

**From:** [Heather Reid](#)  
**To:** [Chris Kane](#); [Chris Spray](#); [Claire Chapman](#); [Colin Lee](#); [Councillor Shonny Paterson](#); [David Fettes](#); [David Mackie](#); [Hazel Sorre](#); [Martin Earl](#); [Maurice Corry](#); [David Foroutan](#); [Rhona Brock](#); [Richard Johnson](#); [Ronnie Erskine](#); [Sarah Drummond - LLNPA](#); [Sid Perrie](#); [William Sinclair](#)  
**Cc:** [Anna MacLean](#); [Gordon Watson](#); [Jane Kemp](#); [Kenny Auld](#); [Samantha Stubbs](#); [Simon Jones](#); [Stuart Mearns](#); [Douglas Smith](#); [committeeclerk](#)  
**Subject:** Board Meeting 16th September - Update  
**Date:** 16 July 2024 09:00:53  
**Attachments:** [Proposed Procedures for Determining Planning Application 2022.0157.PPP.pdf](#)

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Dear Members,

It is proposed that the Board meeting scheduled for the 16<sup>th</sup> of September be used to determine the major Planning Application 2022/0157/PPP relating to land at Pier Road, Ben Lomond Way and Old Luss Road, known as West Riverside and Woodbank House (Lomond Banks), Balloch. This Planning Application will be determined by the full Board as opposed to the Planning and Access Committee under Standing Order 41c of the Board and 8b of the Planning and Access Committee.

For clarity, please find attached, in Board paper format, the information which sets out the process for establishing the meeting and **members are asked to formally respond to the recommendations by replying to this email** to either approve or reject them as set out.

If a majority of Members (9) give approval, the recommendations will be approved. This decision by correspondence is being undertaken in line with Board Standing Order 51 which allows a Board decision to be dealt with through correspondence in exceptional circumstances.

There are a number of dates I would like to draw Members' particular attention to for clarity:

- **Monday 16<sup>th</sup> of September** will involve a briefing session, site visit and hearing before the determination of the planning application – it will likely be a long day and Members should be available into the early evening
- The strategy day previously planned for **Tuesday 17<sup>th</sup> September** will be postponed. Members are asked to continue to hold this date as it may be used for a continuation of the Board meeting should this become necessary.
- It is proposed that a Special Board Meeting will be scheduled for the morning of **Monday 30<sup>th</sup> September** to allow us to discuss the Annual Report and Accounts, potentially followed by a strategy session in the afternoon and a social in the evening

### **Ensuring Impartiality Ahead of the Board Meeting**

I would like to remind all Members that this is a live planning application and as such Members should be extremely cautious about public comment, either to the press or to members of the public. Members may well be approached to discuss the application - I would urge you to contact the NPA's Communications Team ([PR&Media@lochlomond-trossachs.org](mailto:PR&Media@lochlomond-trossachs.org)) or the Proper Officer ([committee.clerk@lochlomond-trossachs.org](mailto:committee.clerk@lochlomond-trossachs.org)) if you are contacted and are unsure how to respond.

Avoidance of predetermination or the perception of predetermination is a key part of the planning process. Members need to avoid pre-judging or demonstrating bias (or be seen to pre-judge or demonstrate bias) or indicating/implying support for or opposition to the application prior to the appropriate meeting where the application will be considered. As a result, Members should not discuss the merits of the application with the public, press or each other prior to the meeting.

### **Conflicts of Interest**

In order to ensure that our decision-making process is robust and to reduce the

risk of a future legal challenge it is essential that all Members carefully consider whether they are conflicted in the decision making of this application.

This includes, but is not limited to, considering any public statements you may have made (past and present) expressing views on planning or related issues in respect of Application 2022/0157/PPP (including the previous application 2018/0133/PPP on the site that was withdrawn), the proposed site, connections to the applicant (including close family connections), connections to lobbying or campaigning groups, and financial interests.

As you will all know from your *On Board* Training, a key element here is the objective test – could your interest be reasonably perceived to create a conflict? The Proper Officer is happy to speak to anyone with any queries about conflicts of interest and we will utilise external expert legal advice if required.

As this application is the subject of intense public scrutiny and in order that we can ensure the best possible standards of Governance in relation to determining this planning application, I am requesting that you assist us in managing this process by indicating to me or our Proper Officer in advance if you consider that you have a conflict of interest in relation to the Lomond Banks planning application or you would like advice on the matter. Members are asked to indicate to me or the

Proper Officer directly by Friday 2<sup>nd</sup> August 2024 whether they may have conflict issues. This will allow us time to provide advice and be sighted on conflict issues in good time before the planning report is published in early September.

### **Major Planning Application Training**

All Members have undertaken introductory training on our role as a Planning Authority and those on the Planning and Access Committee have received further training as part of their development programme. However, it is important that all Board Members have the opportunity for refresher training ahead of the Board meeting to determine this high-profile application. We will therefore be offering two training dates in the coming months for Members to attend on Major Planning Applications.

It is expected that Members attend one session. These sessions will be facilitated by our external legal advisors on planning matters – Anderson Strathern LLP – and key internal planning staff. The sessions will be available to attend in person or online and specific details will follow in due course.

Yours sincerely,

Heather

**Heather Reid**

**Convener**

**Loch Lomond & The Trossachs National Park**

Direct: 01389 [REDACTED]

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# Proposed Procedures for Determining Planning Application 2022/0157/PPP relating to land at Pier Road, Ben Lomond Way and Old Luss Road, known as West Riverside and Woodbank House (Lomond Banks), Balloch

## National Park Authority Board – Decision by Correspondence

### Paper for decision

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### 1. Purpose

1.1. This paper outlines the proposed procedures that it is recommended are adopted for the Board's consideration of the above Application and its determination.

1.2. Approval for a site visit and a hearing is sought.

1.3. This paper does not consider the merits of the Application. **The merits of the Application must not be considered or discussed by Members at this time.**

This paper includes a factual overview of the proposed development, the current status of the Application along with a summary of the level of representations received to date. This informs the recommendation on the procedures that the Board should adopt.

## 2. Recommendation(s)

- 2.1. That Members **note** that, in accordance with the Standing Orders, major Planning Application 2022/0157/PPP relating to land at Pier Road, Ben Lomond Way and Old Luss Road, known as West Riverside and Woodbank House (Lomond Banks), Balloch will be brought to the full Board for a determination.
- 2.2. That Members **approve** the date of Monday 16<sup>th</sup> September 2024, which is a scheduled and publicised Board meeting date, for the site visit, hearing and determination of the Application.
- 2.3. That Members **note** that should an unforeseen prolonged delay in the processing of the Application occur it may be necessary to rearrange the site visit, hearing and determination date.
- 2.4. That Members **approve** the scheduling of a Special Board Meeting on Monday 30<sup>th</sup> September 2024 to consider the National Park Authority's Annual Report and Accounts, previously scheduled to be considered at the Board meeting on Monday 16<sup>th</sup> September 2024.
- 2.5. That Members **note** the postponement of the planned Board Strategy Day previously scheduled for Tuesday 17<sup>th</sup> September 2024.

## 3. Contribution to National Park Partnership Plan and/or Our 5-year Plan

- 3.1. Under the National Parks (Scotland) Act 2000, section 14, the Board must in its determination of the Application have regard to the adopted National Park Plan. The National Park Partnership Plan will be a material consideration in the determination of the Application. Any contribution that the proposal makes to these outcomes will be outlined within the report to be considered by the Board prior to its determination of the Application.

## 4. Background

- 4.1. Both the Board and Planning and Access Committee's Standing Orders set out categories of planning applications that will be considered by the full National Park Authority Board. This Application meets the criteria that will result in the Application being for the Board to determine. The relevant sections are outlined below:

### **Board Standing Orders**

Paragraph 44. c. - Applications where the Chair of the Planning and Access Committee in consultation with the Director of Rural Development and Planning (note this is now Director of Place) consider that it would be appropriate for the Board to take the decision on the application for reasons, including the application raising new or significant issues meriting determination at Board.

Paragraph 78 - Where the Board is determining Planning Applications under the terms of Standing Order 44 it shall be governed by the relevant Standing Orders of the Planning and Access Committee and adopt the voting procedures therein. The powers of the Chair and Depute Chair of the Planning and Access Committee shall

be assumed by the Convener and Depute Convener of the Board respectively in such circumstances.

### **Planning and Access Committee Standing Orders**

Paragraph 8. d. - Where the Director of Place in consultation with the Chair of the Planning and Access Committee consider that it would be appropriate for the Board to take the decision on the application for reasons, including the application raising significant issues or public interest meriting determination at Board.

- 4.2. Before determining the Application, the Board can decide to hold a site visit and hearing to allow those who have made representations on the Application to make a short verbal presentation in relation to the planning matters that they have raised and to allow Members to scrutinise these by asking questions. Additionally, such Hearings also allow the Applicants to make a short verbal presentation on the Application and to allow Members to scrutinise this by asking questions. Hearings are aimed at making the planning system more inclusive, allowing the views of applicants and those who have made representation (either for or against the Application) to be heard before a planning decision is taken. A site visit would also provide an opportunity for Members to understand the physical context and characteristics of the site and the surrounding area and how the proposed development relate to these.
- 4.3. Members may find the information outlined in the Planning Advice Notes helpful, which cover Hearings and Site Visits arrangement. Links are provided as background at the end of this paper.

#### **4.4. Planning Application 2022/0157/PPP**

Planning Permission in Principle is sought for the erection and operation of a mixed-use tourism and leisure development including:

- refurbished tourist information building
- up to 60-bedroom apartment hotel
- up to 32-bedspace budget hotel
- up to 104 no. self-catering holiday lodges
- restoration and redevelopment/conversion of Woodbank House and attendant listed structures for up to 21 self-catering holiday apartments (subject to other necessary consents)
- leisure pool, waterpark, spa
- restaurants, hot food cafe and retail areas
- craft brewery including pub
- visitor reception area and hub building
- external activity areas including areas for event and performance, play, picnic and barbeque
- monorail
- staff service and welfare accommodation
- transport infrastructure
- associated access and parking
- landscaping and utilities infrastructure works



4.4.1. The Application is for planning permission in principle and not detailed permission. This means that the applicant wishes to obtain consent to the principle of development.

4.4.2. The application is subject to an Environmental Impact Assessment (EIA) and is accompanied by an EIA Report. All of the planning application documents can be viewed on the [e-planning portal](#) using reference 2022/0157/PPP.

4.4.3. The proposed boundary of the site is highlighted in red in the below map:



## 5. Key Planning Considerations

5.1. In accordance with section 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 as amended, the decision on the Application must be made in accordance with the Statutory Development Plan unless material considerations indicate otherwise. It will therefore be for Members to consider the proposal against the relevant planning policies contained within the Development Plan – comprising National Planning Framework 4 and the Adopted Local Development Plan - and

then in terms of the material considerations when determining this Application at the proposed Special Board Meeting.

5.2. The range of considerations which might be considered 'material' in planning terms is very wide and may include, but are not limited to:

- National Park Partnership Plan
- National Park Aims
- Pedestrian access
- Views of statutory and other consultees
- Planning history of site
- Public concerns and support expressed on relevant planning matters
- Impacts on existing infrastructure including roads, parking, sewerage and water
- Landscape capacity and impact
- Environmental Impacts, including flood risk and trees and woodland
- Impact on economy

## **6. Representations**

6.1. At the time of writing this report the National Park Authority has received a total of 94,970 representations to this Application. 48 representations have been made in support of the Application and 94,918 in objection, with 4 representations neither supporting nor objecting. Representations were received through the following methods:

- As an individual representation, sent via e-mail or letter direct to the National Park Authority (815 received); or,
- Via an online campaign (94,155 received). The Scottish Green Party set up an online campaign on their website which generated an email response to the Planning Authority from each objector using a template letter prepared by the campaign, with the option to edit or add further comments. As these e-mails were all received via a Scottish Green Party e-mail address, all communications regarding these representations have been sent to the Scottish Green Party acting as their representative.

6.2. These figures are subject to change as any further representations will be accepted and considered up until the recommendation report is being prepared by the case officer in accordance with our adopted practice. Board Members will be provided with an update on the final number of representations in the Officers' Report and at the Board Meeting.

6.3. Members are reminded that anyone can comment on an application for planning permission. This not only means neighbours and people who may be most directly affected by a proposal, but also the wider community and even those who may not be directly affected but have views on a proposal which might constitute a material consideration.

## 7. Status of Application and Next steps

7.1. The Application is currently in the assessment phase.

7.2. Once the assessment phase has concluded, officers will prepare a report that includes a recommendation that will be published in advance of the Special Board Meeting to be held to consider that report and determine the Application. It is recommended that a site visit and hearing take place prior to a determination. Furthermore, given the nature, scale and public/media interest in this Application, special arrangements for this meeting are likely to be necessary, with particular consideration given to:

- The order of proceedings including the amount of time required for holding the Site Visit, Hearing and Board meeting.
- The location and size of the meeting venue;
- Arrangements for holding a site visit, over a large site. It will be important that the Board are able to view all important aspects of the site with appropriate time to ensure a full understanding of the proposals;
- Ensuring matters discussed at the hearing are relevant (material planning considerations) and to avoid repetition. To avoid repetition it may be necessary to ask groups of objectors or supporters to appoint an individual(s) to speak on their behalf;
- The maximum time available for the applicant, consultees and objectors to speak. In the interests of efficiency it will be necessary to limit the time each individuals has to present their case.
- Allowing Members to ask questions of any participants and the opportunity for Board Members to ask for additional advice and information from planning officials and other Park Authority specialist advisers or statutory public bodies (such as the Roads Authority etc).

**Author(s):** Dougie Smith, *Corporate Performance Manager*  
Bob Cook, *Development Planning Manger*  
Caroline Strugnell, *Senior Planner*

**Executive Sponsor:** Stuart Mearns, *Director of Place*

### **Background Material**

[Planning and Access Committee Hearings Advice Note](#) (hyperlink)

[Planning and Access Committee Site Visits](#) (hyperlink)



**From:** [Samantha Stubbs](#)  
**To:** [Douglas Smith](#)  
**Subject:** FW: Board Meeting 16th September - Update  
**Date:** 17 July 2024 10:18:30

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**From:** Hazel Sorrell [REDACTED]  
**Sent:** Tuesday, July 16, 2024 1:19 PM  
**To:** Heather Reid [REDACTED] Chris Kane  
[REDACTED] Chris Spray [REDACTED]; Claire Chapman  
[REDACTED]; Colin Lee [REDACTED]; Councillor  
Shonny Paterson [REDACTED] David Fettes  
[REDACTED] David Mackie  
[REDACTED]; Martin Earl [REDACTED]; Maurice Corry  
[REDACTED] Navid Foroutan  
[REDACTED]; Rhona Brock [REDACTED] Richard Johnson  
[REDACTED]; Ronnie Erskine [REDACTED]; Sarah Drummond - LLTNPA  
[REDACTED] Sid Perrie  
[REDACTED] 'william.sinclair@[REDACTED]  
[REDACTED]

**Cc:** Anna MacLean <[Anna.MacLean@lochlomond-trossachs.org](mailto:Anna.MacLean@lochlomond-trossachs.org)>; Gordon Watson  
<[gordon.watson@lochlomond-trossachs.org](mailto:gordon.watson@lochlomond-trossachs.org)>; Jane Kemp <[Jane.Kemp@lochlomond-trossachs.org](mailto:Jane.Kemp@lochlomond-trossachs.org)>; Kenny Auld <[kenny.auld@lochlomond-trossachs.org](mailto:kenny.auld@lochlomond-trossachs.org)>; Samantha Stubbs  
<[Samantha.Stubbs@lochlomond-trossachs.org](mailto:Samantha.Stubbs@lochlomond-trossachs.org)>; Simon Jones <[Simon.Jones@lochlomond-trossachs.org](mailto:Simon.Jones@lochlomond-trossachs.org)>; Stuart Mearns <[stuart.mearns@lochlomond-trossachs.org](mailto:stuart.mearns@lochlomond-trossachs.org)>

**Subject:** Re: Board Meeting 16th September - Update

Heather

I can confirm my availability on the 16 and 17 th September

I do not have any conflict of interest in this planning application

Regards

Hazel

[REDACTED]

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**From:** Heather Reid [REDACTED]  
**Sent:** Tuesday, July 16, 2024 11:25:18 AM  
**To:** Chris Kane [REDACTED] Chris Spray [REDACTED]; Claire Chapman  
[REDACTED] Colin Lee [REDACTED]; Councillor  
Shonny Paterson [REDACTED]; David Fettes  
[REDACTED] David Mackie  
[REDACTED]; Hazel Sorrell [REDACTED] Martin Earl  
[REDACTED] Maurice Corry [REDACTED]  
[REDACTED]; Navid Foroutan [REDACTED]; Rhona  
Brock [REDACTED] Richard Johnson [REDACTED]; Ronnie Erskine  
[REDACTED] Sarah Drummond - LLTNPA [REDACTED]  
[REDACTED]; Sid Perrie [REDACTED] 'william.sinclair@[REDACTED]  
[REDACTED]

**Cc:** Anna MacLean <[Anna.MacLean@lochlomond-trossachs.org](mailto:Anna.MacLean@lochlomond-trossachs.org)>; Gordon Watson  
<[gordon.watson@lochlomond-trossachs.org](mailto:gordon.watson@lochlomond-trossachs.org)>; Jane Kemp <[Jane.Kemp@lochlomond-trossachs.org](mailto:Jane.Kemp@lochlomond-trossachs.org)>; Kenny Auld <[kenny.auld@lochlomond-trossachs.org](mailto:kenny.auld@lochlomond-trossachs.org)>; Samantha Stubbs  
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[trossachs.org](http://trossachs.org)>; Stuart Mearns <[stuart.mearns@lochlomond-trossachs.org](mailto:stuart.mearns@lochlomond-trossachs.org)>

**Subject:** Re: Board Meeting 16th September - Update

Thank you to the Board members who have been able to respond to this decision this morning.

The date has now been confirmed with associated details on our website. A [press release](#) has also been issued on our website.

Best wishes

Heather

**Heather Reid**

**Convener**

**Loch Lomond & The Trossachs National Park**

Direct: 01389 [REDACTED]

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**From:** [REDACTED] davidmackie [REDACTED]  
**Sent:** Tuesday, July 16, 2024 10:09 AM  
**To:** Heather Reid [REDACTED]  
**Subject:** Re: Board Meeting 16th September - Update

Hello Heather,  
I approve the recommendations as laid out.  
Regards  
David

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**From:** Corry, Maurice [REDACTED]  
**Sent:** Wednesday, July 17, 2024 10:14 am  
**To:** Heather Reid [REDACTED]  
**Subject:** Re: Board Meeting 16th September - Update  
Dear Heather,

Thank you for your email and all contents which I have now received this morning. The dates of the 16 and 17th September 2024 are fine for me and in my diary and also is the date of the 30th September 2024 for possible Board Meeting.

I note all the details of procedures and terms and conditions as a Board Member in respect to the Lomond Banks Planning Application and I have no conflict of interest with it accordingly.

Kind Regards,

Maurice

Maurice Corry TD MBA  
Councillor  
Board Member, LLTNP

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**From:** Martin Earl [REDACTED]  
**Sent on:** Tuesday, July 16, 2024 9:02:02 AM  
**To:** [REDACTED]

**CC:** [REDACTED]  
Heather.Reid@lltnp.gov.uk

**Subject:** Re: [External] Re: Board Meeting 16th September - 1

Hello Heather,  
I approve the recommendations as laid out.  
Regards  
Martin

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**From:** Claire Chapman [REDACTED]  
**Sent on:** Tuesday, July 16, 2024 8:14:02 AM  
**To:** Heather Reid [REDACTED]

**CC:** [REDACTED]

**Subject:** RE: Board Meeting 16th September - Update

Dear Heather

Thank you for the mail and the proposal.

I confirm my approval of these recommendations.

Regards

Claire Chapman

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**From:** Colin Lee [REDACTED]  
**Sent on:** Tuesday, July 16, 2024 8:22:02 AM  
**To:** Heather Reid [REDACTED]

**CC:** [REDACTED]

**Subject:** Re: Board Meeting 16th September - Update

Dear Heather

Thanks for circulating the paper and email - I confirm my approval of the recommendations and availability for 16<sup>th</sup> September.

However, I have a conflicting commitment on 17<sup>th</sup> September and only available till 11.30am as the strategy day was not in my diary. I shall try and shift my other commitment and update you accordingly.

I am unfortunately unavailable for 30<sup>th</sup> September [REDACTED]

I can confirm that I have no conflict of interest in considering this Planning Application.

Kind Regards

Colin

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**From:** david fettes [REDACTED]

**Sent on:** Tuesday, July 16, 2024 8:32:33 PM

**To:** Heather Reid [REDACTED]

**CC:** [REDACTED]

**Subject:** Re: Board Meeting 16th September - Update

Hi Heather,

Happy to approve the proposal and confirm my attendance on the 16<sup>th</sup> and 17th. Unfortunately I am likely to have to put in apologies for the 30<sup>th</sup> Sept. I can confirm I have no conflict of interest in this planning proposal.

Regards Davy

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**From:** Ronnie Erskine [REDACTED]

**Sent on:** Tuesday, July 16, 2024 8:15:47 AM

**To:** Heather Reid [REDACTED]

**CC:** [REDACTED]

**Subject:** Re: Board Meeting 16th September - Update

Hi Heather

Thanks for circulating this detailed and helpful paper. I confirm my approval of the recommendations and availability for the proposed dates.

I can confirm that I have no conflict of interest in considering this Planning Application.

Kind regards.

Ronnie

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**From:** [REDACTED]

**Sent on:** Tuesday, July 16, 2024 8:59:25 AM

**To:** [REDACTED]

**CC:** [REDACTED] Heather Reid [REDACTED]

**Subject:** Re: Board Meeting 16th September - Update

Heather

In response to your email below, I confirm my approval to establish the meeting on 16th September 2024.

I can state that I have no conflict of interest regarding this planning application.

I also confirm my availability for Board meetings on 17th and 30th September 2024.

Regards

Richard Johnson

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On Tue, 16 Jul 2024 at 09:13, Sinclair, William <[REDACTED]> wrote:

Good morning Heather,  
Happy with the dates they have been in the diary for some time.  
Many thanks  
Cllr William Sinclair

---

**From:** Sarah Drummond <[REDACTED]>  
**Sent on:** Tuesday, July 16, 2024 10:12:30 AM  
**To:** Sinclair, William <[REDACTED]>  
**CC:** Heather Reid <[REDACTED]>

**Subject:** Re: Board Meeting 16th September - Update

And no conflict of interest regarding the planning application

On Tue, 16 Jul 2024 at 11:11, Sarah Drummond <[REDACTED]> wrote:  
I'm happy with this approach and approve.

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**From:** Sinclair, William <[REDACTED]>  
**Sent on:** Tuesday, July 16, 2024 9:26:48 AM  
**To:** Douglas Smith <Douglas.Smith@lochlomond-trossachs.org>; Heather Reid <[REDACTED]>  
**Subject:** Recommendation

I approve the recommendations listed and approve the dates as well .  
Many thanks  
Cllr William Sinclair