision Letter dated 01/08/2016.”

Mr Gordon Watson attended a meeting on 13th November 2014 with the owners of the holiday park in his capacity as Director of Planning. He had a further meeting on 19th August 2015 in this

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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capacity as Chief Executive. Mairi Bell, former Head of Tourism at the Park Authority attended both meetings

- 17th Feb 2015 – visit following notification of breaches – Simon Franks, Woodlands and Tree Officer
- 6th March 2015 - Sue Laverge, Enforcement Planner met the Holiday Park owners and Iona Hyde of Michael Hyde Associates
- 10th June 2015 – Sue Laverge and Simon Franks, Woodland Adviser met Iona Hyde
- 9th October 2015 – Kirsty Sweeney, planning officer met agents with Mike and Iona Hyde
- 9th March 2016 – Kirsty Sweeney, planning officer –Assessment site visit, discovered works had commenced on site without planning permission.
- 1st July 2016– Passing site and stopped in - Kirsty Sweeney, planning officer – noted that works had not ceased and a new static caravan had arrived on site and the touring caravan at the rear was in full use. Planning permission not granted.

“Please provide me with all of correspondence between the National Park and Argyll Holidays and their representatives, Michael Hyde Associates about the development of the Loch Lomond Holiday Park site, including any correspondence which took place prior to the purchase of the Holiday Park.”

The correspondence is provided in the attached correspondence folder. Please note that personal information, namely the personal contact details for external third parties and junior members of staff have been redacted from this document, in accordance with Regulation 11(2) of the EIRs and Data Protection Principles.

We have considered the public interest in respect of the withholding of this personal data and have determined that the public interest in withholding this specific information outweighs the public interest in its release in to the public domain. Please note that we have not withheld complete documents which contain such personal data and have released all other information within the correspondence which is not subject to requirements of the Data Protection Act 1998.

“Please provide a copy of the Notification of Initiation of Development and Notification of Completion of Development relating to planning application 2016/0002 if this has been submitted.”

The Notification of Initiation of Development provided in the attached post decision folder. Works are not completed so we do not have a Notification of Completion of Development. Accordingly, the exception under Regulation 10(4)(a) of the EIRs has been applied in respect this element of your request as this information is not held.

“Please provide me with copies of all plans submitted following the decision including the proposals to reduce the height of the walls and the tree protection plan which were required by the planning consent and any variations to other approved plans.”

Plans are provided in the attached post decision folder. There was no requirement to submit any proposals to reduce the height of the walls, so there is no relevant information held. Accordingly, the exception under Regulation 10(4)(a) of the EIRs has been applied in respect this element of your request.

Yours sincerely

Governance & Legal Team

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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

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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