

EIR 2020-003 Email correspondence

1. **From:** Johnston, Mark (Glasgow) [mailto:XXXXXXXX@stantec.com]
Sent: 18 December 2019 11:19
To: Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>; Vivien Emery <vivien.emery@lochlomond-trossachs.org>; Bob Cook <bob.cook@lochlomond-trossachs.org>
xxxxxxx@flamingoland.co.uk <xxxxxxx@flamingoland.co.uk>; xxxxxx <xxxxxxxxxx@andersonbellchristie.com>; xxxxxx <xxxxxxx@flamingoland.co.uk>
Subject: West Riverside Meeting 6th Jan

All,

In advance of our meeting on Monday 6th January at 1pm, please see attached proposed agenda and a copy of the site layout plan. Note that the plan is unchanged it is included as a basis for discussion on possible changes.

Please advise if you wish for any additional items to be added to the agenda.

I look forward to seeing you all on 6th January and hope you have a restful break between now and then.

Regards,

Mark Johnston
Senior Associate

2 x Attachments

2. **From:** Johnston, Mark (Glasgow) [mailto:xxxxxxxx@stantec.com]
Sent: 06 December 2019 13:10
To: xxxxxxxxxxx@lochlomond-trossachs.org
Cc: Vivien Emery <vivien.emery@lochlomond-trossachs.org>; Bob Cook <bob.cook@lochlomond-trossachs.org>
Subject: RE: Meeting request

xxxxxxx

Many thanks for this. The 6th January would suit the team best, but at a push we can do 10th. Please let me know what suits.

We are at the point of formulating options at this time and will send what we can in advance of the meeting, but please note that the primary focus of the meeting will be to try to agree principles for a new development format that might acceptable to the NPA. Thereafter we will be in a position to put forward drawings and material for more informed consideration.

Regards
Mark Johnston
Senior Associate

3. **From:** xxxxxxxx
Sent: 05 December 2019 14:07
To: Johnston, Mark (Glasgow)
Cc: Vivien Emery ; Bob Cook
Subject: RE: Meeting request

Hi Mark

Many thanks for your email to Stuart / Vivien and Bob. Unfortunately, it is not going to be possible to schedule a meeting this side of the year due to a mixture of diary and leave commitments. Could I suggest that you send me a list of dates when your clients are available the first week back in January (w/c 6th) and perhaps send over some information on their options pre-Christmas then Stuart and his team could consider those in advance of a meeting the first week back.

I look forward to hearing from you.

Kind regards

xxxxxxxxxx

PA to Director of Corporate Services and Director of Rural Development and Planning

4. **From:** Johnston, Mark (Glasgow) [mailto:xxxxxxxx@stantec.com]
Sent: 04 December 2019 18:27
To: Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>; Vivien Emery <vivien.emery@lochlomond-trossachs.org>; Bob Cook <bob.cook@lochlomond-trossachs.org>
Subject: Meeting request

Dear Stuart, Bob and Vivien,

I am instructed by my clients Flamingo land Ltd and Scottish Enterprise to write to you requesting a pre-application meeting concerning the land at West Riverside and Woodbank House. They are currently reviewing options and considering how to proceed and in this regard their decision making process will be influenced by the planning authority's position.

Could you suggest any possible times for a meeting and we will try and work around them? Ideally it would be this side of Christmas if possible.

I look forward to hearing from you.

Many thanks,

Mark Johnston
Senior Associate

5. **From:** Vivien Emery
Sent: 12 September 2019 13:27
To: 'Johnston, Mark (Glasgow)' <xxxxxxxx@stantec.com>
Subject: West Riverside Site Visit

Good Afternoon Mark

We are currently making arrangements for the forthcoming site visit on the 23rd September. There will be a number of stopping points (including the two referenced below) and I would be grateful if you could confirm that your clients agree that access can be taken at the following points:

- The Pierhead area.
- Woodbank House – we intend to view the site from both the entrance to the main driveway and also near (but a safe distance from) the house itself.

Whilst we will be undertaking our own risk assessments, I would be grateful if you could make me aware of any risks that your clients may wish to highlight regarding visiting these two areas (or any other areas of the application site).

I look forward to hearing from you.

Kind Regards
Vivien

6. **From:** Vivien Emery
Sent: 05 September 2019 12:06
To: 'Johnston, Mark (Glasgow)' <xxxxxxx@stantec.com>
Subject: RE: WRS

Mark

Yes I can confirm that the piling information was sufficient for us to complete the HRA.

Many Thanks
Vivien

7. **From:** Vivien Emery
Sent: 04 September 2019 18:24
To: 'Johnston, Mark (Glasgow)' <xxxxxxx@stantec.com>
Subject: WRS

Hi Mark

The approach for speakers is outlined within our Standing Orders and the recently prepared Framework Document that is on our website.

One of the relevant Scottish Government Directions to planning authorities is outlined [here](#) (see bottom of webpage).

Kind Regards
Vivien

8. **From:** Johnston, Mark (Glasgow) [<mailto:xxxxxxx@stantec.com>]
Sent: 03 September 2019 18:48
To: Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Subject: RE: WRS

Thanks Vivien,

Could you also include in that response, a comment on the current views of SNH / the NPA on the question of piling as per our recent exchange of emails? I hadn't got a response from you to confirm that the information submitted fully addressed the matter or whether further information is required.

Thanks,
Mark Johnston
Senior Associate

9. **From:** Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Sent: 03 September 2019 17:35
To: Johnston, Mark (Glasgow) <xxxxxxx@stantec.com>
Subject: RE: WRS

Mark

Thanks for your e-mails. I will respond to you tomorrow.

Kind Regards
Vivien

10. **From:** Johnston, Mark (Glasgow) [<mailto:xxxxxxx@stantec.com>]
Sent: 03 September 2019 15:29
To: Vivien Emery
Subject: RE: WRS

Sorry Vivien, one other thing occurs. Can you tell me whether the Planning Authority consider that the application needs to be notified to Ministers under the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009.

NB we don't consider that any of the three circumstances apply, but wanted to confirm the NPAs view on this as well.

Thanks

Mark Johnston
Senior Associate

11. **From:** Johnston, Mark (Glasgow)
Sent: 03 September 2019 15:02
To: Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Subject: RE: WRS

Hi Vivien,

The principal point is to ask for clarification of the running order and the speaking time allocation. Whilst the applicants have no difficulty in summarising the proposals at the outset we must in all fairness be given an opportunity to respond to any criticisms raised by any of the other speakers, ahead of taking questions from the PA. We consider this to be critical given the misinformation currently in the public domain.

I trust this is in order.

Regards,

Mark Johnston
Senior Associate

12. **From:** Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Sent: 03 September 2019 14:48
To: Johnston, Mark (Glasgow) <xxxxxxx@stantec.com>
Subject: WRS

Good Afternoon Mark

Thank you for your voicemail. Can you please send me an e-mail with your questions on the protocol so that I can forward it to our Governance team to respond.

Many Thanks
Vivien

13. **From:** Vivien Emery
Sent: 30 August 2019 16:07
To: 'Johnston, Mark (Glasgow)' <xxxxxxx@stantec.com>
Subject: WRS

Hi Mark

We have published an update on our website this afternoon regarding the next steps in the process. This can be viewed [here](#).

Please let me know if you have any questions.

Many Thanks
Vivien

14. **From:** Vivien Emery
Sent: 22 August 2019 16:50
To: 'Johnston, Mark (Glasgow)' <xxxxxxx@stantec.com>
Subject: NPA Board protocols

Hi Mark

Thanks for your e-mail. I have responded to each point below. Please let me know if you have any further questions.

Many Thanks
Vivien

15. **From:** Johnston, Mark (Glasgow) [<mailto:xxxxxxx@stantec.com>]
Sent: 21 August 2019 13:17
To: Vivien Emery
Subject: NPA Board protocols

Hi Vivien,

Just wondering whether there has been any update on likely protocols for the Site visit and hearing? Scottish Enterprise have asked me to ask you the following questions. I'd be grateful for any answer you are able to provide.

- When is your report and recommendation likely to be available?

We are on track to have the officers report on the recommendation to our Board ready to be published in early September.

- Will it be available to members, applicant and public at the same time?

Yes, you will appreciate that, as the Planning Authority, we must be fair to all interests.

- Where will the report be made available – is it just in the meeting agenda on the website or will it appear on the planning portal as well?

Yes, once it is published on the website it will also be made available on the planning portal.

- Can you advise on any amended protocols for the NPA board members site visit on 23rd Sept and for the structure of the NPA Board meeting on 24th Sept?

Our Governance Team are currently drafting a framework for the site visit and hearing and this will include details of amended protocols. It is expected that this will be available on our website within the next few weeks.

Many thanks,

Regards,

Mark Johnston
Senior Associate

16. **From:** Johnston, Mark (Glasgow) [<mailto:xxxxxxx@stantec.com>]
Sent: 14 August 2019 15:43
To: Vivien Emery <vivien.emery@lochlomond-trossachs.org>

Cc: Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>
Subject: RE: WRS

Hi Vivien,

Further to your email of Monday I have taken the opportunity to discuss it with the project ecologists and geologists. In general terms, it appears clear that the scope for variation in piling techniques can ensure that any piling activities can be adapted and organised as necessary to ensure that the potential for adverse effects on the SAC is avoided. We consider that the avoidance principle should be adopted here. The letter from SNH, dated 2nd august 2019 confirms this and the team agree with the statement:

“there is well-established mitigation that can be put in place to reduce the impacts of piling. Once the precise detail for any piling operation, including suitably robust mitigation is determined, and if necessarily, conditioned; we believe it is likely that your Appropriate Assessment could conclude that there would be no adverse effect on integrity of the site.”

Potential mitigation might include, inter alia:

- Varying the number of piles (more shorter piles, fewer longer piles, more smaller diameter piles, fewer large diameter piles etc. etc.) depending on what is best for the fish.
- Building design that minimises the need for piling;
- Changing the type of piling from impact piles to rotary cores if necessary. NB this measure alone would almost certainly eliminate any potential for significant impacts on the qualifying interests of the SAC;
- Piling outside of certain timeframes when the salmon and lamprey are active in the Leven.

The principal point we would ask you to note is that when a potential pile design is known i.e. the ‘precise detail’ referred to by SNH, a relatively simple assessment can be carried out (by Vibrock for example) to establish if there are likely to be any adverse effects on the integrity of the site. At the distances involved (see response to bullet 2 below) this is considered unlikely, however if effects were predicted then the piling method would be changed to one less vibration inducing.

We also note the further comment from SNH that *“case law clarifies that the competent authority (the NPA in this instance) must be convinced of this conclusion prior to giving their consent.”* In this respect, our client acknowledges and supports the status attached to the SAC and the high level of protection afforded to it. We would however note that approval of the current PPIP application will not confer ‘consent’ for the works. It will only establish the principle of the development and detailed information will be required at AMSC stage to provide that assurance and allow consent to be issued. This is something that the applicant can and will provide at that stage, once building design and intrusive site investigations have been carried out. At this point in the process, we believe that the mitigation appropriate to a PPIP application is a condition requiring a piling plan to be agreed and implemented and for that plan to include measures, such as those identified above, to ensure that adverse effects on the qualifying interests of the Endrick Water SAC are avoided. This approach has been successfully adopted by other planning authorities in dealing with the effects of piling.

Notwithstanding the above we have endeavoured to answer the questions you posed in your email, but ask once again that you note the limitations of the PPIP application process with regard to detail.

- *Where piling would be likely required- e.g. which buildings or other structures are anticipated to need piling. –*

It is anticipated that the pool and leisure and hotel buildings (Pierhead) and the budget accommodation (Station Square) may need piling. In this regard we refer to Section 11.4.64 of the EIA (Volume 1), which notes that:

*“Piled foundations are likely to be required where strip or pad foundation depth becomes excessively deep, where the size of the foundation becomes excessively large, or where the magnitude of predicted settlements for pad or strip footings is unacceptable. It is therefore anticipated that medium and heavily loaded structures or structures that are sensitive to total and/or differential settlements such as the **pool and leisure facility, budget accommodation and hotel will require piled foundations**. Lighter structures including the forest lodges are unlikely to require piling.” (emphasis added)*

The preliminary SI also notes as follows at Section 6.6

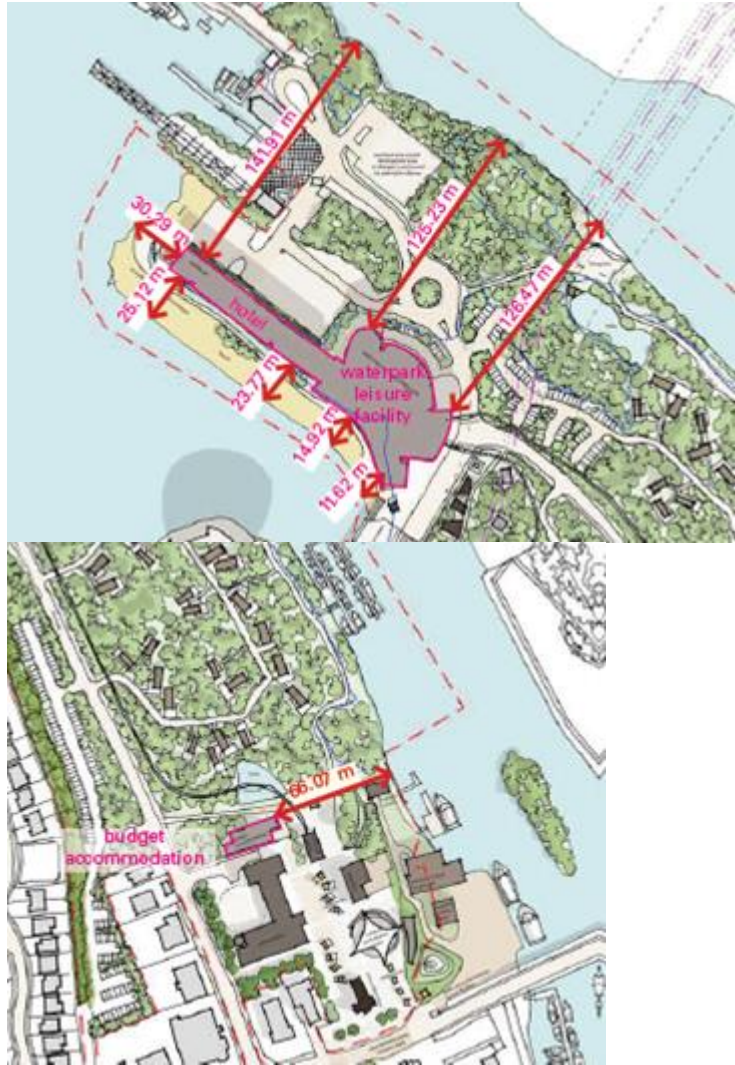
“Geotechnical / Foundation recommendations:

Heavy structures will need specific site investigations to determine the most effective and economical foundation solutions.

Where piled foundations are likely to be required, site investigation will focus on determining the depth to competent strata, noting that the depth to bedrock may vary considerably from reported depths of around 50m in the north and east, to reported depths of around 5m just off site to the south east.”

- *Approximate distance of these to the water and if it's to Drumkinnon Bay to the Leven.*

The distances of those structures identified above, to the water's edge have been identified on the indicative site layout. The two extracts below show the distances involved at the pierhead and at Station Square. The distances involved mean that any adverse effect is unlikely, but again this would be checked for the preparation of the piling plan and method statement, in order to provide the required assurance once building design and intrusive SI are complete.



- *How much piling would be required- e.g. based on current outlines of building size and height. –*
 Given the potential for variation in the nature and amount of piling involved (see bullet points 1 to 4 above under the heading of ‘potential mitigation’), this question cannot be answered at this point in time. The amount and nature of piling would be designed to mitigate potential adverse effects and we submit that avoidance by design or mitigation should be the driving consideration at this point rather than seeking to assess the impact of an unknown quantity.
- *How long it would take – an estimate in terms of months of duration for the piling phase(s).*
 This point is related to the one above and timeframes are dependent on the nature and extent of piling proposed.
- *Whether there would be any restrictions on piling work, in terms of months of the year or time of day, to avoid or mitigate disruption to migration salmon & lamprey. –*
 Restrictions on piling work can and will be imposed where necessary to avoid disruption to migrating Salmon and Lamprey. The suggested condition referred to above requiring a piling plan and method statement will provide that assurance.
- *Any other mitigation measures, e.g. use of noise limiting techniques, monitoring of noise in-river to allow adjustments to work on-site.*
 As above, the primary consideration will be to avoid adverse impacts and mitigation will be deployed as necessary to ensure that happens.

- *Comparisons of increased noise against presumed baseline.*
It is assumed that the reference to noise, is more appropriately made to vibration as it is underwater vibration that would have an adverse impact on Salmon and Lamprey. Information on increased vibration can only be provided once the extent and nature of piling is known. Again we would ask that the principle adopted by the NPA for their HRA is that adverse impacts are avoided through design and mitigation rather than seeking to predict the impact of an unknown quantity at this point in time. The imposition of the condition referred to above will allow that to happen.

We trust that the above is a reasonable and informative response to your request and that it provides sufficient reassurance, as stated by SNH, that the *“Appropriate assessment can conclude that there would be no adverse effect on the integrity of the site.”*

As always, happy to discuss further if you wish.

Regards,

Mark Johnston
Senior Associate

17. **From:** Vivien Emery
Sent: 12 August 2019 09:55
To: 'Johnston, Mark (Glasgow)' <xxxxxxxx@stantec.com>
Cc: Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>
Subject: RE: WRS

Good Morning Mark

We have received further advice from SNH regarding additional information required in relation to piling. Can you please provide the following :

- Where piling would be likely required- e.g. which buildings or other structures are anticipated to need piling.
- Approximate distance of these to the water and if it's to Drumkinnon Bay to the Leven.
- How much piling would be required- e.g. based on current outlines of building size and height.
- How long it would take – an estimate in terms of months of duration for the piling phase(s).
- Whether there would be any restrictions on piling work, in terms of months of the year or time of day, to avoid or mitigate disruption to migration salmon & lamprey.
- Any other mitigation measures, e.g. use of noise limiting techniques, monitoring of noise in-river to allow adjustments to work on-site.
- Comparisons of increased noise against presumed baseline.

This information should be based on the worst-case scenario. You will appreciate the timing urgency for providing this and I would be grateful if you could let me know when you anticipate you will be able to send this to me.

Many Thanks
Vivien

18. **From:** Johnston, Mark (Glasgow) [<mailto:xxxxxxx@stantec.com>]
Sent: 09 August 2019 11:54
To: Vivien Emery
Cc: Stuart Mearns
Subject: RE: WRS

Thanks Vivien,
We'll be ready with a response if you require it.

Regards

Mark Johnston
Senior Associate

19. **From:** Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Sent: 08 August 2019 13:01
To: Johnston, Mark (Glasgow) <xxxxxxx@stantec.com>
Cc: Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>
Subject: WRS

Good Afternoon Mark

I have attached an updated response that we have received from SNH. You will see that it raises issues relating to piling and associated impacts on the Endrick Water SAC. We are seeking further advice from SNH on this matter but please be aware that we may be asking you to provide further information to enable us to complete the HRA. I will confirm this as soon as I can. If further information is required can you please provide it as soon as possible.

Many Thanks
Vivien

20. **From:** Vivien Emery
Sent: 29 July 2019 12:12
To: 'Johnston, Mark (Glasgow)' <xxxxxxx@stantec.com>
Subject: RE: West Riverside

Mark

Yes I asked our support staff to make your letter public on the planning portal. It should go on today.

Our Governance team are currently considering special arrangements for both the site visit and hearing. As soon as these have been confirmed I will let you know.

Thanks
Vivien

21. **From:** Johnston, Mark (Glasgow) [<mailto:xxxxxxx@stantec.com>]
Sent: 29 July 2019 12:07
To: Vivien Emery
Subject: RE: West Riverside

Thanks Vivien,

Can you confirm if the letter we sent following the WDC council meeting will be put on the planning portal? We can see the WDC official response, but not our letter.

Also, can you let me know if there are proposed to be any special protocols introduced for the SV and hearing? You had previously suggested that the NPA might consid4r this. We would just like to organise our speakers (currently 2, based on current protocols)

Thanks,

Mark Johnston
Senior Associate

22. **From:** Vivien Emery
Sent: 29 July 2019 11:58
To: 'Johnston, Mark (Glasgow)' <xxxxxxx@stantec.com>
Subject: West Riverside

Good Morning Mark

Please find attached a press statement that we are going to be releasing today. It confirms that the dates for the site visit and hearing will be Monday 23rd and Tuesday 24th September.

Let me know if you have any questions.

Many Thanks
Vivien

1 x Attachment

23. **From:** Vivien Emery
Sent: 22 July 2019 11:22
To: 'Johnston, Mark (Glasgow)' <xxxxxxx@stantec.com>
Cc: xxxxxxx <xxxxxxx@stantec.com>
Subject: RE: 18/0133/PPP - Land at west Riverside and Woodbank house

Mark

xx. I can confirm that we have received your letter. We also received WDC's response last week and it is available to view on-line.

Many Thanks
Vivien

24. **From:** Johnston, Mark (Glasgow) [mailto:xxxxxxx@stantec.com]
Sent: 16 July 2019 08:18
To: Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Cc: xxxxxxx <xxxxxxx@stantec.com>
Subject: FW: 18/0133/PPP - Land at west Riverside and Woodbank house

Vivien, I've received Bob's out of office in reply to my earlier email. Would you mind confirming receipt to xxxxx and I so that we know you have received the letter?

Many thanks,

Mark Johnston
Senior Associate

25. **From:** Johnston, Mark (Glasgow) [mailto:xxxxxxx@stantec.com]
Sent: 16 July 2019 08:12
To: Vivien Emery <vivien.emery@lochlomond-trossachs.org>; Bob Cook <bob.cook@lochlomond-trossachs.org>
Subject: 18/0133/PPP - Land at west Riverside and Woodbank house

Dear Vivien and Bob,
Please find attached a letter on behalf of the joint applicants for the above application. The content should be self-explanatory, but as always, I'm happy to discuss further if you wish.
Kind regards,

Mark Johnston
Senior Associate

1 x Attachment

26. **From:** Johnston, Mark (Glasgow) [mailto:xxxxxxx@stantec.com]
Sent: 05 July 2019 15:12
To: Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Cc: Caroline Strugnell <Caroline.Strugnell@lochlomond-trossachs.org>
Subject: 18/0133/PIP - drawing correction

Dear Vivien and Caroline,
It has been brought to our attention that one of the submitted drawings contains some ambiguity as regards building heights in the pierhead area. I would be grateful if you could substitute the attached drawing 1139 PL(0)200 Rev D in place of the current Rev C which is on the planning file.

The changes are to clarify that the heights on the drawing relate to heights above ordnance datum. This removes the ambiguity caused by some heights appearing to be related to adjoining ground level.

I would like to emphasise that there are no changes to any of the intended heights and they all remain consistent with the Parameters plan.

Please give me a call if there are any issues arising.

Regards,

Mark Johnston
Senior Associate

1 x attachment

27. **From:** Vivien Emery
Sent: 03 July 2019 10:23
To: 'Johnston, Mark (Glasgow)' <xxxxxxxx@stantec.com>
Subject: RE: Board Paper

Good Morning Mark

No date has yet been confirmed for the site visit and hearing/meeting. Our standard advice on hearings and site visits can be found [here](#). Please note however that special arrangements will need to be made for this application. This may require the drafting of bespoke protocols and I will keep you updated in this regard.

Kind Regards
Vivien

28. **From:** Johnston, Mark (Glasgow) [<mailto:xxxxxxxx@stantec.com>]
Sent: 02 July 2019 16:19
To: Vivien Emery
Subject: RE: Board Paper

Vivien,

Can you advise whether any dates have been arranged for the site visit and hearing?

I would also be grateful if you could forward details of the protocols for a hearing i.e. opportunities to speak etc.

Thanks,

Mark Johnston
Senior Associate

29. **From:** xxxxxxx [<mailto:xxxxxxxxxxxx@scottishwater.co.uk>]
Sent: 15 June 2018 11:40
To: Vivien Emery
Cc: xxxxxxxx
Subject: RE: West Riverside - Scottish Water response

Good Morning Vivien,

According to our system the PDE that was submitted in December is currently on hold as we are awaiting further information from the customer.

If you need anything else just let me know.

Many Thanks,

xxxxxxxxxxxxx
Customer Response Team
Development Operations, Scottish Water

30. **From:** xxxxxxxxxxxxxxxx
Sent: 11 June 2018 12:02
To: Vivien Emery
Cc: xxxxxxxxxxxxxxxx
Subject: RE: West Riverside - Scottish Water response

Hi Vivien,

As discussed earlier, my colleague xxxxxxxxxxxxxxxx is looking into this and will get back to you directly.

Many thanks,

xxxxxxx | Strategic Planner | Development Engagement Team

31. **From:** Vivien Emery [<mailto:vivien.emery@lochlomond-trossachs.org>]
Sent: 11 June 2018 10:18
To: xxxxxxxxxxxxxxxx
Subject: RE: West Riverside - Scottish Water response

Hi xxxxxxxxxxxxxxxx

Thanks for response. I look forward to hearing from you in due course.

Many Thanks
Vivien

32. **From:** Vivien Emery
Sent: 10 June 2019 12:28
To: 'Johnston, Mark' xxxxxxxxxxxxxxxx@stantec.com>
Subject: Board Paper

Mark

For your information there will be paper going to our Board next week to agree the procedures for determining the planning application later in the summer. The paper can be viewed [here](#).

If you have any questions please give me a call.

Kind Regards
Vivien

33. **From:** Johnston, Mark [mailto:xxxxxxxxx@stantec.com]
Sent: 06 June 2019 16:26
To: Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Subject: RE: West Riverside - Scottish Water response

Hi Vivien,

Please see attached response from SW confirming that there is sufficient capacity in their treatment works as per your email question below.

Regards,

Mark Johnston
Senior Associate

1 x Attachment

34. **From:** Vivien Emery
Sent: 06 June 2019 16:19
To: Johnston, Mark
Subject: RE: West Riverside - Scottish Water response

Thank you
Vivien

35. **From:** xxxxxxxx [mailto:Rxxxxxxxxx@SCOTTISHWATER.CO.UK]
Sent: 06 June 2018 15:25
To: Vivien Emery
Subject: RE: West Riverside - Scottish Water response

Hi Vivien, thanks very much for your email.

I have contacted our planning applications team and asked them to advise on your query below.

I will get back to you with an update asap.

Kind regards,

xxxxxxxxx | Strategic Planner | Development Engagement Team

36. **From:** Johnston, Mark [<mailto:xxxxxxx@stantec.com>]
Sent: 06 June 2019 15:18
To: Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Subject: RE: West Riverside - Scottish Water response

Hi Vivien,

It didn't come to me I'll see if one of my colleagues in the hydro team has received it.

Leave it with me.

Regards,

Mark Johnston
Senior Associate

37. **From:** Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Sent: 06 June 2019 14:33
To: Johnston, Mark <xxxxxxx@stantec.com>
Subject: FW: West Riverside - Scottish Water response

Good Afternoon Mark

Scottish Water has advised me that they sent you a response to your PDE. They are unable to give me a copy due to data protection. Is it possible for you to send me a copy please?

Many Thanks
Vivien

38. **From:** Vivien Emery [<mailto:vivien.emery@lochlomond-trossachs.org>]
Sent: 06 June 2018 14:11
To: xxxxxxxx
Subject: FW: West Riverside - Scottish Water response

Hi xxxxxxxx

Following your discussions with my colleague Catherine regarding the planning application at West Riverside (2018/0133/PPP) the applicant's agent has confirmed that they submitted a Pre-Development Enquiry to Scottish Water in December 2018. Can you please check this and let me know when you will be in a position to send us an updated response.

If you have any questions please give me a call.

Many Thanks
Vivien

39. **From:** Vivien Emery
Sent: 04 June 2019 10:45

To: 'Johnston, Mark' xxxxxxxx@stantec.com>
Subject: Contributor Letter

Dear Mark

I can advise that the contributor letter received on behalf of Ross Greer MSP is now on-line.

Kind Regards
Vivien

40. **From:** Catherine Stewart
Sent: 01 June 2018 13:33
To: Vivien Emery
Cc: Bob Cook
Subject: West Riverside - Scottish Water response

Vivien

I spoke to xxxxxxxx xxxxxxx@SCOTTISHWATER.CO.UK at Scottish Water about the response you received on West Riverside. The agent should complete the 'pre-development enquiry' form and send it to SW. Then you can email xxxxxxxx to get an updated response.

Regards

Catherine

Catherine Stewart MRTPI, MTP
Planning Manager - Development Management (Performance & Support)

41. **From:** xxxxxxxx [<mailto:xxxxxxxxxxxx@scottishwater.co.uk>]
Sent: 28 May 2019 21:33
To: Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Cc: xxxxxxxx <xxxxxxxxxx@SCOTTISHWATER.CO.UK>; xxxxxxxx <xxxxxxx@SCOTTISHWATER.CO.UK>
Subject: RE: West Riverside - Scottish Water response

Hi Vivien,

Unfortunately I am unable to disclose any of the information regarding this case without the applicants permission due to data protection however I can say that a response was issued directly to the applicant.

Many Thanks,
xxxxxxxxxxxxxxxxxxxx
Team Leader
Development Operations | Contact Team | Scottish Water

42. **From:** Vivien Emery [<mailto:vivien.emery@lochlomond-trossachs.org>]
Sent: 27 May 2019 15:18
To: xxxxxxxxxxxxxxxx
Cc: xxxxxxxxxxxxxxxx
Subject: RE: West Riverside - Scottish Water response

Hi xxxxx

We had some e-mail correspondence last year regarding a planning application for a mixed use development at West Riverside, Balloch. I attach the amended response from Scottish Water above. The applicant has advised us that they sent the further information requested in relation to the PDE on 2 April 2019. Could you please let me know if you have received all the information requested and if so, once it has been assessed would Scottish Water please be able to advise me if the Ardoch Waste Water Treatment Works has capacity to serve the proposed development.

Please give me a call if you have any questions.

Kind Regards
Vivien

43. **From:** Vivien Emery
Sent: 20 May 2019 10:53
To: 'Johnston, Mark' <xxxxxxxxxxxxx@stantec.com>
Subject: RE: Land Ownership

Hi Mark

Apologies I missed the e-mail attachment you sent me previously with the updated ownership certificate. Nothing else required on this matter.

Many Thanks
Vivien

44. **From:** Johnston, Mark [<mailto:xxxxxxx@stantec.com>]
Sent: 15 May 2019 14:26
To: Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Subject: RE: Land Ownership

Hi Vivien,

I served notice on the National Park Authority as part owner of the land on 15th April. As per the attached. Can you let me know if you want anything subsequent to this?

Thanks,

Mark Johnston
Senior Associate

1 x attachment – NPA ownership notification

45. **From:** Vivien Emery
Sent: 15 May 2019 13:05
To: 'Mark Johnston'
Subject: Land Ownership

Hi Mark

Following previous discussions regarding land ownership I attach a copy of the National Park land certificate title pertaining to the slipway. The National Park own the areas highlighted in blue and pink. As you will see part of this area is included within the red line application site boundary. Please serve the relevant notice to Emma Yendall of our Estates Department and send me a new ownership certificate.

Kind Regards
Vivien

46. **From:** Vivien Emery
Sent: 17 April 2019 11:47
To: xxxxxxxxxx@peterbrett.com>
Subject: RE: Updated Covering Letter

Thanks again.
Vivien

47. **From:** xxxxxx [<mailto:xxxxxx@peterbrett.com>]
Sent: 17 April 2019 11:43
To: Vivien Emery
Subject: RE: Updated Covering Letter

Hi Vivien,

Of course, please see attached.

Many thanks

Kind regards,

xxxxxxx
Graduate Economist

48. **From:** Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Sent: 17 April 2019 11:40
To: xxxxxxxxxx <xxxxxx@peterbrett.com>
Subject: FW: Updated Covering Letter

Hi xxxxxx

Apologies but our admin assistant has pointed out that there is also reference to the location plans in the table of drawings (see attached). Can you please update this.

Many Thanks
Vivien

49. **From:** xxxxxx
Sent: 17 April 2019 11:35
To: Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Subject: FW: Updated Covering Letter

Hi Vivien,

Stuart not back yet, but the letter still isn't quite right- the bullet points have been removed but it still has the Drawings listed in the table. I've highlighted it in the document attached.

Can they re-do it?

Sorry
xxxxx
Planning Support

50. **From:** Vivien Emery
Sent: 17 April 2019 10:33
To: xxxxxx
Subject: FW: Updated Covering Letter

xxxxxx

Updated covering letter.

V

51. **From:** Vivien Emery
Sent: 17 April 2019 10:32
To: xxxxxxxxxxxxxxxxxxxx@peterbrett.com>
Subject: RE: Updated Covering Letter

Hi xxxxx

Thanks very much for your help.

Many Thanks
Vivien

52. **From:** xxxxx [<mailto:xxx@peterbrett.com>]
Sent: 17 April 2019 10:28

To: Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Cc: Mark Johnston <xxxxxx@peterbrett.com>
Subject: RE: Updated Covering Letter

Hi Vivien,

Thank you for your call. Please find attached the updated covering letter with relevant bullet points removed. I hope this gives you everything you need.

Many thanks

Kind regards,

xxxxxxx
Graduate Economist
xxxxxxx

53. **From:** Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Sent: 17 April 2019 10:11
To: xxxxxx <xxxx@peterbrett.com>
Subject: FW: Updated Covering Letter

Hi xxxxx

I have attached the letter in question. Page 3 of the letter states that:

For the avoidance of doubt, the following documents, submitted with the original application in May 2018, should be marked as superseded.

- Site Location Plan
- Site Location Plan with ownerships annotated
- Parameters plan
- Design & Access Statement
- EIA Chapters o 12 – LVIA – Superseded in Full
- o 16 – Schedule of Further Mitigation and Enhancement – Superseded in Full

Following further discussion with Mark it was agreed that it was no longer necessary to alter the Site Location Plan or Site Location Plan with ownerships annotated. To avoid any confusion can you please send me an amended covering letter with the top two bullets in the above list removed. I look forward to hearing from you soon.

Many thanks for your help.

Vivien

54. **From:** Vivien Emery
Sent: 16 April 2019 13:22
To: 'Mark Johnston' <xxxxxx@peterbrett.com>
Subject: RE: WRS

Thanks for confirming.

Vivien

55. **From:** Mark Johnston [mailto:xxxxxx@peterbrett.com]
Sent: 16 April 2019 13:21
To: Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Subject: RE: WRS

Hi Vivien,

My apologies for the omission – Yes the intended document is the one dated December 2018 – attached again just in case.

Thanks,

Mark Johnston
Senior Associate

1 x Attachment

56. **From:** Vivien Emery
Sent: 16 April 2019 11:50
To: 'Mark Johnston' <xxxxx@peterbrett.com>
Subject: WRS

Good Morning Mark

Within your list of additional documents (contained within the covering letter) there is a document referred to as Woodbank House Lodges Options appraisal (booklet of drawings and information). We didn't receive this in the most recent package of documents. I was wondering if this is the the document submitted on 20 December and titled Woodland Lodges: Sketch Layouts. Can you please confirm?

Many Thanks
Vivien

57. **From:** Vivien Emery
Sent: 15 April 2019 14:59
To: 'Mark Johnston' <xxxxxx@peterbrett.com>
Cc: Bob Cook <bob.cook@lochlomond-trossachs.org>
Subject: RE: Updated Covering Letter

Mark

Thanks for sending through the updated covering letter.

I tried to call to discuss the red line boundary and costs of EIA Addendum. I am not in the office this afternoon so can you please contact my manager Bob Cook to discuss on 01389 722631. If we do not receive the costs of the ES Addendum today the adverts will not go into

the paper until two weeks tomorrow so it would be great if we could receive that information before 4pm today.

Kind Regards
Vivien

58. **From:** Mark Johnston [mailto:xxxxxxx@peterbrett.com]
Sent: 15 April 2019 11:48
To: Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Subject: Updated Covering Letter

Vivien,

This should have been attached to the previous email as well.

Thanks,

Mark Johnston
Senior Associate

1 x Attachment

59. **From:** Mark Johnston [mailto:xxxxxxx@peterbrett.com]
Sent: 15 April 2019 11:44
To: Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Subject: Updated red lines

Vivien,

Please see attached updated red line drawings as requested.

Also enclosed are the updated owner notifications.

I'm still trying to track down the printing costs – will send it to you as soon as I can.

Thanks,

Mark Johnston
Senior Associate

5 x Attachments

60. **From:** Mark Johnston [mailto:xxxxxxxxx@peterbrett.com]
Sent: 11 April 2019 14:19
To: Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Subject: RE: West Riverside Submission

Vivien,

Thanks for the payment details. I understand this is being paid today.

Given the timescales involved and the timing of the press releases, we have taken the view that there is insufficient time to continue the discussion about the red line. ABC are therefore amending the plans as requested by the NPA and we will submit these as soon as possible. Thanks,

Mark Johnston
Senior Associate

61. **From:** Vivien Emery
Sent: 10 April 2019 17:23
To: Mark Johnston
Subject: RE: West Riverside Submission

Mark

Following our earlier conversation I can confirm the following:

- The advert fee can be paid on-line or via a BACS transfer. I have copied the details below:

Payments can be made by:

o Credit/Debit Card Online

Please quote the application number with your payment online

<http://www.lochlomond-trossachs.org/planning/planning-applications/get-advice/faq/pay-planning-fee/>

Bank Transfer (BACS)

xxxx

xxxxxxxx

Account Name: Loch Lomond & Trossachs National Park Authority

- The contacts as discussed within our Communications Team are xxxxxx (xxxxxx@lochlomond-trossachs.org) and Joanne Ford (Joanne.Ford@lochlomond-trossachs.org)

I will speak to you early next week to finalise the points discussed in relation to the red line boundary.

Many Thanks

Vivien

62. **From:** Vivien Emery
Sent: 10 April 2019 13:50
To: 'Mark Johnston'
Subject: RE: West Riverside Submission

Yes thanks. Speak to you then.

Vivien

63. **From:** Mark Johnston [<mailto:xxxxxxx@peterbrett.com>]
Sent: 10 April 2019 12:33
To: Vivien Emery
Subject: RE: West Riverside Submission

Hi Vivien – yes 3.30 is fine for me. Shall I ring you at that time?

Mark Johnston
Senior Associate

64. **From:** Vivien Emery
Sent: 10 April 2019 12:19
To: Mark Johnston
Subject: RE: West Riverside Submission

Mark
Can we please change the time of our call to 3:30pm?
Thanks
Vivien

65. **From:** Vivien Emery
Sent: 10 April 2019 09:49
To: 'Mark Johnston'
Subject: RE: West Riverside Submission

Good Morning Mark
Thanks for your e-mail. Would a call at 2.30pm suit?
I will have a think about your comments on the red line. Is there any particular reason that you do not wish to include this area within the red line as it seems like a straightforward request?
Catch up later.
Regards
Vivien

66. **From:** Mark Johnston [<mailto:xxxxxxx@peterbrett.com>]
Sent: 10 April 2019 09:40
To: Vivien Emery
Subject: RE: West Riverside Submission

Hi Vivien,
Thanks.
I'm off to a meeting with Webber Shandwick this morning to talk about the PR strategy, but Jim is aware of your intention to publicise next week. I think the aim is to try and tie in with that. I'll update you when I return. Are you free for a call this afternoon? If so can you suggest a time?
I take the point about including all car parks and access roads, and the advice in the Circular, which is what I was looking at yesterday. That however, relates to proposed works, where new or amended access roads or car parking is required, and in those cases it is absolutely correct that they should be enclosed within the red line, as we have done where new or amended parking or access is proposed. The corollary of this point of this is how far back do you go with access roads where an applicant is being required to enclose existing roads in red? Potentially it could be all the way back to a trunk road as the access could reasonably be said to be taken from there.
In this instance, the car park exists, no works are proposed and our clients have confirmed they have sufficient control of the area by enclosing it in blue.

To use a different example to illustrate the point, if a new shop in a town centre were proposed, it would rely on existing car parking, potentially in multi-storey car parks. It would be unreasonable and unfeasible to require the applicant to include those parking spaces in the red line for the proposed shop, but similar to what you are saying the shop couldn't reasonably function without them. At West Riverside the point is the same, but no works are proposed to these areas and therefore they are not in the red line. The blue line provides assurance that the applicant has control and delineates between the extent of works proposed and the ownership / control.

I would be grateful if you could consider this further before we speak this afternoon.
Many thanks

Mark Johnston
Senior Associate

67. **From:** Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Sent: 09 April 2019 18:32
To: Mark Johnston <xxxxxx@peterbrett.com>
Subject: RE: West Riverside Submission

Mark

The original information included a general statement about use of existing parking areas and this was one of the reasons that we requested a parking strategy. It is now clear that the overspill parking is required to facilitate the development. We always ask for access roads and parking areas to be included as part of the red line application site and this is in line with advice contained within Circular 3/2013 Development Management Procedures. We are therefore requesting that the red line application site boundary be amended.

Happy to discuss tomorrow.

Kind Regards
Vivien

68. **From:** Mark Johnston [<mailto:xxxxxxx@peterbrett.com>]
Sent: 09 April 2019 17:39
To: Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Subject: RE: West Riverside Submission

Thanks Vivien,

We'll remedy the outstanding points tomorrow.

Re the red line. We are not proposing any works in this area and it is already outlined in blue on the submitted location plans – copy attached for reference. It was always the intention to use this car park and in that respect nothing has changed. We feel that in the context of the Regulations, the current delineation in red / blue is appropriate and remains valid for the purposes of this application, which does not propose any works in the car park area.

Can you let me have your thoughts on the above before we proceed?

Thanks,

Mark Johnston
Senior Associate

1 x Attachment

69. **From:** Vivien Emery
Sent: 09 April 2019 17:18
To: Mark Johnston
Subject: RE: West Riverside Submission

Mark

I can confirm that we have received the 4 hard copies thanks. The remaining outstanding issues are summarised as follows:

- Submission of new ownership certificate;
 - Receipt of £300 advert fee;
 - Confirmation of cost to purchase hard copies of the additional information (required for advert);
 - Update on your clients proposed publicity arrangements;
 - Updated plans which show amended site boundary (to include existing LLS overspill parking area). The following plans should be updated:
 - Location Plan
 - Site Location Plan
 - Site Location Plan with ownership annotated
 - Parameters Plan
 - Sketch Masterplan
- One hard copy of these amended plans should be submitted;
- I have made a number of suggested changes to your cover letter (to avoid any confusion relating to the proposed changes) which is attached. It would also be useful to discuss a few other minor points and I will try and give you a call tomorrow.

We are hoping to re-notify/consult/publicise on the proposed changes on Monday of next week so I would be grateful if we could receive this information as soon as possible.

Kind Regards
Vivien

70. **From:** Vivien Emery
Sent: 02 April 2019 18:08
To: 'Mark Johnston'
Cc: Bob Cook
Subject: RE: West Riverside Submission

Mark

I can confirm that the amended description will be as follows:

The erection and operation of a tourism and leisure led mixed use development including hotel, bunkhouse accommodation and self-catering holiday lodges; erection of boathouse for storage and water based recreation,; residential development; leisure and recreational facilities including swimming pool, water park, visitor reception and education/interpretation

facilities; hot food/café restaurant uses; brewery; ancillary uses including retail; conversion and extension of Woodbank House to flats and conversion of existing outbuildings to self-catering accommodation; public realm enhancements including public square improvements, footpaths and cycleways; external activity areas including forest adventure rides, tree top walkway, monorail, events/performance areas, picnic areas and play areas; staff and service areas; landscaping; new access from Ben Lomond Way and Pier Road; and site development infrastructure (including SUDS, and parking).

As discussed can you please re-notify owners and send me a new ownership certificate. I think it would be helpful for your covering letter to include the new description. There are some other points in the letter that would be useful to discuss and I will call you next week. I am now on leave until next Tuesday. Can you please copy Bob into any correspondence and please keep him updated regarding your clients proposed publicity arrangements.

Kind Regards
Vivien

71. **From:** Vivien Emery
Sent: 01 April 2019 16:42
To: 'Mark Johnston'
Subject: RE: West Riverside Submission

Mark

Thanks for the submission of additional documents. As discussed there are a few points of clarification and I have summarised these below:

1. Red line boundary – the plan within the Parking Strategy states that 125 of the proposed parking spaces will be provided within the overspill parking area for LLS. All land required for the proposal should be included within the red line site boundary and the red line should therefore be amended accordingly.
2. It is noted that reference to phasing is included within the supporting letter and no other phasing plan/statement has been provided.
3. Scottish Water – I forgot to ask you if the Pre-Development Enquiry form has been submitted to Scottish Water?
4. We are in the process of putting all the supporting documents onto our public portal. As discussed it would make sense if the re-consultation/publicity of the additional information coincided with your clients own engagement with consultees and the community. Can you please let me know as soon as possible the scope of the proposed publicity and when it is due to take place.
5. I will send you a note of the amended description and you can re-notify all landowners accordingly (and submit a new land ownership certificate).
6. I understand that the 4 hard copies will sent to our offices later this week or early next week.

Kind Regards
Vivien

72. **From:** Mark Johnston [<mailto:xxxxxxx@peterbrett.com>]
Sent: 29 March 2019 16:14
To: Stuart Mearns; Bob Cook; Vivien Emery
Cc: xxxxxxxxxxxxxxxxxxxx
Subject: West Riverside Submission
Stuart, Bob, Vivien,

Just to confirm that the information has been uploaded via e-planning this afternoon as a submission of additional documents post application.

I attach the covering letter for your information (also uploaded).

We're just pricing the 4 printed copies with the printers at present and will revert once we know the price for a copy of the ES addendum.

I trust the above is in order.

Regards,

Mark Johnston
Senior Associate

EIR 2020-003 Appendix A2 Email attachments – Planning officer emails

Email 1	Agenda 6 th January 2020
Email 1	Sketch masterplan
Email 22	media statement
Email 25	letter from agent dated 12 July 2019 following West Dunbartonshire Council meeting
Email 26	Architect drawing of pierhead sections
Email 33	Letter from Scottish Water dated 3 May 2019
Email 44	NPA ownership notification
Email 55	Woodbank House sketch options
Email 58	updated covering letter
Email 59	1139 Parameters image, Location Plan, Owner notification notices, Sketch masterplan, Location plan annotation
Email 68	Location plan annotation

EIR 2020-003 Emails to/from Director of Planning NPA

- From:** Johnston, Mark (Glasgow) [mailto:xxxxxx@stantec.com]
Sent: 18 December 2019 11:19
To: Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>; Vivien Emery <vivien.emery@lochlomond-trossachs.org>; Bob Cook <bob.cook@lochlomond-trossachs.org>
Cc: xxxxxxxxxxxxxxxx <xxxxxxxx@stantec.com>; xxxxxx (xxxxx@flamingoland.co.uk) <xxxxxx@flamingoland.co.uk>; xxxxxx <xxxxxxtt@andersonbellchristie.com>; xxxxxx <xxxxxxr@flamingoland.co.uk>
Subject: West Riverside Meeting 6th Jan

All,

In advance of our meeting on Monday 6th January at 1pm, please see attached proposed agenda and a copy of the site layout plan. Note that the plan is unchanged it is included as a basis for discussion on possible changes.

Please advise if you wish for any additional items to be added to the agenda.

I look forward to seeing you all on 6th January and hope you have a restful break between now and then.

Regards,
Mark Johnston
Senior Associate

2 x attachments

- From:** Johnston, Mark (Glasgow) [mailto:xxxxxx@stantec.com]
Sent: 14 August 2019 15:43
To: Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Cc: Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>
Subject: RE: WRS

Hi Vivien,

Further to your email of Monday I have taken the opportunity to discuss it with the project ecologists and geologists. In general terms, it appears clear that the scope for variation in piling techniques can ensure that any piling activities can be adapted and organised as necessary to ensure that the potential for adverse effects on the SAC is avoided. We consider that the avoidance principle should be adopted here. The letter from SNH, dated 2nd august 2019 confirms this and the team agree with the statement:

“there is well-established mitigation that can be put in place to reduce the impacts of piling. Once the precise detail for any piling operation, including suitably robust mitigation is determined, and if necessarily, conditioned; we believe it is likely that your Appropriate Assessment could conclude that there would be no adverse effect on integrity of the site.”

Potential mitigation might include, inter alia:

- Varying the number of piles (more shorter piles, fewer longer piles, more smaller diameter piles, fewer large diameter piles etc. etc.) depending on what is best for the fish.
- Building design that minimises the need for piling;
- Changing the type of piling from impact piles to rotary cores if necessary. NB this measure alone would almost certainly eliminate any potential for significant impacts on the qualifying interests of the SAC;
- Piling outside of certain timeframes when the salmon and lamprey are active in the Leven.

The principal point we would ask you to note is that when a potential pile design is known i.e. the ‘precise detail’ referred to by SNH, a relatively simple assessment can be carried out (by

Vibrolock for example) to establish if there are likely to be any adverse effects on the integrity of the site. At the distances involved (see response to bullet 2 below) this is considered unlikely, however if effects were predicted then the piling method would be changed to one less vibration inducing.

We also note the further comment from SNH that “*case law clarifies that the competent authority (the NPA in this instance) must be convinced of this conclusion prior to giving their consent.*” In this respect, our client acknowledges and supports the status attached to the SAC and the high level of protection afforded to it. We would however note that approval of the current PPIP application will not confer ‘consent’ for the works. It will only establish the principle of the development and detailed information will be required at AMSC stage to provide that assurance and allow consent to be issued. This is something that the applicant can and will provide at that stage, once building design and intrusive site investigations have been carried out. At this point in the process, we believe that the mitigation appropriate to a PPIP application is a condition requiring a piling plan to be agreed and implemented and for that plan to include measures, such as those identified above, to ensure that adverse effects on the qualifying interests of the Endrick Water SAC are avoided. This approach has been successfully adopted by other planning authorities in dealing with the effects of piling.

Notwithstanding the above we have endeavoured to answer the questions you posed in your email, but ask once again that you note the limitations of the PPIP application process with regard to detail.

- *Where piling would be likely required- e.g. which buildings or other structures are anticipated to need piling. –*

It is anticipated that the pool and leisure and hotel buildings (Pierhead) and the budget accommodation (Station Square) may need piling. In this regard we refer to Section 11.4.64 of the EIA (Volume 1), which notes that:

*“Piled foundations are likely to be required where strip or pad foundation depth becomes excessively deep, where the size of the foundation becomes excessively large, or where the magnitude of predicted settlements for pad or strip footings is unacceptable. It is therefore anticipated that medium and heavily loaded structures or structures that are sensitive to total and/or differential settlements such as the **pool and leisure facility, budget accommodation and hotel will require piled foundations.** Lighter structures including the forest lodges are unlikely to require piling.” (emphasis added)*

The preliminary SI also notes as follows at Section 6.6

“Geotechnical / Foundation recommendations:

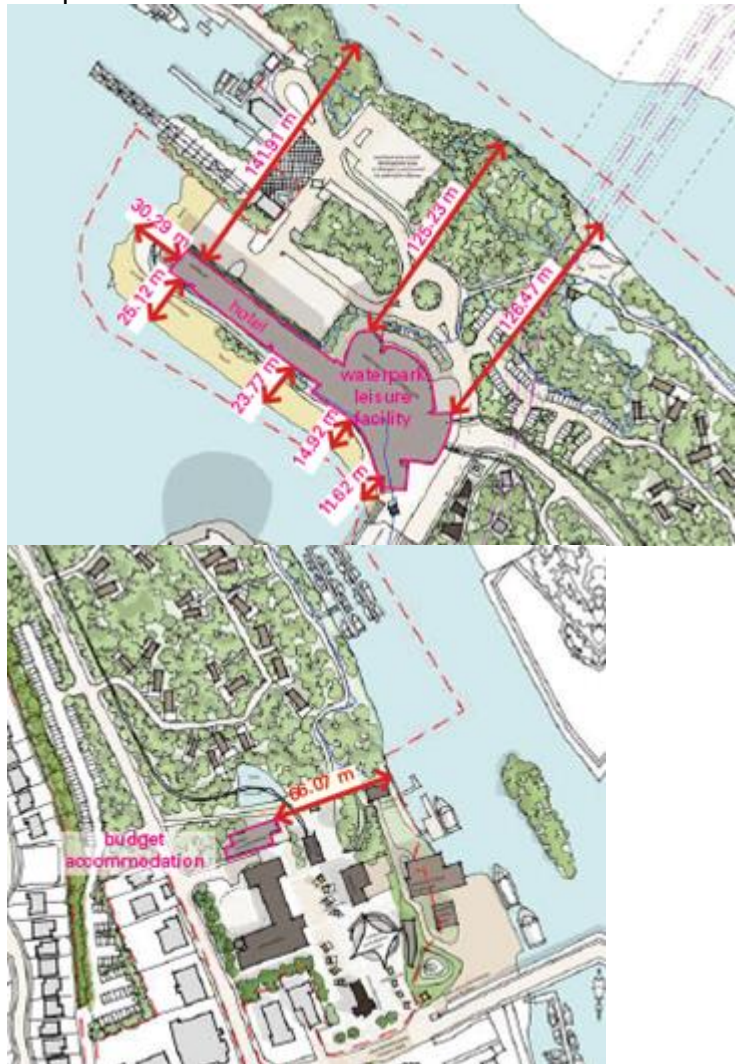
Heavy structures will need specific site investigations to determine the most effective and economical foundation solutions.

Where piled foundations are likely to be required, site investigation will focus on determining the depth to competent strata, noting that the depth to bedrock may vary considerably from reported depths of around 50m in the north and east, to reported depths of around 5m just off site to the south east.”

- *Approximate distance of these to the water and if it's to Drumkinnon Bay to the Leven.*

The distances of those structures identified above, to the water's edge have been identified on the indicative site layout. The two extracts below show the distances involved at the pierhead and at Station Square. The distances

involved mean that any adverse effect is unlikely, but again this would be checked for the preparation of the piling plan and method statement, in order to provide the required assurance once building design and intrusive SI are complete.



- *How much piling would be required- e.g. based on current outlines of building size and height. –*
 Given the potential for variation in the nature and amount of piling involved (see bullet points 1 to 4 above under the heading of ‘potential mitigation’), this question cannot be answered at this point in time. The amount and nature of piling would be designed to mitigate potential adverse effects and we submit that avoidance by design or mitigation should be the driving consideration at this point rather than seeking to assess the impact of an unknown quantity.
- *How long it would take – an estimate in terms of months of duration for the piling phase(s).*
 This point is related to the one above and timeframes are dependent on the nature and extent of piling proposed.
- *Whether there would be any restrictions on piling work, in terms of months of the year or time of day, to avoid or mitigate disruption to migration salmon & lamprey. –*
 Restrictions on piling work can and will be imposed where necessary to avoid disruption to migrating Salmon and Lamprey. The suggested condition referred to above requiring a piling plan and method statement will provide that assurance.

- *Any other mitigation measures, e.g. use of noise limiting techniques, monitoring of noise in-river to allow adjustments to work on-site.*
As above, the primary consideration will be to avoid adverse impacts and mitigation will be deployed as necessary to ensure that happens.
- *Comparisons of increased noise against presumed baseline.*
It is assumed that the reference to noise, is more appropriately made to vibration as it is underwater vibration that would have an adverse impact on Salmon and Lamprey. Information on increased vibration can only be provided once the extent and nature of piling is known. Again we would ask that the principle adopted by the NPA for their HRA is that adverse impacts are avoided through design and mitigation rather than seeking to predict the impact of an unknown quantity at this point in time. The imposition of the condition referred to above will allow that to happen.

We trust that the above is a reasonable and informative response to your request and that it provides sufficient reassurance, as stated by SNH, that the *“Appropriate assessment can conclude that there would be no adverse effect on the integrity of the site.”*

As always, happy to discuss further if you wish.

Regards,

Mark Johnston
Senior Associate

3. **From:** Vivien Emery
Sent: 12 August 2019 09:55
To: Johnston, Mark (Glasgow)
Cc: Stuart Mearns
Subject: RE: WRS

Good Morning Mark

We have received further advice from SNH regarding additional information required in relation to piling. Can you please provide the following:

- Where piling would be likely required- e.g. which buildings or other structures are anticipated to need piling.
- Approximate distance of these to the water and if it's to Drumkinnon Bay to the Leven.
- How much piling would be required- e.g. based on current outlines of building size and height.
- How long it would take – an estimate in terms of months of duration for the piling phase(s).
- Whether there would be any restrictions on piling work, in terms of months of the year or time of day, to avoid or mitigate disruption to migration salmon & lamprey.
- Any other mitigation measures, e.g. use of noise limiting techniques, monitoring of noise in-river to allow adjustments to work on-site.
- Comparisons of increased noise against presumed baseline.

This information should be based on the worst-case scenario. You will appreciate the timing urgency for providing this and I would be grateful if you could let me know when you anticipate you will be able to send this to me.

Many Thanks
Vivien

4. **From:** Johnston, Mark (Glasgow) [<mailto:xxxxxxx@stantec.com>]
Sent: 09 August 2019 11:54
To: Vivien Emery
Cc: Stuart Mearns
Subject: RE: WRS

Thanks Vivien,

We'll be ready with a response if you require it.

Regards

Mark Johnston
Senior Associate

5. **From:** Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Sent: 08 August 2019 13:01
To: Johnston, Mark (Glasgow) <xxxxxxx@stantec.com>
Cc: Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>
Subject: WRS

Good Afternoon Mark

I have attached an updated response that we have received from SNH. You will see that it raises issues relating to piling and associated impacts on the Endrick Water SAC. We are seeking further advice from SNH on this matter but please be aware that we may be asking you to provide further information to enable us to complete the HRA. I will confirm this as soon as I can. If further information is required can you please provide it as soon as possible.

Many Thanks
Vivien

6. **From:** xxxxxx [<mailto:xxxxxxxxxxx@flamingoland.co.uk>]
Sent: 31 July 2019 07:55
To: Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>
Subject: Re: Phone call

Morning Stuart
Yes, I will be on my mobile this afternoon.
xxx

7. **From:** Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>
Sent: 30 Jul 2019 18:30
To: xxxxxxxx[mailto:xxxxxxx@flamingoland.co.uk]
Subject: Re: Phone call

Hi xxxx

I have been in meetings all day - are you around tomorrow afternoon and I will call you back?

Regards
Stuart

8.
From: Mark Johnston [mailto:xxxxxxx@peterbrett.com]
Sent: 14 April 2019 19:13
To: Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>
Cc: xxxxxxxxxx@lochlomond-trossachs.org; Joanne Ford <Joanne.Ford@lochlomond-trossachs.org>; xxxxxxxx (GLA-WSW) <xxxxxxx@webershandwick.com>
Subject: West Riverside and Woodbank House - Press Release

In Confidence

Dear Stuart,

I have been asked by Flamingo Land and their PR Team, Weber Shandwick, to pass you a copy of the press release that they are issuing to the Papers. As advised by Vivien, I am copying it to xxxxxxxx and Joanne Ford in your communications team.

xxxxxxxxxxxxxxxxxxxxxxxx (cc'd) is handling press queries and should be contacted in the first instance.

Regards,
Mark Johnston
Senior Associate

1 x attachment

9. **From:** Johnston, Mark [mailto:xxxxxxx@stantec.com]
Sent: 13 May 2019 11:42
To: xxxxxxxxxx@west-dunbarton.gov.uk; Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>
Subject: RE: Briefing West Riverside

xxxxxx

The attached images are hi-res versions of the ones that appeared in the press. They are intended as appendix C of the briefing note as promised.

Regards,

Mark Johnston
Senior Associate

2 x attachments

10. **From:** xxxxxx <xxxxxxd@west-dunbarton.gov.uk>
Sent: 13 May 2019 10:41
To: 'Stuart Mearns' <stuart.mearns@lochlomond-trossachs.org>
Cc: Mark Johnston) xxxxx
Subject: RE: Briefing West Riverside

Stuart,
Mark has kindly provided a briefing. I am presently amending it to reflect our agreed procedures and to identify its impact on WDC. Should have this complete by tomorrow and I will circulate it then.

Regards,
xxxxxx

xxxxxxx
Planning, Building Standards and Environmental Health Manager

11. **From:** Stuart Mearns [<mailto:stuart.mearns@lochlomond-trossachs.org>]
Sent: 13 May 2019 10:04
To: xxxxxxx
Cc: Mark Johnston (xxxxxx@peterbrett.com)
Subject: Re: Briefing West Riverside

xxxxx Mark,

Has this been completed?

Thanks
Stuart

12. **From:** xxxxxxxx <xxxxxxx@west-dunbarton.gov.uk>
Sent: 6 May 2019 09:54
To: Mark Johnston <xxxxxxx@peterbrett.com>
Subject: RE: Briefing West Riverside

Mark,
Any progress in the briefing for West Riverside
Thanks, xxxxxx

xxxxxxx
Planning, Building Standards and Environmental Health Manager

13. **From:** xxxxxxxx [mailto:xxxxxxx@flamingoland.co.uk]
Sent: 03 April 2019 19:50
To: Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>
Subject: Re: Loch lomond

Thank you for the update and response, I will hopefully get back to you shortly with a progress report.
xxxx

14. **From:** Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>
Sent: 3 Apr 2019 at 17:25
To: xxxxxxxx [mailto:xxxxxxx@flamingoland.co.uk]
Subject: Re: Loch lomond

Hi xxxx

We would be intending in making the new information available week beginning the 15th April (probably on the 16th). Notifications to consultees would be issued at that point. We are going to update our website to that effect tomorrow morning.

It looks like your draft timelines mean that your comms will be later than this date? For example, I note that your new website isn't going to be live until the end of this Month.

My recommendation to date has been to provide the opportunity for briefings/meetings/events with the community, statutory consultees etc. I don't see any reference to this. It would be best to identify dates early in the consultation period to help with the preparation of consultation responses.

As we have discussed, it is important that those interested in the application are able to access easy to understand information on how this new submission relates to that already submitted, so it is good to see consideration of that.

If your timelines can be brought forward, on the above aspects, that would be worth considering.

Hope this is helpful,

Stuart

15. **From:** xxxxxxxx [mailto:xxxxxxxxxxxxx@flamingoland.co.uk]
Sent: 03 April 2019 10:44
To: Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>
Subject: Fwd: Loch lomond

Good morning Stuart,

I attach a recently received draft timeline which we have under review and would be grateful for any feedback you may have in advance of our meeting with Webber Shandwick tomorrow.

Cheers

xxxx

1 x attachment

16. **From:** Mark Johnston [mailto:xxxxxxx@peterbrett.com]
Sent: 29 March 2019 16:14
To: Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>; Bob Cook <bob.cook@lochlomond-trossachs.org>; Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Cc: xxxxxxx <xxxx@glenfruin.co.uk>; xxxxxxx <xxxxxxx@peterbrett.com>; xxxxxxx <xxxxxxx@flamingoland.co.uk>; xxxxxxx <xxxxxxx@andersonbellchristie.com>
Subject: West Riverside Submission

Stuart, Bob, Vivien,

Just to confirm that the information has been uploaded via e-planning this afternoon as a submission of additional documents post application.

I attach the covering letter for your information (also uploaded).

We're just pricing the 4 printed copies with the printers at present and will revert once we know the price for a copy of the ES addendum.

I trust the above is in order.

Regards,

Mark Johnston
Senior Associate

1 x attachment

17. **From:** Stuart Mearns
Sent: 28 March 2019 07:42
To: Catherine Stewart <catherine.stewart@lochlomond-trossachs.org>
Subject: Fwd: West Riverside - financial appraisal

Re below - submission still expected this week.
Stuart

18. **From:** Mark Johnston <xxxxxxx@peterbrett.com>
Date: 27 March 2019 at 20:46:54 GMT
To: Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>
Cc: Bob Cook <bob.cook@lochlomond-trossachs.org>, Vivien Emery <vivien.emery@lochlomond-trossachs.org>, xxxxxxx <xxx@Glenfruin.co.uk>, xxxxxxx <xxxxxxd@peterbrett.com>
Subject: RE: West Riverside - financial appraisal

Hi Stuart,
Yes that is still the intention. I'm finishing the ES addendum this evening and will review everything tomorrow with the intention of submitting on Friday as agreed.
Thanks,

Mark Johnston
Senior Associate

19. **From:** Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>
Sent: 27 March 2019 20:09
To: Mark Johnston <xxxxxx@peterbrett.com>
Cc: Bob Cook <bob.cook@lochlomond-trossachs.org>; Vivien Emery <vivien.emery@lochlomond-trossachs.org>; xxxxxxxx <xxxxxxxxxx@peterbrett.com>
Subject: Re: West Riverside - financial appraisal

Thanks Mark,
Are you still on track to submit all other information by Friday this week?
Regards
Stuart

20. **From:** Mark Johnston [mailto:xxxxxx@peterbrett.com]
Sent: 27 March 2019 20:07
To: Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>; Bob Cook <bob.cook@lochlomond-trossachs.org>; Vivien Emery <vivien.emery@lochlomond-trossachs.org>
Cc: axxxxxx<xxxxx@Glenfruin.co.uk>; xxxxxxxx <xxxxxxxxxx@peterbrett.com>
Subject: West Riverside - financial appraisal

Dear Stuart, Bob and Vivien,

Please see attached a copy of the financial appraisal for West Riverside and Woodbank House.

As with the version submitted at the time of the application, this document is confidential and should not form part of the public record for the application.

The summary page is also included as a pdf.

Regards,

Mark Johnston
Senior Associate

2 x attachments – withheld – financial information

21. **From:** Mark Johnston [mailto:xxxxxxxxxx@peterbrett.com]
Sent: 18 March 2019 10:04

To: Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>
Cc: Vivien Emery <vivien.emery@lochlomond-trossachs.org>; Bob Cook <bob.cook@lochlomond-trossachs.org>; xxxxxxxx<xxxxxxn@flamingoland.co.uk>; xxxxxxxx@Glenfruin.co.uk>; xxxxxxxx xxxxxxxx@peterbrett.com>
Subject: RE: West Riverside and Woodbank house

Thanks Stuart,

I haven't sent it to WDC yet, as we don't have any formal item from them to reply to. We were only given the attached extract in a word document. Is the best thing for me to send it to xxxxxxxx and copy the NPA team?

Thanks,

Mark Johnston
Senior Associate

22. **From:** Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>
Sent: 16 March 2019 09:59
To: Mark Johnston <xxxxxxx@peterbrett.com>
Cc: Vivien Emery <vivien.emery@lochlomond-trossachs.org>; Bob Cook <bob.cook@lochlomond-trossachs.org>; xxxxxxxx <xxxxxxx@flamingoland.co.uk>; xxxxxxxx <xxxxxx@Glenfruin.co.uk>; xxxxxxxx <xxxxxx@peterbrett.com>
Subject: Re: West Riverside and Woodbank house

Thanks Mark, we'll download on Monday and let you know if there any issues with this.

I take it you have also passed the WDC information direct to the Council?

Regards
Stuart

23. **From:** Mark Johnston [mailto:xxxxxx@peterbrett.com]
Sent: 15 March 2019 17:00
To: Vivien Emery <vivien.emery@lochlomond-trossachs.org>; Bob Cook <bob.cook@lochlomond-trossachs.org>; Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>
Cc: xxxxxxxx <xxxxx@flamingoland.co.uk>; xxxxxxxx <xxxx@Glenfruin.co.uk>; xxxxxxxx <xxxxxxxd@peterbrett.com>
Subject: West Riverside and Woodbank house

Dear Vivien, Bob and Stuart,

I've just had a bounce back from your servers as the attachment was too large – my apologies if you get this twice.

Please find enclosed at the link below, the first tranche of further information for the planning application 18/0133/PPP at West Riverside and Woodbank House. This comprises

- A response to the policy questions posed by West Dunbartonshire Council
- Updated layouts, sections and illustrations of the pierhead area.

<http://simplesend.it/d/51a7af20e5484b76a5ed27d63cc13306df33f7fc534444>

I anticipate issuing you with the financial appraisal information next week, once it has undergone final review.

After that, the remaining elements from the list of items (attached again for convenience) are targeted for the last week in March and before 29th March. If particular items are ready before that, then we will submit them, but I'm not in a position to confirm that at this point.

Any questions, please give me a call.

Regards,
Mark Johnston
Senior Associate

1 x attachment

24. **From:** Stuart Mearns
Sent: 26 February 2019 11:17
To: xxxxxxxx <xxxxxxx@flamingoland.co.uk>
Subject: RE: West Riverside

xxxx

Further to our 'phone calls over the last few days, copied below are the areas that are recommended to be prioritised in the submission of information. This has been shared with Mark at PBA by my case officer.

Just to recap on a couple of the points we covered on our calls on Friday and yesterday;

Design freeze – you offered to share this with us, it would be helpful to see this early should there be any headline comment to highlight in addition to feedback provided to your team at the end of January meeting.

Timeline to determination – with your submission timeline for the outstanding additional information it will not be possible to determine the application before the summer. However, I am reassured by the updates/ information shared over the last 4 weeks that what we have requested by way of further information is now being prepared/finalised. I am agreeable to a potential determination target of late August, provided that can ensure appropriate notice periods etc after the summer holiday period.

The deadline of the end of March for the information remains a critical milestone however, and I would ask that every effort is made to try and bring this forward and certainly not run over. It does mean that the consultation period will straddle the Easter holiday period, which may impact on statutory consultees ability to respond within the prescribed timeline which we will need to consider.

Consultation – with this further delay in submission, I would strongly encourage you to provide opportunities to update interested parties and statutory consultees during the consultation. This should be done early in the consultation period and could take a variety of forms of communication, such as briefings, online information and meetings. While there is not a requirement for you to do so, it is in your interests to help consultees and others understand what the additional information submitted means in relation to the proposed development.

Proposed Boathouse – while we haven't had the opportunity to conclude our assessment on the application to date (given the outstanding information), in terms of the proposed boathouse, I could not support the principle of an accommodation use from what has been outlined to date.

Regards
Stuart

25. **From:** Vivien Emery
Sent: 25 February 2019 13:05
To: 'Mark Johnston'
Cc: Stuart Mearns
Subject: FW: West Riverside

Mark

Following our earlier conversation please see e-mail below outlining key priority areas relating to the drip feeding of further information. If this needs any clarification please give me a call.

Kind Regards
Vivien

26. **From:** xxxxxxx [mailto:xxxxxxx@flamingoland.co.uk]
Sent: 22 February 2019 10:14
To: Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>
Subject: Re: Private confidential. West Riverside

Ok will try for 1pm
Thanks
xxxx

27. **From:** Stuart Mearns
Sent: 22 February 2019 09:24
To: 'xxxxxxx<xxxxxxx@flamingoland.co.uk>
Subject: RE: Private confidential. West Riverside

About 1pm would be better or after 4.

Regards
Stuart

28. **From:** xxxxxxxx [mailto:xxxxxxx@flamingoland.co.uk]
Sent: 22 February 2019 07:51
To: Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>
Subject: Re: Private confidential. West Riverside

Morning Stuart,
Would 12pm be good to call you?

xxxx

29. **From:** Stuart Mearns
Sent: 22 Feb 2019 07:11
To: xxxxxxxx <xxxxxxx@flamingoland.co.uk>
Subject: RE: Private confidential. West Riverside

Morning xxxxx

Yes, let me know when suits.

Stuart

30. **From:** xxxxxxxx [mailto:xxxxxxx@flamingoland.co.uk]
Sent: 21 February 2019 17:09
To: Stuart Mearns <stuart.mearns@lochlomond-trossachs.org>
Subject: Fwd: Private confidential. West Riverside

Hi Stuart,
Enclosed boathouse email for your consideration.
Can we catch up on this and other points tomorrow?
xxxx

31. **From:** Vivien Emery
Sent: 20 February 2019 14:33
To: Bob Cook; Stuart Mearns
Subject: West Riverside

Hi

Following our earlier conversation I would say that the priorities for the early submission of information would be the following:

1. Information requested by WDC Planning.
2. Tree and ecology information relating to Drumkinnon Wood (including indicative layout plan). The problem they might have in providing this quickly is that this work is covered by a number of different documents including Tree Survey, Design and Access Statement and EIA addendum.

3. Financial Appraisal to justify the enabling housing – submitting this earlier would give us more time to get an independent view of the appraisal (if we feel that this is needed).
4. Submission of new layout at Pierhead - to allow us to make an early assessment if this raises any new issues.

Thanks
Vivien Emery
Planning Officer

32. From: xxxxxx <xxxxx@flamingoland.co.uk<mailto:xxxxxxx@flamingoland.co.uk>>
Date: Thu, 14 Feb 2019 at 11:48
Subject: Private confidential. West Riverside
To: Stuart Mearns <stuart.mearns@lochlomond-trossachs.org<mailto:stuart.mearns@lochlomond-trossachs.org>>

Hi Stuart,

I would like to discuss with you the phasing of the development and the enclosed points on the proposed boat house at the earliest opportunity, if you could please give me a call or let me know when would be convenient to call you.

Cheers

Jim

BOATHOUSE REQUIREMENTS

Market Positioning will be differentiated by the contemporary design, build quality, fitting out, furnishings and very special location.

This has to be recognised with a five star rating from Visit Scotland.

The concept is to provide a very high standard of self-catering accommodation that is targeted at the short breaks market.

The key selling point is its wonderful location on the shore of Loch lomond with tremendous views and access to the loch shore.

Having carried out a feasibility study which demonstrates the unique boathouse model is a valued attractor for the proposals, our objective is to ensure quality, space, exclusivity and remoteness remain guiding principles.

The rationale behind the boathouse is to: • Meet the discerning customer demands and high expectations • Appeal to a broader market • Optimise the added attraction the boathouse will bring to the business.

To do this we will need to: • Add alternative accommodation options • Exploit the natural attributes of the location – thus adding a good cross section of different available accommodation options for people to choose from.

Our proposal is to develop this idea into visitor accommodation that will complement the proposed woodland lodges and apart hotel offering guests a different kind of experience.

Carefully located between the shore and the woodland behind: Footpath access • Space for 2 people only • Living area - sit, cook, eat • Sleeping space – perhaps integrated into the living area • Bathroom – or perhaps a wet-room • Deck • Barbecue space • Jetty.

The design concept is based on the idea of a boat house with jetty in front, it will be innovative, compact for people looking for something a little bit different – subtly placed to minimise the visual impact and enhance a feeling of remoteness.

The protection of the landscape and natural heritage may sometimes impose constraints on development, with careful planning and design the potential for conflict can be minimised and the potential for enhancement maximised.

Please see the following links showing Loch Tay boathouses and the Dipper boathouse which is an example of what we would like to achieve.

<https://www.lochtay.co.uk/accommodation/>

<https://www.youtube.com/watch?v=S5GTa2dhBZI>

[<http://parkmanager.flamingoland.co.uk/assets/emails/footers/winter1819.jpg>]<http://www.flamingoland.co.uk>>

[<http://parkmanager.flamingoland.co.uk/assets/emails/footers/facebook-button.gif>]<http://www.facebook.com/flamingolandresort>>

[<http://parkmanager.flamingoland.co.uk/assets/emails/footers/twitter-button.gif>]
<<http://www.twitter.com/flamingolanduk>>

[<http://parkmanager.flamingoland.co.uk/assets/emails/footers/googleplus-button.gif>]
<<http://plus.google.com/+flamingoland>>

EIR 2020-003 Appendix B2 Email attachments

Email 1 attachments the same as for Email 1 in Appendix A1

Email 8 Press release

Email 9 Two photo site impressions

Email 15 Draft Timeline

Email 16 Letter dated 29 March 2019, development proposal

Email 20 financial appraisal (**withhold**) appraisal summary (**withhold**)

Email 21 comments on application from West Dunbartonshire Council

Email 23 Meeting actions