



EIR Ref: 2018/009

26th April 2018

REQUEST UNDER ENVIRONMENTAL INFORMATION (SCOTLAND) REGULATIONS 2004

In our response letter of 12th April 2018, we advised that we had no information held on communications with RSPB or SNH about migratory birds at the proposed development site. We have now found some relevant emails on this subject.

We apologise for not identifying this information earlier. Please find the relevant email thread attached in Appendix A. Please note that personal information, namely the name and personal contact details for two external members of staff working for RSPB been redacted. This information has been withheld from release under Regulation 11(2) of the EIRs as the information requested is personal data of which the requester is not the data subject.

The release of this information would contravene the second and sixth Data Protection Principles as it was gathered for one specific purpose and has been processed in accordance with the rights of the individuals concerned. Therefore the disclosure of this information, which is not the personal data of the requester, would contravene the Data Protection Act 1998. This means that there is no requirement to consider the public interest in the disclosure of this information.

Please note that we have not withheld complete documents which contain such personal data and we have released all other information within the document which is not subject to the requirements of the Data Protection Act 1998.

Further to your meeting with Bob Cook, I understand that you have also asked us to provide you with the original pre-application enquiry correspondence for which we gave advice. We have provided you with the pre-application advice given by the Park Authority and we are now considering your request for this additional information. We will endeavour to respond to you on this further point no later than 17th May 2018.

Yours sincerely

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
t: 01389 722600 f: 01389 722633 e: info@lochlomond-trossachs.org w: lochlomond-trossachs.org

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Review Procedure

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

- Send your request for review in writing, setting out in full the reasons why you are requesting a review.
- Submit your review request 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 Freedom of Information (Scotland) Act 2002, whichever is the later.
- 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

The review 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 Freedom of Information (Scotland) Act 2002, at:

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
Tel: 01334 464610
Website: www.itspublicknowledge.info
E-mail: enquiries@itspublicknowledge.info

Online appeal portal: www.itspublicknowledge.info/Appeal

From: Fiona Stewart
Sent: Thu, 9 Nov 2017 10:53:53 +0000
To: Julie Gray
Subject: FW: migratory birds

Hi Julie,

FYI. I would fully support the opinion that any landscaping should be native.

From: [REDACTED] [REDACTED]@rspb.org.uk]
Sent: 09 November 2017 09:47
To: [REDACTED] Fiona Stewart
Subject: RE: migratory birds

Haven't got anything to add to [REDACTED] comments Fiona.

[REDACTED]
Senior Conservation Officer

South & West Scotland Regional Office 10 Park Quadrant, Glasgow, G3 6BS
Tel 0141 331 9086
Mobile [REDACTED]

rspb.org.uk

Let's give nature a home in Scotland



RSPB Scotland is part of the RSPB, the UK's largest nature conservation charity, inspiring everyone to give nature a home. Together with our partners, we protect threatened birds and wildlife so our towns, coast and countryside will teem with life once again. We play a leading role in BirdLife International, a worldwide partnership of nature conservation organisations.

The Royal Society for the Protection of Birds (RSPB) is a registered charity: England and Wales no. 207076, Scotland no. SC037654

From: [REDACTED]
Sent: 07 November 2017 11:13
To: Fiona Stewart <Fiona.Stewart@lochlomond-trossachs.org>
Cc: [REDACTED]@rspb.org.uk
Subject: RE: migratory birds

Hi Fiona,

As far as I'm aware, the area is very enclosed. We don't have any records of Greenland white fronts using these fields and I'm not sure which species in particular the neighbours might be referring to. We don't have any survey records for this site so can't say for sure but almost certainly fieldfares/redwings and most likely breeding passerines will use it, but none of these will be enough to stop a development. However, there are a number of trees and hedges on the site at present, so perhaps as mitigation, the landowner could be asked, as part of their landscaping, to restock with native shrubs that are likely to benefit any breeding and passage species, such as hawthorn, rowan, holly etc and any hedge/woodland continuity should be maintained where possible both to maintain the character of the area and for ecological benefits? There would be grants available to do this from places like Woodland Trust if cost was an issue.

Hope that helps,

Cheers
[REDACTED]

From: Fiona Stewart [mailto:Fiona.Stewart@lochlomond-trossachs.org]
Sent: 01 November 2017 11:28
To: [REDACTED]@rspb.org.uk>
Subject: migratory birds

Hi [REDACTED]

Don't know if you can help me out on this one.

We have a planning application for three holiday lets at Claddoch Cottage. There is a letter of objection from a local resident saying that this development will affect migratory birds. First the fields are small and surrounded by hedging so not ideal location for Greenland white fronted geese to be using. Do you have information on this site? And secondly, migratory birds generally. I suppose redwings and fieldfares for example could be using these fields but this will not stop development. Should I be aware of anything else?



I'll give you a call to discuss.

Hope all well with you.

Fiona

Fiona Stewart
Natural Heritage Planning Advisor
Loch Lomond & The Trossachs National Park

Direct: 01389 722665

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