



HABITAT REGULATION ASSESSMENT

LOCH LOMOND SPECIAL PROTECTION AREA (SPA)

In respect of the effects of

Planning application 2024/0351/DET

Erection of a nature hub building (comprising visitor education centre and café, staff offices and associated welfare facilities) associated parking, construction of new footpath and alterations to existing vehicular access. Creation of a turning circle and pedestrian drop off for a bus accessed from the existing access road from the A811.

On the Loch Lomond Special Protection Area (SPA)

Requirements of the Habitats Regulations

European Sites are **Special Areas of Conservation (SACs)** designated under the EC Habitats Directive to protect particular habitats and non-bird species and **Special Protection Areas (SPAs)** designated under the EC Birds Directive to protect wild birds.

The EC Directive is applied in Scotland through the *Conservation (Natural Habitats &c) Regulations 1994*, which is known as the "Habitats Regulations".

The requirements of the Habitats Regulations are summarised in Planning Circular 6/1995 as amended June 2000.

The Habitats Regulations require that:

Where an authority concludes that a development proposal is likely to have a significant effect on a European site (SPA or SAC), it must undertake an appropriate assessment of its implications for the European site in view of the site's conservation objectives.

The need for appropriate assessment extends to projects outwith the boundary of the SAC or SPA, in order to determine their implications for the interest protected within the site.

Significance Test

Regulation 48(1) of the Habitats Regulations requires the competent authority to first carry out a 'significance test'. The test for significant effects acts simply as a filter to exclude any projects which have no possible connection to the interests of the SAC or SPA.

Under Regulation 48 of the Habitats Regulations, the LLTNPA, as a competent authority, has a duty to:

- determine whether or not the proposal is directly connected with or necessary to SAC/SPA management for conservation; and, if not,
- determine whether the proposal is likely to have a **significant effect** on the SAC/SPA either individually or in combination with any other plans or projects; and, if so, then
- make an **appropriate assessment** of the implications (of the proposal) for the SAC/SPA in view of that site's conservation objectives.

The first bullet should only be accepted where it is part of a fully assessed, and agreed, management programme.

Appropriate Assessment

Habitats Regulation 48 (5) requires that "*in the light of the conclusions of the assessment, the authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site*", in relation to its conservation objectives.

Agency Role

In undertaking the Appropriate Assessment, the Habitats Regulations require LLTNPA to have regard to the advice we receive from statutory consultees including SNH, SEPA and HSE (Health and Safety Executive). However, the responsibility for undertaking the Appropriate Assessment rests with LLTNPA.

Background Information on the Loch Lomond Special Protection Area

1. Name of European site:Loch Lomond Special Protection Area.	
Site Type: Special Protection Area	
Qualifying features:	
SCIENTIFIC NAME	COMMON NAME
Tetrao urogallus	Capercaillie
Anser albifrons flavirostris	Greenland white-fronted goose
Conservation Objectives:	
To avoid deterioration of the habitats of the qualifying species (listed above) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and	
To ensure for the qualifying species that the following are maintained in the long term:	
<ul style="list-style-type: none">• Population of the species as a viable component of the site• Distribution of the species within site• Distribution and extent of habitats supporting the species• Structure, function and supporting processes of habitats supporting the species• No significant disturbance of the species	

Project Information

Significance Test for Planning Application 2021/0452/DET

Qualifying Features of the SPA

1. As listed above, the Qualifying Interests of the Loch Lomond Special Protection Area are:
 - Capercaillie (Tetrao urogallus)
 - Greenland white-fronted goose (Anser albifrons flavirostris)
2. The Conservation Objectives for the Loch Lomond SPA are detailed in the background information above.

Significance Test

The application is for a new Visitor Centre and associated parking with an additional outdoor seating area. a new section of path will connect the RSPB land that connects Church St and leads to the Millenium Hall in Gartocharn and there is a new turning area proposed that will run parallel to the existing RSPB access road and be accessed from the A811.

Capercaillie

Capercaillie historically bred on the four Luss islands and they require mature woodland with a well-developed understory and low levels of disturbance, especially during their breeding season in the spring and summer months. There have only been occasional sightings of capercaillie in recent years and the SPA no longer supports a viable population. The application site is situated around 5km away from the nearest of the four Luss islands where capercaillie historically bred. Given the separation distance between the development site and the section of the SPA where capercaillie historically bred, there will be no impacts on the woodland supporting habitat or disturbance to breeding capercaillie within the SPA.

As a consequence, there will be no likely significant effect on the capercaillie qualifying interest of the Loch Lomond SPA and capercaillie are not considered further in this assessment.

Greenland white-fronted goose

The wintering Greenland white-fronted goose population of the SPA is present between October and March (inclusive). Greenland white-fronted geese roost on the mainland section of the SPA and primarily feed on agricultural fields outwith the SPA boundary. They are particularly susceptible to disturbance and require large open areas with clear sight lines for foraging and roosting.

The RSPB considers that the new facilities could attract up to 30,000 visitors per annum. In the peak season comprising the six months period 01 May and 31st October 2024 there are approximately 15.5k individual visitors to the site.¹ There could be potential for disturbance from increased use of the existing paths and creation of new paths. The RSPB anticipate that 30,000 people per year might visit the reserve. Approximately 15,500 people visited in a 6 month period covering the busier summer months. The existing paths have existing vegetation screening roosting and foraging foraging areas to prevent disturbance of Greenland white-fronted geese.

Given the overall size of the reserve and its 2.6km of paths, many visitor activities orientate around the visitor hub , café and localised trails. However the new visitor centre and car park, new access track and the Proposal for a bus turning area and pedestrian drop off zone are outwith visibility of the breeding and roosting areas for Greenland white-fronted geese and are covered in more detail below.

Greenland white-fronted geese at East Loch Lomond avoid human activity and flocks tend to frequent fields away from roads and human activity. It is important to note that Greenland white-fronted geese return to the RSPB reserve in early winter when visitor numbers are much lower than average for foraging and return to their breeding grounds in spring.

The development site where the new visitor centre and car park will be located does not have potential to support foraging or roosting Greenland white-fronted geese due to its wooded character and lack of clear sightlines. Based on monitoring data collated by NatureScot and

¹ Source RSPB

RSPB between 2002 and 2019 and 2022-2025 the nearest known roosting area to the new visitor centre application site is 590m and is not visible from the visitor centre and carpark. As a consequence it is concluded that there will not be any disturbance to roosting Greenland white-fronted geese.

The new access track that will start at the Ross and Aber Road and join existing pathways in the RSPB reserve is a continuation of a core path from the Millennium Hall in Gartocharn. A roosting site has been recorded outwith the RSPB reserve and SPA at Middle Gartocharn. This location is bounded by the Ross and Aber Road and Church Street (the core path). Both roads are accessed by vehicles for access at present and it is visually disconnected from the new Proposed access path. The existing core path that bounds the roosting site at Church Street has boundary trees and vegetation so this section of the field will not be used by geese. It will also prevent visibility of anyone walking this road to access the new Proposed path. Access to the new Proposed Path will skirt an existing wooded area.

Given this separation distance and the fact that there is no visibility of the existing core path or new Proposed access track from the roosting field, there should be no additional disturbance of the feeding and roosting areas used by GWF geese. There shall be no indirect or direct impacts on the supporting habitat for the geese due to this separation distance and the lack of connectivity between the development site and the areas used by the geese.

The bus turning area will be accessed from the existing RSPB access road from the A811. Planting will take place within this area and the road access is bounded by a hedge which will be expanded. GWF geese prefer areas away from busy roads and prefer areas clear of hedges and there is no evidence that this area is used for roosting or foraging.

As a precautionary measure a Construction Method Statement will be a condition of consent and will include timings of all works and any lighting required.

As a consequence, there is no likely significant effect on the wintering Greenland white-fronted geese qualifying interest of the Loch Lomond SPA

Appropriate Assessment

Endrick Water Special Area of Conservation (SAC)



2024/0351/DET

Erection of a nature hub building (comprising visitor education centre and café, staff offices and associated welfare facilities) associated parking, construction of new footpath and alterations to existing vehicular access.

Requirements of the Habitats Regulations

European Sites are **Special Areas of Conservation (SACs)** designated under the EC Habitats Directive to protect particular habitats and non-bird species and **Special Protection Areas (SPAs)** designated under the EC Birds Directive to protect wild birds.

The EC Directive is applied in Scotland through the *Conservation (Natural Habitats &c) Regulations 1994*, which is known as the "Habitats Regulations".

The requirements of the Habitats Regulations are summarised in Planning Circular 6/1995 as amended June 2000.

The Habitats Regulations require that:

Where an authority concludes that a development proposal is likely to have a significant effect on a European site (SPA or SAC), it must undertake an appropriate assessment of its implications for the European site in view of the site's conservation objectives.

The need for appropriate assessment extends to projects outwith the boundary of the SAC or SPA, in order to determine their implications for the interest protected within the site.

Significance Test

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Under Regulation 48 of the Habitats Regulations, the LLTNPA, as a competent authority, has a duty to:

- determine whether or not the proposal is directly connected with or necessary to SAC/SPA management for conservation; and, if not,
- determine whether the proposal is likely to have a **significant effect** on the SAC/SPA either individually or in combination with any other plans or projects; and, if so, then
- make an **appropriate assessment** of the implications (of the proposal) for the SAC/SPA in view of that site's conservation objectives.

The first bullet should only be accepted where it is part of a fully assessed, and agreed, management programme.

Appropriate Assessment

Habitats Regulation 48 (5) requires that "*in the light of the conclusions of the assessment, the authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site*", in relation to its conservation objectives.

Agency Role

In undertaking the Appropriate Assessment, the Habitats Regulations require LLTNPA to have regard to the advice we receive from statutory consultees including SNH, SEPA and HSE (Health and Safety Executive). However, the responsibility for undertaking the Appropriate Assessment rests with LLTNPA.

Background Information on the Endrick Water SAC

Name of European site: Endrick Water	
Site Type: Special Area of Conservation (SAC)	
Qualifying Interests:	
SCIENTIFIC NAME	COMMON NAME
<i>Salmo salar</i>	Atlantic salmon
<i>Lampetra planeri</i>	Brook lamprey
<i>Lampetra fluviatilis</i>	River lamprey
Conservation Objectives:	
To avoid deterioration of the habitats of the qualifying species (listed above) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and	
To ensure for the qualifying species that the following are maintained in the long term:	
<ul style="list-style-type: none">Population of the species, including range of genetic types for salmon, as a viable component of the siteDistribution of the species within siteDistribution and extent of habitats supporting the speciesStructure, function and supporting processes of habitats supporting the speciesNo significant disturbance of the species	

Project Information

A planning application (2024/0351/DET) has been submitted to Loch Lomond and the Trossachs National Park Authority. It consists of a new path from Church Street, Gartocharn to join with the RSPB existing paths to Airley Woodland Trail and lead to the visitor hub. The visitor hub will comprise of a visitor education centre and café, staff offices and associated welfare facilities. There will also be a dualling of the road into the reserve from the A811.

Significance Test for Planning Application 2024/0351/DET

Qualifying Features of the SAC

As listed above, the Qualifying Species for the Endrick Water SAC are:

- Atlantic salmon (*Salmo salar*);
- Brook lamprey (*Lampetra planeri*) and;
- River lamprey (*Lampetra fluviatilis*).

The Conservation Objectives for the Endrick Water are:-

To avoid the deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and

To ensure for the qualifying species that the following are maintained in the long term:

- Population of the species, including range of genetic types of salmon, as a viable component of the site
- Distribution of the species within site
- Distribution and extent of habitats supporting the species
- Structure, function and supporting processes of habitats supporting the species
- No significant disturbance of the species.

Significance Test

Paths

The new section of path that will connect the RSPB land to the lane that connects Church Street and leads to the Millennium Hall in Gartocharn will cross over an un-named water course that runs into the Aber Burn. The Aber Burn runs into the Endrick Water SAC. However as the distance from the bridge crossing over the water course is approximately 2km away from the SAC there will be no impact on the Endrick Water due to the separation distance. As the Aber Burn is not a known salmon river ¹ and the un-named burn therefore has no spawning areas recorded by Marine Scotland there is no likely significant effect on spawning fish due to the separation distance it is concluded that there will be no likely significant effect on water quality of the Endrick Water and this aspect is not considered further in the HRA..

Visitor centre

The application site for the new Visitor Centre and associated parking, has no watercourses running through it so there is no connectivity to the un-name water courses that run into the Aber Burn which is a tributary of the Endrick Water SAC . Within the submitted Design and Access Statement it is proposed to filter surface water back into the landscape, with

¹ Marine Scotland data uses Fisheries Trusts and Salmon Fishery Boards information to inform mapping of salmon rivers and the un-named burns are not shown as salmon spawning sites.

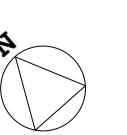
drainage swales and trenches which follows SEPA advice. The final design of these will be approved by planning condition should the application be approved. As the drainage swales and trenches will not affect the Endrick Water this aspect is not considered further in the Habitat Regulations Assessment as it will not have a likely significant effect on the SAC.

The Proposed visitor hub toilets, are subject to Controlled Activities Regulation Licencing from SEPA for water entering an un-named tributary of the River Endrick and this was approved in 2020. Scottish Water is the body responsible for informing on waste water capacity matters and has advised that the applicant investigate private treatment options. As a result the foul water discharge will enter a treatment plant and be discharge along a pipe to a discharge and sampling point east of the treatment plant. This treated water will enter an un-named tributary of the Endrick Water SAC and could impact on the Endrick Water quality.

As a consequence the foul water discharge course could have a likely significant effect on the salmon and lamprey qualifying interests of the SAC so an appropriate assessment is required.

Appropriate Assessment

Elements of project likely to give rise to significant effects on the site	<p>Operation.</p> <p>In the longer term there is a possible risk of pollution due to failure of the Foul Water treatment plant as this enters an un named water course that runs directly into the Endrick Water.</p>
Describe how the integrity of the site (determined by structure and function and conservation objectives) is likely to be affected by the project (e.g. loss of habitat, disturbance, disruption, chemical changes, hydrological changes and geological changes etc.).	<p>Salmon and lamprey both require high water quality therefore any reduction in water quality as a result of the proposal could be significant. If un-treated effluent is released into the un-named burn during operation, this could result in deterioration of water quality at the Endrick Water. Without regulation by a SEPA licence it could affect water quality in the long term.</p> <p>As a consequence the proposal could affect the following conservation objective:</p> <ul style="list-style-type: none"> • Population of the species.
Describe what mitigation measures are to be introduced to avoid any adverse effects on the integrity of the site.	<p>The following mitigation measures and best practice measures are subject to a Controlled Activities Licence from the Scottish Environment Protection Agency. Monitoring of water quality will be undertaken as a result of this licence and will be the responsibility of SEPA. The CAR licence details the responsibilities of the Applicant.</p>
Conclusion	<p>As a result the proposal will not have an adverse effect on the integrity of the Endrick Water SAC.</p>







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National Park Authority Headquarters Carrochan 20 Carrochan Road Balloch G83 8EG
Tel: 01389 722024 Email:

planning@lochlomond-trossachs.org

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100695907-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place? Yes No
(Answer 'No' if there is no change of use.) *

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting

on behalf of the applicant in connection with this application) Applicant Agent

FORMATION OF STAFF, WELFARE AND VISITOR FACILITIES INCLUDING ALTERATIONS
TO CAR PARK AND PATH

NETWORKS.

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Site Address Details

Planning Authority:

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing Easting

Pre-Application Discussion

Have you discussed your proposal with the planning authority? * Yes No

HIGH WARDS FARM

Loch Lomond & The Trossachs National Park Authority

GARTOCHARN

ALEXANDRIA

G83 8SB

687224 243989

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Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing

agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please

provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

Title: Other title:

First Name: Last Name:

Correspondence Reference Date (dd/mm/yyyy):

Number:

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing

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Title: Other title:

First Name: Last Name:

Correspondence Reference Date (dd/mm/yyyy):

Number:

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing

agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please

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Title: Other title:

First Name: Last Name:

Correspondence Reference Date (dd/mm/yyyy):

Number:

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what

information is required and from whom and setting timescales for the delivery of various stages of the process.

PRE-PLANNING RESPONSE IN REGARDS TO THE OVER ALL DESIGN AND DEVELOPMENT OF THE SCHEME. ADVICE

ON PERTINENT MATTERS ETC.

2ND PRE-PLANNING RESPONSE IN REGARDS TO THE OVER ALL DESIGN AND DEVELOPMENT OF THE SCHEME.

ADVICE ON PERTINENT MATTERS ETC.

DISCUSSION REGARDS PLANNING APPLICATION FEE'S - ROAD DUALING IS NOT TO BE INCLUDED IN THE DEVELOPMENT COST.

Mrs

Mrs

Mr

C.

C.

J

STRUGNELL

STRUGNELL

RIGGS

16/05/2024

01/11/2024

12/12/2024

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Site Area

Please state the site area:

Please state the measurement type used: Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? * Yes No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes

you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including

arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application

Site?

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the

Total of existing and any new spaces or a reduced number of spaces)? *

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * Yes No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

Yes – connecting to public drainage network

No – proposing to make private drainage arrangements

Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? *

New/Altered septic tank.

Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).

Other private drainage arrangement (such as chemical toilets or composting toilets).

4000.00

FORMATION OF STAFF, WELFARE AND VISITOR FACILITIES INCLUDING ALTERATIONS TO CAR PARK AND PATH

NETWORKS.

35

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Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *

Do your proposals make provision for sustainable drainage of surface water?? * Yes No

(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be

determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? * Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if

any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * Yes No

If Yes or No, please provide further details: * (Max 500 characters)

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? * Yes No

SURFACE WATER TO BE TAKEN TO GROUND WATER VIA NATURAL AND PASSIVE DRAINAGE METHODS - EG.

DRAINAGE SWALES FOUL WATER TO BE TAKEN TO TREATMENT PLANT AND DEPOSITED IN NEARBY BURN - SEPA

APPROVAL IS CONFIRMED WITHIN THE APPLICATION DOCUMENTS.

COLLECTION POINT PROVIDED TO CAR PARK (NORTH EAST SIDE OF PLAN) BINS TO BE STORED WITHIN CENTRE OF

DEVELOPMENT - MARKED ON PLANS.

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All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? * Yes No

All Types of Non Housing Development – Proposed New Floorspace

Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an

estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): *

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): *

If Class 1, please give details of internal floorspace:

Net trading spaces: Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country? Yes No Don't Know

Planning (Development Management Procedure (Scotland) Regulations 2013 *

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning

authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional

fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an? Yes No
elected member of the planning authority? *

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT

PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1,

Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? * Yes No

Is any of the land part of an agricultural holding? * Yes No

Do you have any agricultural tenants? * Yes No

Don't Know

FORMATION OF STAFF, WELFARE AND VISITOR FACILITIES FOR EXISTING NATURE RESERVE

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate E

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland)

Regulations 2013

Certificate E

I hereby certify that –

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of

the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants

Or

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of

the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants.

Name:

Address:

Date of Service of Notice: *

(4) – I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or

agricultural tenants and *have/has been unable to do so –

Signed: laura clark

On behalf of: RSPB SCOTLAND

Date: 16/12/2024

Please tick here to certify this Certificate. *

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Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information

in support of your application. Failure to submit sufficient information with your application may result in your application being deemed

invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to

that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have

you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for

development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have

you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or

major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development

Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject

to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design

Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an

ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in

conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: * (Max 500 characters)

INDICATIVE DETAILS; SUPPORTING DIAGRAMS ETC.

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. * Yes N/A

A Design Statement or Design and Access Statement. * Yes N/A

A Flood Risk Assessment. * Yes N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems).
* Yes N/A

Drainage/SUDS layout. * Yes N/A

A Transport Assessment or Travel Plan Yes N/A

Contaminated Land Assessment. * Yes N/A

Habitat Survey. * Yes N/A

A Processing Agreement. * Yes N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying

Plans/drawings and additional information are provided as a part of this application.

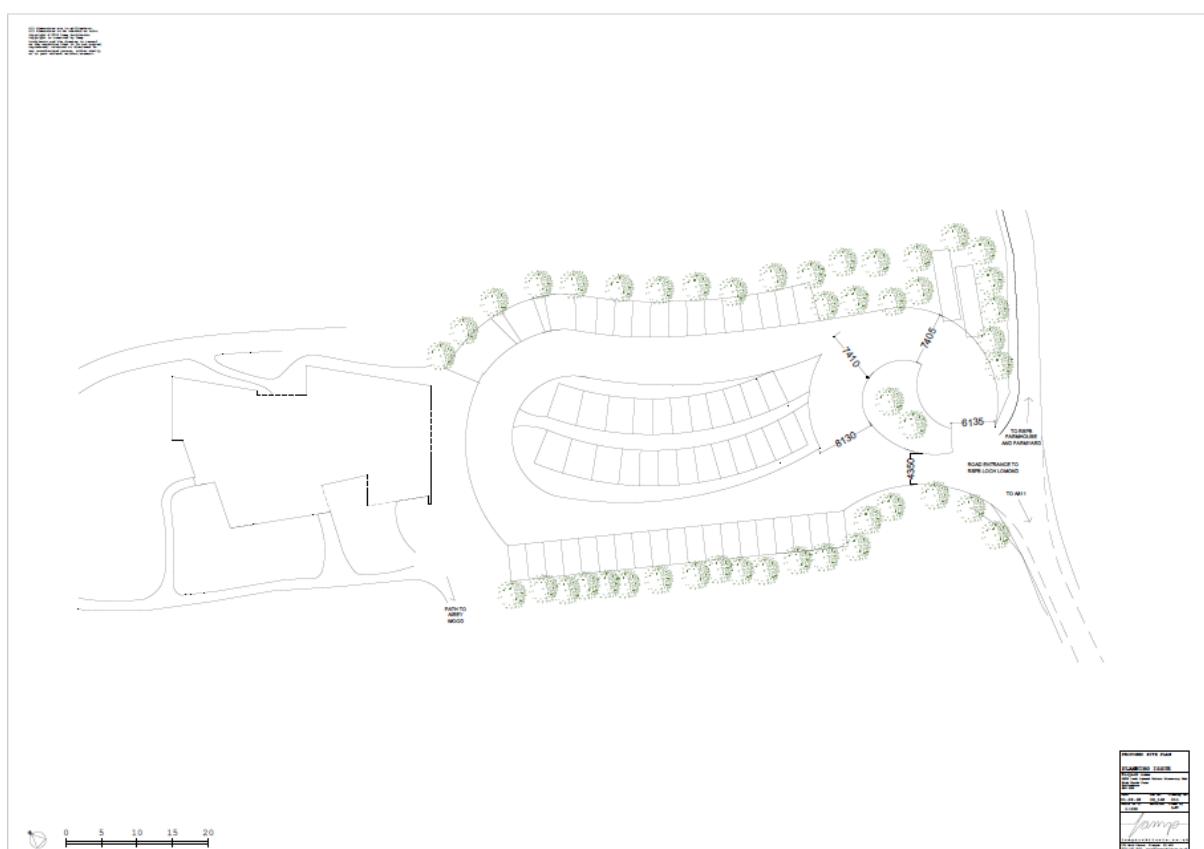
Declaration Name: Mrs laura clark

Declaration Date: 16/12/2024

Payment Details

Pay Direct

Created: 04/02/2025 15:02



1. See appendix 1 for field names



3 13 x 23 37 IP



0 1 2 3 4 5



- 1 Wood Sorrel *Oxalis des-bois*
- 2 Sweet Cicely *Myrrhis odorata*
- 3 Wood Avenet *Genium urbanum*
- 4 Corse Ultra *europaeanus*

PROPOSED SITE PLAN
SKETCH DRAWING
PROJECT NAME
DATE 01/01/2018
SHEET 1 OF 1
1:100
1000mm



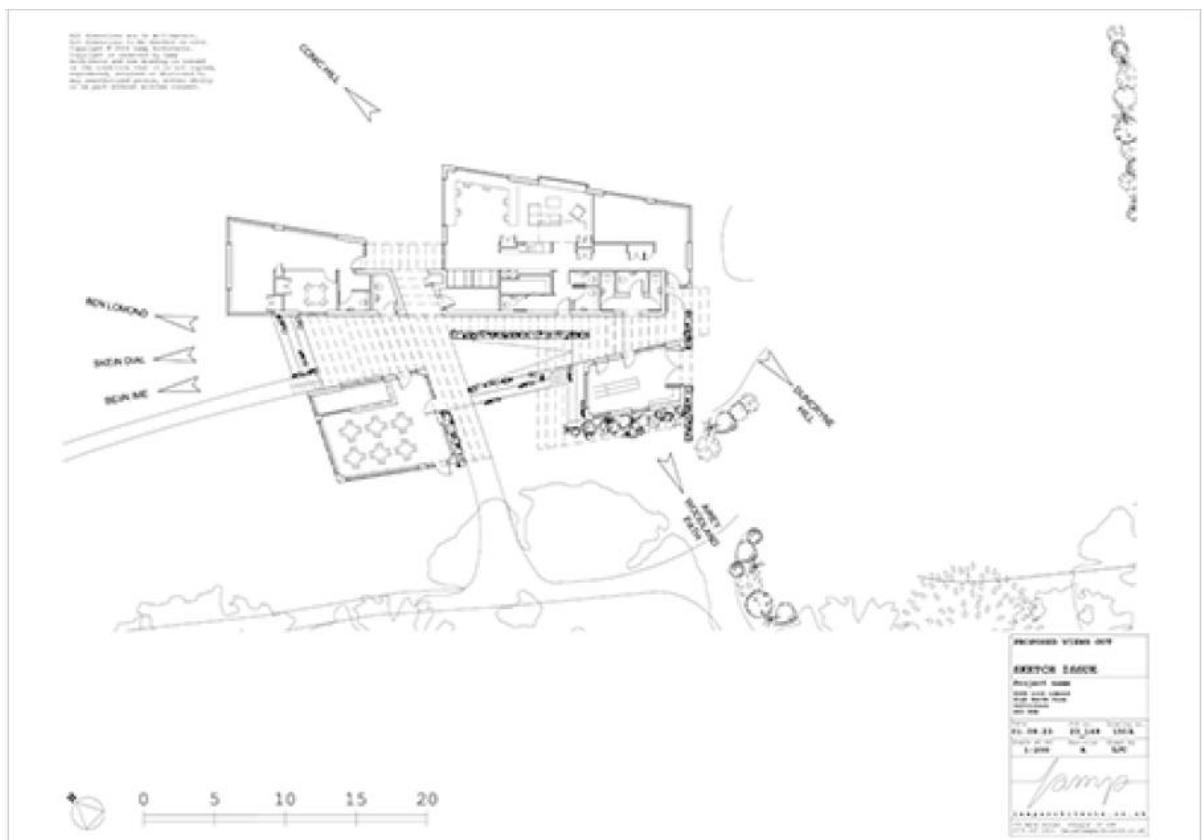
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PROPOSED SITE PLAN
SKETCH DRAWING
PROJECT NAME
DATE 01/01/2018
SHEET 1 OF 1
1:100
1000mm
famps



0 10 20 30 40 50

PROPOSED SITE PLAN
SKETCH DRAWING
PROJECT NAME
DATE 01/01/2018
SHEET 1 OF 1
1:100
1000mm
famps



WORK FROM CAFE FACING NEW LONDON AND NEW HAVEN



VIEW FROM CAFE FACING AIRT WOODS



VIEW FROM WISDOM 305



VIEW FROM OFFICE BEHIND



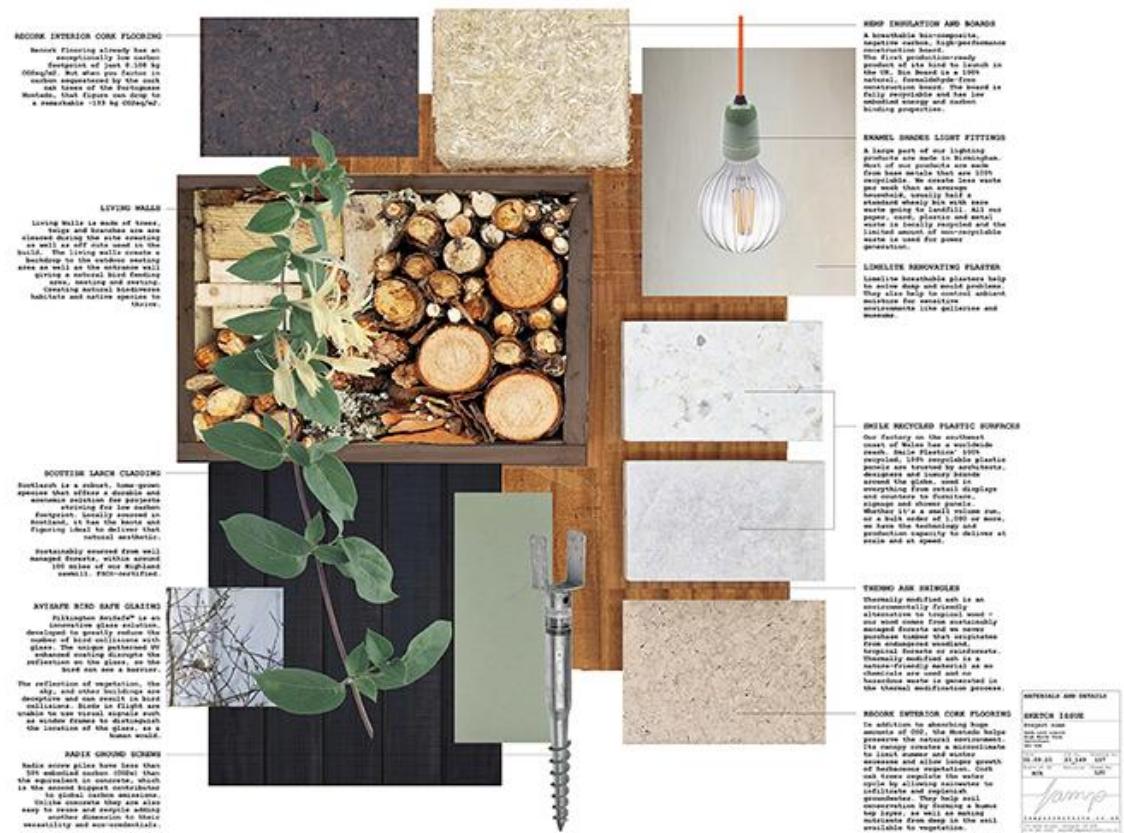
VIEW FROM OFFICE ENTRANCE AND MEETING SPACE



VIEW FROM MEETING ROOM



PRIMED VIEWS FROM
WISCONSIN
SERIAL 150002
RECEIVED 10/10/02
FROM GENE VOLLMER
FOR WISCONSIN
100-100
10/10/02 21,149 500
DATE 10/10/02
Jamp

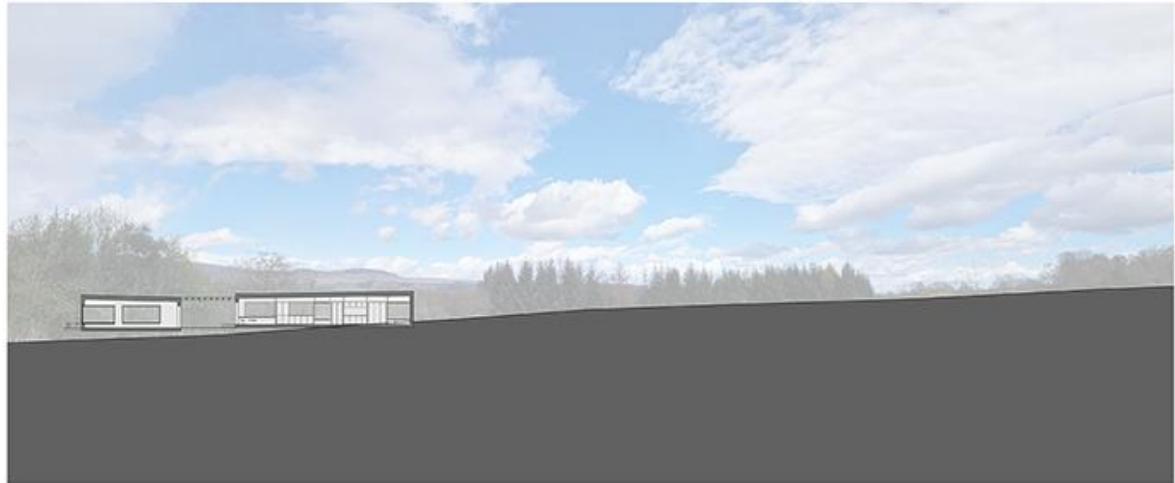




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RSPB LOCH LOMOND

Landscape Strategy

The landscape of the Loch Lomond RSPB Nature Reserve is located in a stunning mix of woodlands and wetlands on the banks of Loch Lomond. It combines breath taking views with a diverse mix of habitats and it has a growing reputation as one of the most distinctive of the Society's reserves. This places an onus on the design team tasked with creating a new centre with new roads, car parks and paths to first do no harm to the local landscape, and secondly to build something that adds to the distinctive sense of place and character of the reserve. This is our purpose.

The master planning and landscape design strategy is therefore based upon an assessment of the needs, objectives and opportunities that the Site and the project presents, including the following:

- To create an attractive setting and environs for the new Centre that will assist its operation and will also bring delight to visitors and those who work there;
- To screen and filter views of the new building, roads, car parks and paths so that the Centre is assimilated into the wider landscape and does not create long term problems of landscape or visual intrusion for local residents;
- To make visiting the Centre a pleasing process by which the visitor sheds the trappings and pace of modern urban life as one moves through the several stages of becoming immersed in the experience of visiting the Loch Lomond RSPB Nature Reserve:
 - So the vehicle entrance marks the commencement of this experience as one moves from a national road in a large scale rural landscape into a slower, internal road set amongst native trees, copses, scrub and wildflowers, and it is at this point that coach traffic will be separated from car traffic;

- A drop off point makes it easy to deposit visitors close to the building; cars can then proceed to the car park areas that will be a series of small scale spaces surrounded by screen planting;
- A series of paths will lead the visitor from the car parks to the building, through a naturalistic landscape setting based upon local native plant communities;
- The building will host a variety of facilities and will include a series of ancillary outdoor spaces that;
- Heading towards the reserve one again walks through the landscape setting to the building to arrive at the gateways into the reserve where the sudden view of the distant hills will create a “coup de theatre.”

Planting design will be overwhelmingly, though not exclusively native species typical of the area: more ornamental species may be used immediately by the building curtilage to create all year decorative effects. The team includes a horticulturalist and will look to develop ideas based upon the principles of permaculture. As well as wetland planting for sustainable drainage systems, edible plants and plants for birds and pollinators will be introduced to maximise the variety, enjoyment and educational benefits offered by the external garden spaces.

A management plan will be created to guide the flourishing of these new landscapes for this Centre.



Lomond Nature and Discovery Hub

Entrance and Visitor Centre	M2
Coffee Provisions/Café	20
Public Toilet Provision	50
	15

RSPB Office and Meeting Space

Open Plan and Small Office Accommodation - Up to 10 staff	80
Large Meeting Room/Education Space - Up to 20 people	40
Kitchenette and Breakout Spaces	10
Small Meeting Room - Up to 4 people	15
Staff Toilet Provision	7
Staff Changing Areas	5
Staff Drying Room	5
Storage	5
Plant	6

Total Internal Accommodation 258



SCOTTISH ENVIRONMENT PROTECTION AGENCY
WATER ENVIRONMENT AND WATER SERVICES (SCOTLAND) ACT 2003
WATER ENVIRONMENT (CONTROLLED ACTIVITIES) (SCOTLAND) REGULATIONS
2011 ("THE REGULATIONS")
WATER USE LICENCE

Licence Number: CAR/L/1189879

Responsible Person: Royal Society For The Protection Of Birds

Site or Location of Activity/Activities
RSPB Loch Lomond Visitor Centre
High Wards Farm
Gartocharn
West Dunbartonshire
G83 8SB

The Scottish Environment Protection Agency, in accordance with regulations 8 and 15 of the Regulations, hereby authorises the carrying on of the controlled activity or activities set out in Schedule 1 of this licence, at or near or in connection with the site or location set out above, subject to the requirements of the Regulations and to the conditions contained in the schedules attached to and forming part of this licence.

The person responsible for securing compliance with this licence and its conditions ("the responsible person") shall be Royal Society for the Protection of Birds, company registration number RC000521, having its principal office at RSPB, The Lodge, Potton Road, Sandy, SG19 2DL.

This licence and its conditions shall, except where otherwise provided in any of those conditions, take effect on 06 May 2020.

Signed:  Date: 06 May 2020

Authorised to sign on behalf of the
Scottish Environment Protection Agency

Right of Appeal

You are entitled to appeal to the Scottish Ministers, within three months of the date of this licence, if you have been granted a form of authorisation which is different from the form of authorisation which you believe ought to have been granted (under regulation 50(b) of the Regulations) or against any condition or conditions of this licence (under regulation 50(c) of the Regulations). The bringing of an appeal against a condition will not have the effect of suspending the operation of the condition. The procedures for the making of an appeal are set out in Schedule 9 of the Regulations.

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INTERPRETATION OF TERMS

For the purposes of this licence, and unless the context requires otherwise, the following definitions shall apply:

Generic

“the Act” means the Water Environment and Water Services (Scotland) Act 2003;

“controlled activity” means an activity to which the Regulations apply, in accordance with regulation 3(1) of the Regulations;

“incident” means:

- any accident which has had or could have an adverse impact on the water environment; or
- any malfunction, breakdown or failure of plant or techniques which has had or could have an adverse impact on the water environment; or
- any event, such as force majeure or action taken to save human life or limb, which results, or is likely to result, in a breach of any condition of this licence;

“pollution”, in relation to the water environment, means the direct or indirect introduction, as a result of human activity, of substances or heat into the water environment, or any part of it, which may give rise to any harm, and “harm” shall have the same meaning as in the Act; “the Regulations” means the Water Environment (Controlled Activities) (Scotland) Regulations 2011;

“responsible person” means the person who is responsible for securing compliance with the terms of this licence and has been identified as such by SEPA in accordance with regulation 8(6) of the Regulations, and in this context ‘person’ includes a body corporate, limited liability partnership and Scottish partnership;

“SEPA” means the Scottish Environment Protection Agency;

“SEPA officer” means a person authorised by SEPA under regulation 31(4) of the Regulations or, pursuant to paragraph 6(c) of Schedule 10 of the Regulations, under regulation 27(4) of the Water Environment (Controlled Activities) (Scotland) Regulations 2005;

“the water environment” means all surface water, groundwater and wetlands; and “surface water”, “groundwater” and “wetlands” shall have the same meanings as in the Act;

“watercourse” shall have the same meaning as in the Act;

Point source pollution control

“parameter” means any defined chemical constituent or measurable physico-chemical characteristic of a sample;

“point source discharge” means a discharge of an effluent or other matter to the water environment or land by a fixed installation, pipe, outlet or otherwise;

“sewage” has the same meaning as in section 59 of the Sewerage (Scotland) Act 1968; “sewage fungus” means a visible microbiological growth usually consisting of a mixture of bacteria, fungus, protozoa and algae;

“sewage treatment works” means any works, apparatus or plant used for the treatment or disposal of sewage and includes a septic tank;

“the STW” means the sewage treatment works at or near to or in connection with which the controlled activities authorised by this licence are carried out;

Any reference to a numbered condition, numbered paragraph, group of conditions, group of paragraphs, schedule, table, appendix or figure or is a reference to the condition, paragraph, group of conditions, group of paragraphs, schedule, table, appendix or figure bearing that number in this licence.

Except where specified otherwise in this licence:

- “day” means any period of 24 consecutive hours,
- “week” means any period of 7 consecutive days,
- “month” means a calendar month,
- “quarter” means a calendar quarter,
- “year” means any period of 12 consecutive months; and any derived words (e.g.

“monthly”, “quarterly”) shall be interpreted accordingly.

Except where specified otherwise in this licence, any reference to an enactment or statutory instrument includes a reference to it as amended (whether before or after the date of this licence) and to any other enactment, which may, after the date of this licence, directly or indirectly replace it, with or without amendment.

SCHEDULE 1. CONTROLLED ACTIVITY

1.1. Description of Controlled Activity

1.1.1. The controlled activity shall be the discharge of treated sewage effluent to the water environment.

1.2. Location of Controlled Activity

1.2.1. The following controlled activity described in Table 1.1 is authorised under licence and shown on plan, ref SITE PLAN AS PROPOSED 1:1250 on A3 attached as Appendix A.

Table 1.1 Authorised Activity

Controlled Activity	NGR	Affected Waters	Name/Reference
Discharge of treated effluent	NS 44028 87279	Unnamed tributary of the Endrick Water	RSPB Loch Lomond Visitor Centre, STW FE to u/n w/c, High Wards Farm, Gartocharn

SCHEDULE 2. GENERAL CONDITIONS

2.1. Responsible person

2.1.1. The responsible person to whom this licence is issued shall secure compliance with the conditions contained in the licence.

2.2. Records

2.2.1. A copy of this licence shall be kept such that it is readily accessible for examination by all relevant staff.

2.2.2. Unless otherwise specified in a condition of this licence, every record made in compliance with a condition of this licence shall be preserved for not less than 5 years from the date of its being made. Every such record shall be kept as set out in condition 2.2.1 above for not less than one year from the date of its being made and thereafter preserved at a location, previously notified to SEPA in writing, if that location is not the site or location of the authorised activity.

2.2.3. All records shall be legible, and any amendment made to any record made in compliance with a condition of this licence shall be made in such a way as to leave the original entry clear and legible. The reason for each amendment shall be explained in the said record.

2.3. Incidents

2.3.1. In the event of an incident, the responsible person shall notify SEPA without delay and in any case by the next working day after identification of the incident, using the contact details in the explanatory notes. This notification shall include: the time and duration of the incident, a description of the cause of the incident, any effect on the environment as a result of the incident and any measures taken to minimise or mitigate the effect and prevent a recurrence.

2.3.2. Where requested by SEPA, a written report following any incident notified to SEPA should be sent to SEPA at the contact address in the explanatory notes within 14 days of the occurrence of the incident.

2.4. Environmental Harm

2.4.1. Other than as specifically permitted or limited by any condition of this authorisation, the authorised activities shall not have a significant adverse impact on, or cause pollution of, the water environment.

SCHEDULE 3. CONDITIONS APPLYING TO THE POINT SOURCE DISCHARGE AS A WHOLE

3.1. Nature of Discharge

3.1.1. The discharge shall consist solely of treated sewage effluent not exceeding a maximum daily volume of 10.13 cubic metres.

3.2. Discharge Point

3.2.1. The outlet shall be a 150 mm internal diameter plastic pipe.

3.3. Sample Point

3.3.1. A sample point as shown on plan, ref SITE PLAN AS PROPOSED 1:1250 on A3 attached as Appendix A shall be constructed, maintained and appropriately identified as a sample point so that a representative sample of the sewage effluent may be safely obtained. All constituents of the discharge shall pass through the said sample point.

3.4. Descriptive Conditions

3.4.1. The discharge shall not cause:

a significant visible impact on surface waters due to the presence of oil or grease; the significant deposition of sewage solids on the banks and bed of the receiving waters; significant discolouration of the receiving waters; significant increased foaming in the receiving waters; or significant growth of sewage fungus in the receiving waters.

3.4.2. Any event involving one or more of the circumstances described in condition 3.4.1 above shall be regarded as an “incident” and dealt with in accordance with the requirements of condition 2.3.

3.5. Operation of Works

3.5.1. The STW shall be operated and maintained in accordance with the manufacturer’s instructions such that:

it remains fully operational, except at times of unavoidable mechanical or electrical breakdown; and following any such mechanical or electrical breakdown all reasonably practicable means shall be used to return the STW to a fully operating condition.

3.5.2. An alarm system shall be provided and maintained to ensure visible/audible notification of failure or breakdown of the treatment plant.

3.6. Unusual Situations

3.6.1. Subject to the provision of the information required under condition 3.7, no sample, taken at a time when unusual weather conditions are adversely affecting operation of the treatment process, shall be taken into account in deciding compliance with conditions 3.8 and 3.9.1 of this licence. For the purpose of this condition “unusual weather conditions” means:

low ambient temperatures, as evidenced by effluent temperatures of 5°C or less, or by the freezing of mechanical equipment in the treatment plant; snow deposits sufficient to affect the normal operation of the treatment system; fluvial flooding; or weather conditions causing unforeseen loss of power supply to the package plant

which could not be ameliorated by the reasonable provision and operation of standby generation facilities.

3.6.2. On any occasion where unusual weather conditions adversely affect the operation of the treatment system, all reasonably practicable means shall be used to mitigate that adverse effect.

3.7. Records and Provision of Information

3.7.1. SEPA shall be notified as soon as practicable, if unusual weather conditions, as defined by condition 3.6.1 have adversely affected the STW operations to the extent that compliance with the discharge quality standards could not be maintained.

3.7.2. In the event of the responsible person receiving notification from SEPA of a noncompliant sample, the responsible person shall notify SEPA within 14 days if any unusual weather conditions defined in condition 3.6.1 applied. The notification to SEPA shall include a full description of the said unusual weather conditions and their impact on the operation of the STW.

3.7.3. A record of maintenance work carried out shall be maintained and kept available for inspection by SEPA Officers on request.

3.8. Discharge Quality Standard

3.8.1. No instantaneous sample of the discharge shall contain more than:

100 milligrams per litre of suspended solids (measured after drying at 105°C).

3.9. Discharge Quality Standards (Two Tier)

3.9.1. Subject to condition 3.9.2 below, no instantaneous sample of treated sewage effluent shall contain more than:

35 milligrams per litre of biochemical oxygen demand (determined in the presence of excess allyl-thiourea after 5 days at 20°C);

8 milligrams per litre ammoniacal nitrogen (expressed as Nitrogen).

3.9.2. The limit for any of the parameters set out in condition 3.9.1 may be exceeded where, in any series of treated sewage effluent samples taken at regular but randomised intervals over a year (as listed in column 1 of the table at Appendix B to this licence), no more than the number of samples (as listed in column 2 of the said table) exceed the applicable limit for that parameter.

3.9.3. Notwithstanding condition 3.9.2 above, no instantaneous sample of treated sewage effluent shall contain more than:

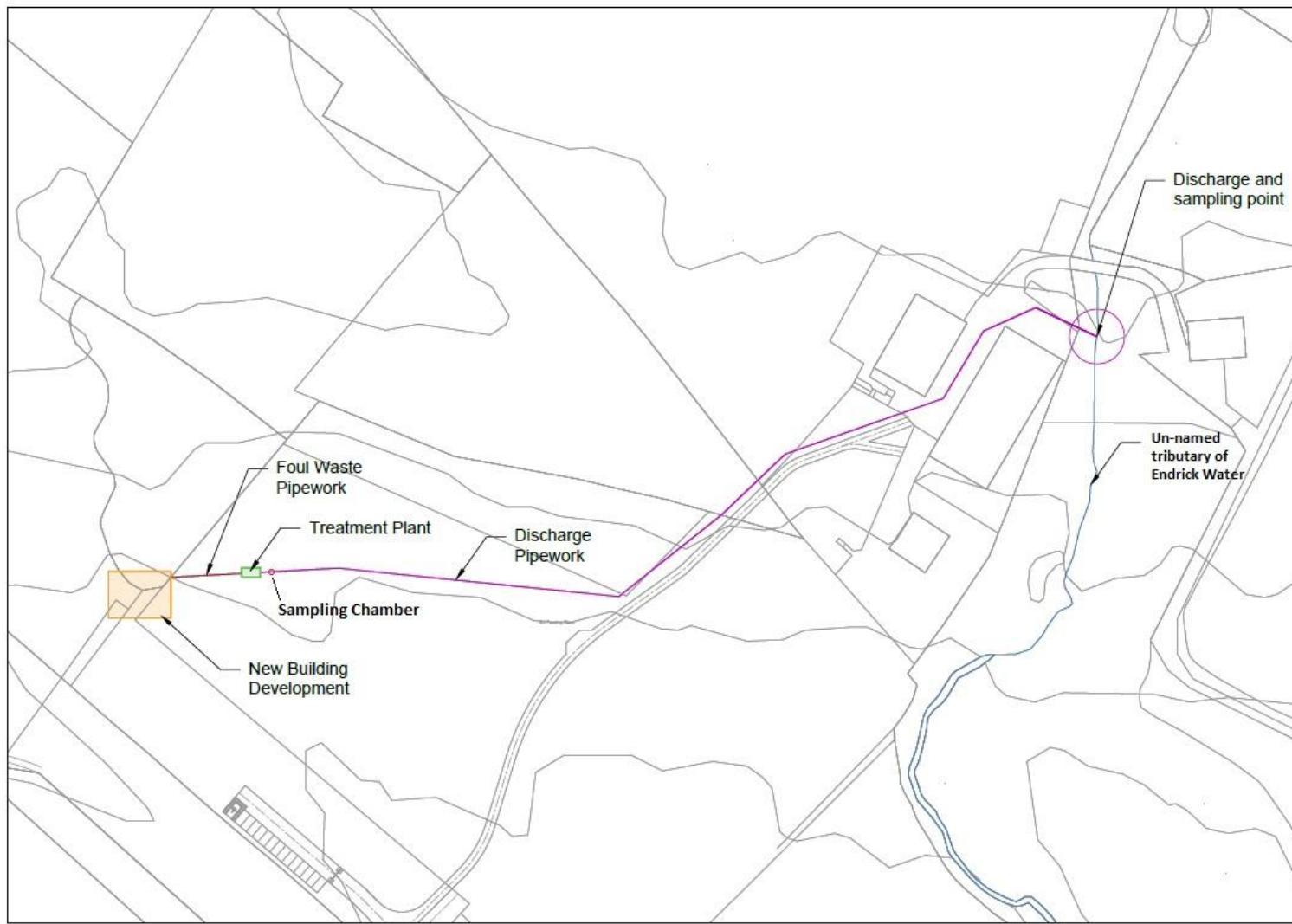
3.9.4. 70 milligrams per litre of biochemical oxygen demand (determined in the presence of excess allyl-thiourea after 5 days at 20°C);

3.9.5. 30 milligrams per litre of ammoniacal nitrogen (expressed as Nitrogen).

Licence Number: CAR/L/1189879



APPENDIX A Location of Controlled Activity



SITE PLAN AS PROPOSED 1:1250 on A3

APPENDIX B Table of Permitted Exceedences

Number of samples comprising a series in any period of 12 consecutive months	Maximum permitted number of samples which exceed the applicable limit
1–7	1
8–16	2
17–28	3
29–40	4
41–53	5
54–67	6
68–81	7
82–95	8
96–110	9
111–125	10
126–140	11
141–155	12
156–171	13
172–187	14
188–203	15
204–219	16
220–235	17
236–251	18

252–268	19
269–284	20
285–300	21
301–317	22
318–334	23
335–350	24
351–365	25

EXPLANATORY NOTES

(These explanatory notes do not form part of the licence)

The Water Framework Directive

The Water Framework Directive (WFD) is a wide-ranging piece of European environmental legislation which became law in Scotland at the end of 2003 through the Water Environment and Water Services (Scotland) Act 2003 and in April 2006 through the Water Environment (Controlled Activities) (Scotland) Regulations 2005. In March 2011, the Water Environment (Controlled Activities) (Scotland) Regulations 2005 were replaced with the Water Environment (Controlled Activities)(Scotland) Regulations 2011 (“the Regulations”, also known as CAR).

The WFD establishes a legal framework for the protection, improvement and sustainable use of the water environment across Europe by requiring member states to:

- Prevent deterioration and enhance status of aquatic ecosystems, including groundwater;
- Promote sustainable water use;
- Reduce pollution; and
- Contribute to the mitigation of floods and droughts.

The Regulations set out the regulatory framework for achieving some of the aims of the WFD in Scotland, through a regime for authorising “controlled activities”, e.g. point source discharges, abstractions, impoundments and engineering activities. They provide for three levels of authorisation, dependent on the risks associated with a controlled activity. A licence is the highest level of authorisation.

Having differing levels of authorisation allows for proportionate and cost-effective controls, so that environmental protection can be achieved whilst minimising the regulatory burden.

Water Efficiency

Regulation 5 of the Regulations imposes a general duty to use water efficiently:

"It is the duty of any person carrying out a controlled activity authorised under these Regulations to take all reasonable steps to secure efficient and sustainable water use."

For example, water efficiency could be the management of the total quantity of water abstracted from a source of supply using measures to minimise wastage, optimise use and reduce consumption.

The means of achieving this can be varied but may include good housekeeping, management systems and procedures, reusing and recycling water and the redesign of operations.

Water audits are the first step to using water efficiently. Water audits develop an understanding of the water system, enable detection of leakages and areas of water wastage and are a means of identifying opportunities for reduced water use.

Appeals

If you are aggrieved by any of the conditions of the licence or the level of authorisation, you may appeal to the Scottish Ministers. Further information on your right of appeal and the appeals procedure is contained in regulations 50 to 53 and Schedule 9 of the Regulations.

Formal notice of appeal under regulation 50(b) or (c) is to be given within three months of the date that the licence is issued. Paragraph 2 of Schedule 9 lists the documents that the appellant has to submit to the Scottish Ministers.

Subsistence Charges

An annual subsistence charge may be payable in respect of the licence in terms of the current Water Environment (Controlled Activities) Fees and Charges (Scotland) Scheme, copies of which are available from SEPA. Where a subsistence charge is payable, an invoice will be sent to you.

The charging scheme provides that it is a condition of every authorisation that the fees and charges prescribed in the scheme are paid in accordance with the scheme. Failure to pay such charges may therefore constitute an offence.

General Statutory Requirements

A licence under the Regulations does not disapply any other statutory requirements applicable to the licence holder or his/her operations, such as any need to obtain planning permission or a building warrant, or any responsibilities under legislation for health, safety and welfare in the workplace.

Contact Details for Notifications

The contact address and telephone number for notifications in terms of condition 2.3.1 and/or conditions 3.7.1/3.7.2 of the licence is as follows:

Scottish Environment Protection Agency
Carrochan
Carrochan Road
Balloch
G83 8EG

During office hours

Tel No: 0141 945 6350

Fax No: 0141 948 0006
Out of office hours and public holidays
Tel No: 0800 80 70 60

Address for Reports and Submissions

The contact address for all information to be reported or submitted in terms of condition 2.3.2 of the licence is as follows:

The Registry
Scottish Environment Protection Agency
Angus Smith Building
6 Parklands Avenue
Eurocentral
Holytown
North Lanarkshire
ML1 4WQ
registryangussmith@sepa.org.uk

SEPA Review and Variation of Conditions

The conditions of the licence will be periodically reviewed by SEPA and may be varied under regulation 22 of the Regulations as a result of that review.

Operator-Initiated Variation of Conditions

The responsible person may apply to SEPA under regulation 24 for a variation of the conditions of the licence.

Transfer of Authorisation

A responsible person may apply to transfer the licence to another person under regulation 25 by making a joint application with the other person.

Surrender of Authorisation

Where the controlled activities authorised by the licence have ceased, or it is intended that the controlled activities will cease, the responsible person may apply to SEPA to surrender the licence under regulation 27.

Suspension and Revocation of Authorisation

SEPA may at any time suspend or revoke an authorisation (in whole or in part) by serving a notice on the responsible person under regulation 29.

Enforcement Notices

Where SEPA is of the opinion that an activity

- a) has contravened, is contravening or is likely to contravene any condition of the licence or

- b) has caused, is causing or is likely to cause significant adverse impacts on the water environment or
- c) has caused, is causing or is likely to cause a direct or indirect discharge into groundwater of any hazardous substance (as determined pursuant to Schedule 2 of the Regulations) or any other pollutant

SEPA may serve an enforcement notice on the responsible person under regulation 32.

This notice will specify the steps to be taken by the responsible person which SEPA considers to be necessary or appropriate to prevent, mitigate or remedy the contravention, the impact on the environment or the discharge into groundwater.

Offences

It is an offence to carry on, or cause or permit others to carry on, any controlled activity except insofar as it is authorised under the Regulations and carried on in accordance with that authorisation.

It is an offence to fail to comply with or contravene, or cause or permit others to fail to comply with or contravene, a water use licence, including any condition imposed.

It is an offence to fail to comply with, or cause or permit others to fail to comply with, the requirements of an enforcement notice.

It is an offence to intentionally make, or cause or permit others to make, a false entry in any record required to be kept under a condition of an authorisation.

Further details on these and other offences and on penalties liable to be imposed upon conviction for an offence are provided in regulation 44 of the Regulations.

Directors, managers and other individuals within a company may be held personally liable for offences under the Regulations.

All personnel who are responsible for fulfilling any condition of the licence should be made aware of these facts.

Please note that your licence authorises you to carry out the activity or activities outlined in your application to SEPA in accordance with the licence and its conditions. Be aware, however, that any activity outwith the terms of the licence is prohibited under regulation 4 of the Regulations. Should you undertake any activity which does not conform to the terms of your licence, you may be subject to criminal proceedings in accordance with regulation 44(1)(a) and/or (d) of the Regulations. This prohibition encompasses any activity which is liable to cause pollution of the water environment. Section 20 of the Water Environment and Water Services (Scotland) Act 2003 includes definitions of "pollution" and "water environment". The statutory definition of pollution, as set out in that section, is as follows:-

"Pollution", in relation to the water environment, means the direct or indirect introduction, as a result of human activity, of substances or heat into the water environment, or any part of it, which may give rise to any harm, and "harm" means –

- a) *harm to the health of human beings or other living organisms,*
- b) *harm to the quality of the water environment, including-*
 - i) *harm to the water environment taken as a whole, ii) other impairment of or interference with, the quality of aquatic ecosystems or terrestrial ecosystems directly depending on aquatic ecosystems,*

- c) offence to the senses of human beings,
- d) damage to property, or
- e) impairment of, or interference with, amenities or other legitimate uses of the water environment.'

Population Equivalent (PE)

The discharge quality and flow conditions attached to this licence are based on a design PE of 201 as stated in the licence application.

In this context, “population equivalent” means a measure of the organic biodegradable load calculated on the basis of the maximum weekly load entering the STW during the year, excluding unusual events such as those due to high rainfall, where one population equivalent is the organic biodegradable load that has a 5-day biochemical oxygen demand (BOD5) of 60g oxygen per day.

