



Loch Lomond & The Trossachs National Park Authority
Carrochan
Carrochan Road
Balloch
G83 8EG

Name: [REDACTED]
Email: [REDACTED]
EIR Ref: 2025-012
Date 13 June 2025

Dear [REDACTED]

YOUR REQUEST - ENVIRONMENTAL INFORMATION (REGULATIONS) SCOTLAND 2024

We refer to your request for information under the Environmental Information (Scotland) Regulations 2004 (EIRs), which we received by email on 16 May 2025. A summary of your request is followed by our response, below.

Your Request

I ask you to provide:

- a) The addresses of all listed buildings in your area that have been altered or demolished without authorised consent between January 2015 into the present day*
- b) Whether it was alteration or demolition that took place in each case*
- c) The year in which each offence occurred*
- d) Whether enforcement action was taken in each case*

Our Response

In the time period you have specified, the National Park Authority has investigated 22 cases where listed buildings in our area were reported to have been altered or partially demolished without appropriate permission. We have answered each of your questions in turn:

- a) We are withholding the addresses of these properties under Regulation 11(2) of the EIRs. Under this regulation, a public authority must not make available personal data if its disclosure would breach any of the data protection principles. In this case, the addresses of properties where unauthorised alterations were reported – but no enforcement action was taken – are considered to be personal data relating to identifiable individuals, particularly where the properties are privately owned residential

LOCH LOMOND & THE TROSSACHS NATIONAL PARK AUTHORITY

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National Park Headquarters, Carrochan, Carrochan Road, Balloch, G83 8EG Long: 4°34'24"W Lat: 56°00'12"N

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addresses.

Disclosure of this information would be unfair and unlawful as it would:

- Involve publicising allegations of unauthorised activity, without any formal finding or sanction, as no enforcement action was undertaken.
- Risk reputational damage or distress to individuals who may be identifiable from the address alone.
- Not be justified by any overriding legitimate interest that outweighs the rights and freedoms of the individuals concerned.

As such, disclosure would breach the fairness, lawfulness and transparency requirements of Article 5(1)(a) of the UK GDPR. Furthermore, as Regulation 11(2) is an absolute exemption, it is not subject to the public interest test.

b) Alteration – 20
Partial Demolition – 2

c) 2015 – 1 x part demolition
2016 – 3 x alteration
2017 – 4 x alteration
2018 – 4 x alteration
2019 – 1 x alteration
2020 – 1 x part demolition, 1 x alteration
2021 – 1 x alteration
2022 – 2 x alteration
2023 – 1 x alteration
2024 – 1 x alteration
2025* – 2 x alteration (*To date of request)

d) No enforcement action was taken in any of these cases. However, this does not mean action was not taken by the Authority. The following extract from our 'Enforcement Charter' may provide some useful context:

"Enforcement action isn't appropriate for all breaches of control, only where it is expedient in the public interest, necessary and proportionate to the harm caused by the breach and in line with the development plan and all material considerations. We consider each case on its merits and may require a retrospective application to allow for neighbour notification and a full assessment including consultation where relevant and any appropriate mitigation or long term restrictions. In some instances we may decide that no action is an appropriate and proportionate response. We generally try to resolve breaches of planning control through negotiation as the process is not intended to be punitive. A relatively small number of cases result in the taking of enforcement action involving service of a formal notice on the landowner or developer."

We have also provided this information in spreadsheet form, per your request.

Right to Review

If you are not satisfied with our response, you have the right to ask us to review the way we have handled your request. Further information on how to submit such a request is provided overleaf.

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Yours sincerely

**Information Management
Loch Lomond and the Trossachs National Park Authority**

Review Procedure

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

- Send your request for review in writing, setting out in full the reasons why you are requesting a review.
- Submit your review request within 40 working days of either the date on which you received a response from the Authority or the date by which you should have received a response under the terms of the Freedom of Information (Scotland) Act 2002, whichever is the later.
- address your review request to:

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

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

If you are not satisfied with the response to your request for review, you can contact the Scottish Information Commissioner, the independent body which oversees the Freedom of Information (Scotland) Act 2002, at:

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