



# Lomond Banks

## Updated Planning Statement

On behalf of **Flamingo Land Ltd.**



Project Ref: 332010549 | Rev: C | Date: February 2023

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## Document Control Sheet

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# 1 Introduction

## Summary of Amendments

Changes to this Planning Statement (originally submitted as part of an application for Planning Permission in Principle on May 16<sup>th</sup> 2022 have been made in response to the letter from Loch Lomond and the Trossachs National Park dated 17<sup>th</sup> November 2022 which requested further supplementary information including assessment of the proposal against National Planning Framework 4 (NPF4) which is due to be adopted by the Scottish Ministers on 13 February 2023 and will form part of the Development Plan and is therefore a material consideration.

Specific changes have been made to the following sections:

- Section 1.4 - The Proposed Development
- Section 4.5 – Other Material Considerations: NPF4

## 1.1 Background

- 1.1.1 This Planning Statement has been prepared by Stantec UK Ltd (Stantec) to accompany an application for planning permission in principle (PPiP) for the erection and operation of a proposed tourism and leisure-led mixed-use development ('the proposed development') on land at West Riverside and Woodbank House, Balloch ('the site'). The PPiP application is submitted on behalf of Flamingo Land Ltd ('the applicant') to the Loch Lomond and the Trossachs National Park Authority (LLTNPA) as the relevant local Planning Authority for determination under the Town and Country Planning (Scotland) Act 1997 (as amended).
- 1.1.2 Following the previous application (ref: 2018/0133/PPP) submitted in 2018 and subsequently withdrawn prior to determination, a number of layout and design changes have been made in response to feedback from LLTNPA, consultees, and representations made by the public. The level of consultation with consultees and the public was also increased to ensure the issues highlighted in the previous application were addressed. **Table 4-2** below sets out how the development responds to the previous draft reasons for refusal.

## 1.2 Purpose of the Planning Statement

- 1.2.1 The Town and County Planning (Scotland) Act 1997 (as amended) is the 'Principal Act' which regulates land use planning matters in Scotland. All application for planning permission must be determined in accordance with the provisions of this legislation. In particular, under section 25 of this Act the determination of all planning application must be made in accordance with the statutory Development Plan applicable to the proposed site unless material considerations indicate otherwise.
- 1.2.2 The purpose of this Planning Statement is therefore to set the context and objectives for development before outlining relevant planning policies and guidance against which the application will be assessed. This statement considers how the proposed development will comply with the Development Plan including supplementary guidance, national policies and guidance and other material considerations. This planning assessment provides a robust justification for granting PPiP of the proposed development.

### 1.3 Proposed Site

- 1.3.1 The proposed site measures approximately 18.2ha of land, situated immediately north of Balloch at the southern tip of Loch Lomond. The site contains three distinct areas, known collectively for the purposes of this PPIp application as Lomond Banks:
- The West Riverside area encompasses the south-western bank of the River Leven at its confluence with Loch Lomond and extends to the eastern boundary of Drumkinnon Wood;
  - The Woodbank House area comprises the remains of the Grade A listed Woodbank House Hotel, associated structures and attendant grounds; and,
  - The 'Boathouse' area is a small area of land located on the promontory to the north of Drumkinnon Bay. The site is the site of a former boathouse for Woodbank House, and the remnants of the structure together with the associated slipway / jetty can still be seen.

### 1.4 The Proposed Development

- 1.4.1 The proposal is to create a high-quality tourism and recreation-led destination comprising hotel and holiday accommodation combined with family orientated leisure activities. Changes to the proposed uses and scale have been made in response to the letter from Loch Lomond and the Trossachs National Park dated 17<sup>th</sup> November 2022 and feedback from the wider community during the application process.
- 1.4.2 The proposed staff accommodation area immediately west of Drumkinnon Wood (previously Area 10 on Parameters Plan) has now been deleted from the proposal and is not within the application site red line boundary. This area will now not be developed and will remain as woodland. At Woodbank House the proposed 17 bothies have now been removed and will be replaced by native trees planting following removal of non-native and invasive species at this location. South of Woodbank House five lodges have also been removed.
- 1.4.3 The proposed development now comprises the erection and operation of the following:
- Refurbished tourist information building;
  - Up to 60-bedroom apartment-hotel;
  - Up to 32 bedspace budget hotel;
  - Up to 104 self-catering holiday lodges (comprised of up to 42 single story woodland lodges (Riverfront); up to 37 countryside lodges (in grounds of Woodbank House); and up to 25 woodland lodges (in grounds of Woodbank House));
  - Up to 6 self-catering holiday properties in Woodbank House ancillary buildings;
  - Restoration and redevelopment/conversion of Woodbank House for up to 15 self-catering holiday apartments (subject to other necessary constraints);
  - Leisure / pool / water park / spa;
  - Restaurants / hot food café / 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 areas;
  - Monorail;
  - Staff service and welfare accommodation (dispersed through the development);
  - Associated parking, landscaping, and infrastructure development works; and,
  - Access to be taken from the surrounding road network including Ben Lomond Way and Pier Road.
- 1.4.4 The proposed development also includes the retention of the Grade A listed Woodbank House and ancillary buildings to provide holiday accommodation. The redevelopment of the listed structures will be subject to future applications for planning and listed building consent (LBC).
- 1.4.5 As PPIp is being sought at this stage, the proposed development comprises a suite of key parameters (**Parameters Plan – Appendix A**) within which the detailed design will be confirmed at the Approval of Matters Specified by Condition (AMSC) stage of the planning process. Keeping the detailed design within these key parameters ensures the likely ‘worst case’ effects can be considered when determining the PPIp application.
- 1.4.6 A detailed description of the key parameters is also provided in Chapter 3 of the Environmental Impact Assessment Report (EIAR) Addendum submitted in support of this PPIp application. The Parameters Plan is the key plan for which PPIp is being sought by the applicant. All other plans submitted within the PPIp and EIAR Addendum application are provided for illustrative purposes only and are therefore indicative.

## 1.5 PPIp Application and Supporting Documents

- 1.5.1 A comprehensive set of assessments have been undertaken to assess the impacts of the proposal and provide LLTNPA with detailed information to assist its determination. In addition to this Planning Statement and the EIAR Addendum, the following supporting information and assessments have been submitted with the application:
- Completed planning application form (including landownership certificates and notices) and drawings (to be approved and illustrative);
  - Design and Access Statement;
  - Pre-Application Consultation (PAC) Report;
  - Transport Assessment (TA);
  - Flood Risk Assessment (FRA);
  - Drainage Strategy;
  - Topographical Survey;
  - Structural Inspection Report Woodbank House & Stables;
  - Conservation Inspection Report; and,
  - Sustainability Statement.



## The Parameters Plan

- 1.5.2 Planning permission in principle is being sought for the development parameters set out in the accompanying Parameters plan prepared by Anderson Bell & Christie (**Appendix A** is the drawing which governs the extent of development being proposed and assessed within the EIA. Should planning permission in principle be granted in due course the parameters plan should be stamped as an approved plan.

## The Indicative Masterplan

- 1.5.3 Also enclosed is an indicative masterplan for the development. This drawing shows one possible configuration of the development within the maximum parameters set in the Parameters Plan. It must be consistently referred to as an 'indicative masterplan', recognising that the development which comes forward during the detailed design and approval-of-matters stages of this planning process, may vary slightly or even considerably from that layout and yet remain within the parameters set by the parameters plan. The drawing is for illustrative purposes only to let readers see how development might be configured on the site.

## 1.6 The Applicant

- 1.6.1 The PPIp is submitted by Stantec on behalf of Flamingo Land Limited (Ltd.) which is a family-owned Scottish tourism and leisure operator trading since 1974. It has become one of the leading leisure resorts and zoo parks in the United Kingdom (UK). Woodbank House is under the sole ownership of Flamingo Land Ltd.

## 1.7 The Project Team

- 1.7.1 The wider project team involved in the PPIp application and supporting EIAR Addendum includes:
- **Stantec** – EIA & Planning Co-ordination; Planning; Noise & Vibration; Air Quality; Ground Conditions & Geology; Water, Hydrology & Flooding; Traffic & Transport; Socio Economics, Tourism & Recreation; Pre-Application Consultation (PAC);
  - **Applied Ecology** – Ecology;
  - **Julian A Morris** - Trees & Woodland;
  - **Gillespies** – Landscape and Visual Impact;
  - **Headland Archaeology** – Archaeology & Cultural Heritage;
  - **Anderson Bell + Christie Architects** – Project Architect;
  - **Tiger Bond** – Public Relations;
  - **Streets UK** - Community Engagement; and,
  - **Cowal Design** – Engineering Review.

## 1.8 Pre-Application Consultation

- 1.8.1 A programme of public consultation pursuant to the pre-application consultation requirements prescribed within Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 for all proposed 'major' developments has been undertaken.
- 1.8.2 Full details of this pre-application consultation and how it has informed the design of the proposed development is provided within a separate Pre-Application Consultation (PAC) Report. A programme of community engagement has also been undertaken as detailed within the PAC Report.

## 2 Site and Surrounding Area

### 2.1 Site Location

- 2.1.1 The PPIP application site ('the site') is located to the north of Balloch and it contains two distinct areas known respectively as West Riverside and Woodbank House, collectively referred to as 'Lomond Banks'. Old Luss Road is the interface between the two. The project boundary is defined in **Appendix 1.1** and comprises a total area of 18.2ha.

#### West Riverside

- 2.1.2 The West Riverside site is bounded by the River Leven to the east, Loch Lomond Shores and Loch Lomond to the north, Pier Road to the west and Balloch Road to the south. The West Riverside site also includes a contained area bound to the east by Ben Lomond Way and to the west by Old Luss Road.
- 2.1.3 The area surrounding West Riverside is dominated by Drumkinnon Woods. This semi-natural woodland is located southeast of the Loch Lomond Shores complex across an undulating landform is dissected by footpaths. The woodland is bounded to the west and north by roads accessing Loch Lomond Shores and the pier. Pockets of landscaped woodland, amenity areas and car parks are present in the north of the site and to the east of the Loch Lomond Shores complex.
- 2.1.4 An oil pipeline operated by INEOS runs east-west through the northern portion of the West Riverside site approximately parallel with Ben Lomond Way. The exact location is visible via pipeline markers and two fenced off areas in the north east near the junction of Ben Lomond Way and Pier Road – these are understood to be valve gear / headworks associated with the pipeline. The pipeline does not intrude into the Woodbank House area.
- 2.1.5 There are a number of existing minor roads running through the site including Pier Road and Ben Lomond Way. The site is well connected to Balloch Road from which motorists can travel onwards via the A811 Stirling Road and the A82 trunk road network.
- 2.1.6 The A82 provides the principal access route to the west of Loch Lomond, other parts of the Trossachs, Argyll and Bute and the northwest Highlands. The application site is a short, walkable distance to Balloch Train Station from where there are half-hourly services to Glasgow on the North Clyde line. The John Muir Way passes through the site and the established route can be enhanced by the development. The site is also situated close to National Cycle Route 7.

#### Woodbank House

- 2.1.7 The area known as Woodbank House comprises the remains of the house, outbuildings and gardens including estate walls. It is situated to the west of Old Luss Road and approximately 500 metres east of the A82. The remains of the Grade-A listed Woodbank House are the dominant feature within the site. The buildings are in an advanced state of disrepair as a result of a fire and subsequent dereliction. The site also contains areas of woodland and open grassland and slopes steeply upwards from Old Luss Road.

### 2.2 Site History

#### West Riverside

- 2.2.1 Available historic maps from 1864 show that the West Riverside area of the site was primarily occupied by fields and woodland (labelled as Drumkinnon Wood). 1st Edition Maps covering

1843 – 1882 show the Caledonian and Dumbarton railway line and Balloch Station present in the West Riverside site. The station was situated in the southeast of the site and the railway line follows the route of what is now Pier Road connecting Balloch Pier to the wider rail network. Throughout the history of the site various branches, sidings and infrastructure associated with the rail line were present.

2.2.2 Historic mapping from the 1900s show a sand pit located in the Drumkinnon area of the site. In the 1960s excavations labelled as Gravel Pits were present in the north-western extent of the site. The excavations encroached onto the site but were present more extensively offsite to the northwest. The excavations continued to extend throughout the sequence of maps until recent mapping showed this area as part of Loch Lomond indicating that the former excavations have been flooded and a new shoreline created which is now occupied by Loch Lomond Shore retail and leisure destination.

2.2.3 The Loch Lomond silk drying and finishing factory with associated tanks was constructed in the 1930s and was located immediately offsite to the south along with several associated outbuildings and a railway line. The factory (subsequently labelled as Works) was present on mapping until around 1992. The works and infrastructure have since been demolished and the housing estate on Clarinish Road has been constructed in its place.

### **Woodbank House**

2.2.4 Historical mapping shows the Woodbank House are to have remained largely unchanged since the first mapping (1864) when it comprised fields and woodland.

2.2.5 The only significant infrastructure that appears to have been present on the site is associated with the (now derelict) hotel and outbuildings. The buildings were labelled on maps as Woodbank, and as a hotel from around 1958.

## **2.3 The Surrounding Area**

2.3.1 As would be expected given the site's location within a National Park, it is proximate to various tourism and recreation resources/receptors, including Loch Lomond, Ben Lomond, Luss, the River Leven and Balloch itself (with particular reference to visitor-related business activity and the accommodation sector). The closest visitor attractions to the site are:

- Loch Lomond Shores, a retail and leisure development situated immediately to the north west;
- The Loch Lomond Steamship, berthed at Balloch Pier within the northern extent of the development site;
- Loch Lomond Birds of Prey Centre, located within the Loch Lomond Shores complex; and,
- Balloch Castle and Country Park are situated east of the development site across the River Leven.

2.3.2 Other visitor attractions and tourism developments are located at greater distance within Balloch and along the shores of Loch Lomond.

## 3 Proposed Development

### 3.1 Description of Development

3.1.1 The PPiP application proposes the following tourism and recreation-led mixed uses:

- Refurbished tourist information building;
- Up to 60-bedroom apartment-hotel;
- Up to 32 bedspace budget hotel;
- Up to 104 self-catering holiday lodges (comprised of up to 42 single story woodland lodges (Riverfront); up to 37 countryside lodges (in grounds of Woodbank House); and up to 25 woodland lodges (in grounds of Woodbank House));
- Up to 6 self-catering holiday properties in Woodbank House ancillary buildings;
- Restoration and redevelopment/conversion of Woodbank House for up to 15 self-catering holiday apartments (subject to other necessary constraints);
- Leisure / pool / water park / spa;
- Restaurants / hot food café / 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 areas;
- Monorail;
- Staff service and welfare accommodation;
- Associated parking, landscaping and infrastructure development works; and,
- Access to be taken from the surrounding road network including Ben Lomond Way and Pier Road.

3.1.2 As part of the PPiP application the retention of the Woodbank House listed building façade is proposed as a landmark feature. Conservation / redevelopment of Woodbank House (listed building) and attendant listed structures will be subject to future applications for planning and listed building consent.

3.1.3 The Parameters Plan (**Appendix A**) sets out the maximum extents (including height) of the proposed development for which planning permission in principle is being sought. As this is a PPiP application the volume of development may reduce to below the maximum parameters set out once the detailed design is progressed.

## 3.2 Key Characteristics

### Buildings

3.2.1 The submitted Parameters Plan (**Appendix A**) proposes five ‘Development Zones’ (Zones A, B, C, D and E). Within each zone a set of development parameters has been defined to provide flexibility in the final design and layout of buildings and infrastructure. The proposed development zones areas are as follows:

Table 3-1: Development Zones

Development Zone	Area	Land Use/Class	Floor Space/ Units
<b>Zone A – Station Square</b>	1	Brewery	1,200 sqm including 300m <sup>2</sup> pub
		Restaurant – Use Class 3	150 sqm
		Budget hotel – Use Class 7	32 bedrooms
		Amphitheatre area	Temporary tent structure
	2	Refurbished tourist office	
		Enhanced public square	
<b>Zone B – Riverfront</b>	3a	Woodland Lodges	42 lodges (max)
		Picnic, BBQ & Play Areas	
		Path Network	
	4a	Managed Woodland with SUDs	2 SUDs attenuation areas
<b>Zone C - Pierhead</b>	5	Apart Hotel & Restaurant – Use Class 7 & 3	60 bedrooms (max) 3065sqm
		Restaurant / Bar	150sqm
		Leisure pool / water Park – Use Class 11	2500sqm
		Visitor Hub	Indoor rides, storage & office uses
	6	Visitor Attraction & Car Park	
	7	Multi-User Public Realm	
<b>Zone D – Boathouse &amp; Staff Area</b>	4b	Managed Woodland Area	
	3c	Boathouse	95 sqm
	11	Buffer Zone	12m deep around dwellings at Drumkinnon Gate
<b>Zone E - Woodbank</b>	13	Heritage	Woodbank House ancillary buildings conserved and converted into 6 self-catering holiday properties
	3d	Visitor Accommodation	37 Countryside Lodges (max) 25 Woodland Lodges (max)

3.2.2 These zones and land use blocks and their associated key parameters as defined on the Parameters Plan (**Appendix A**), represent the proposed development for the purposes of the PPIp and EIAR Addendum. The siting and design of individual development components within each zone will be subject to further consideration through the submission of applications for Approval of Matters Specified by Condition (AMSC) applications after any PPIp is granted.

## Proposed Infrastructure

3.2.3 In addition, the following are proposed within the site and are detailed on the Parameters Plan:

- New car parking - 372 spaces;
- Site vehicular / boat access points (existing maintained);
- Pedestrian/cycle linkages;
- Monorail – from Station Square to Pierhead (3.5m high to 5.5m high); and,
- Monorail stations – Station Square & Aparthotel.

## Access and Parking

### Vehicular Access

- 3.2.4 The main access points to the site will be via Ben Lomond Way (existing main access point to Loch Lomond Shores) and Pier Road, and an existing albeit secondary access point to Pierhead, Maid of the Loch and slipway activities. Access to the slipway and Maid of the Loch will remain unaffected.
- 3.2.5 Pier Road will be used for access to the newly proposed car park to the west of Pier Road which is intended to cater for the land uses proposed within the Zone A Station Square. Ben Lomond Way will be promoted as the main access point to the wider site to ensure strategic and site-bound traffic is removed from the local road network as soon as practicable.
- 3.2.6 A signage and wayfinding strategy will be developed for the wider site at detailed design stage. It is expected that a combination of enhanced signage and Variable Message Signing (VMS) will need to be installed at key approaches to the site, as well as within the site, to ensure effective vehicular movement for internal destinations and appropriate directions to the relevant car parking areas.
- 3.2.7 For accommodation land uses within Zones A, B and C, arrivals and parking can be managed from point of booking when visitors will be advised of the intended arrival and check-in arrangements. It is intended that accommodation-based-visitors will be segregated from other land uses and that parking will be provided remotely from the accommodation.
- 3.2.8 There are no new internal access roads proposed to be provided. It is intended that the proposed development will be fully accessible by sustainable modes of travel with visitors encouraged to travel to the site by train and bus.

### Sustainable Travel

#### Pedestrian and Cycling

- 3.2.9 The existing pedestrian and cycle network as it exists through West Riverside will be retained and enhanced as necessary to provide full connectivity to the wider network including the John Muir Way core path as well as new internal elements of the site. Bike hire, including electric bikes, is proposed as part of the enhanced Tourist Information Office, which will further support internal movements by bike and encourage visitors to explore Balloch and the wider National Park by bike.
- 3.2.10 The internal layout requires to be developed further as part of the detailed design stages, but it is intended that the existing cycle and walking routes will be widened to Sustrans standards for shared walking and cycling, where this is practicable.

- 3.2.11 Throughout the Station Square, Riverfront and Drumkinnon areas the existing path network, including the John Muir Way, will be retained and enhanced as appropriate. The existing north-south foot and cycle paths through the Riverfront Zone will be enhanced with a series of east-west paths increasing access opportunities between Pier Road and the Riverfront area.
- 3.2.12 The existing foot and cycle way from Loch Lomond Shores to Old Luss Road will be extended to provide a shared foot and cycle way, compliant with technical standards, on the north side of the road, providing a direct walking and cycling link between the two sites.
- 3.2.13 Within the Woodbank House site it is intended to provide a continuous internal path network in accordance with Designing Streets Principles and National Roads Development Guide (NRDG) there will also be a direct foot and cycle link to the Upper Stoneydollan Road and the John Muir Way in this location.

Rail and Bus

- 3.2.14 The proposed development includes a monorail between Zone A (Station Square) and Zone C (Pierhead). This will provide better connectivity between Balloch village and Loch Lomond Shores by providing a safe, direct and convenient means of transport.
- 3.2.15 The existing bus service that operates through Loch Lomond Shore via Ben Lomond Way is presently intended to remain in operation with the proposed development, albeit discussions will be held with the operator once internal layout designs are progressed further.

**Car Parking**

- 3.2.16 As part of the PPiP application parking arrangements have been outlined as described below in **Table 3-2**.

Table 3-2: Car Parking

Location		Parking Provision
Woodbank Parking	Woodbank House	25 spaces
	Staff Parking	27 spaces
	Woodbank Lodges	81 spaces
	<b>Woodbank Total</b>	133 spaces
West Riverside Parking Space	Pierhead Accessible Parking	103 spaces
	Pierhead Woodland Parking	
	Station Square	136 spaces
	<b>West Riverside Total</b>	239 spaces
<b>Overall Total</b>		372 spaces

- 3.2.17 The above table and parameters plan indicates total parking provision of 372 new parking spaces. As the detail of the proposals progress, it is anticipated that parking locations will be re-configured to allow effective, efficient and sustainable vehicle and access operations across the shared sites. This will be form part of any detailed design applications. For the purposes of the PPiP application, it has been assumed that the development proposals demonstrate self-sufficiency with respect to vehicle parking. There is no reliance on existing spare capacity at the Loch Lomond Shores main or overspill car parks.

### Materials and Natural Resource Use

- 3.2.18 The proposed development will utilise land and construction materials including bricks, roofing tiles, cement, concrete, timber, asphalt, piping etc. Soil will be reused from onsite resources wherever practicable and seeded grass or turf will also be used for landscaping purposes.
- 3.2.19 Where possible, excavated material will (depending on type) be used to backfill excavations and for site re-profiling purposes where appropriate. It is not expected that any material would be unsuitable for re-use in this way, though in the unlikely event that such material arises it will be disposed off-site in line with relevant waste disposal regulations.

### Demolition

- 3.2.20 For the avoidance of doubt no demolition is proposed as part of the PPiP.

### Tree Felling

- 3.2.21 Targeted tree removal is proposed at the pier head area only. Following a tree survey undertaken within the Woodbank area the proposal is to remove trees unsuited for long term retention. In other parts of the site, the principle of avoidance of tree clearance is being proposed.

## 3.3 Key Operational Characteristics

- 3.3.1 Once constructed the proposed development will operate as a tourism and leisure business centred around a range of on-site visitor accommodation facilities. As shown on the Parameters Plan, proposed food and drink, retail, leisure and entertainment uses will be clustered within Zone A – Station Square and Zone C – Pierhead. Additionally, a service and staff welfare building is proposed in Zone D – Drumkinnon Wood and Bay adjacent to the existing Loch Lomond Shores overspill car park. Drumkinnon Wood contains an area of Ancient Woodland and there is no development proposed within that area.
- 3.3.2 Within the Woodbank area of the site, all proposed accommodation will be used for short term visitor/holiday purposes only. Unlike the previous application, the visitor accommodation will not create any additional pressure on social or community infrastructure.



## 4 Planning Assessment

### 4.1 Introduction

4.1.1 This chapter sets out the key planning legislation, policies and material considerations applicable to the proposed development. It also examines the proposals compatibility with National Planning Policies, the Development Plan and other material considerations. This Section explains the rationale for the proposed development, which is based primarily on the proposed development's conformity with the current Development Plan and national planning policies, and the established principle of visitor experience development on the site.

4.1.2 Consideration is given to the following matters in turn:

- Relevant Statutory Provisions;
- Relevant national policies, advice and guidance;
- Statutory Development Plan applicable to the site; and
- Other material considerations, including the National Park Plan, local planning guidance.

### 4.2 Relevant Statutory Provisions

4.2.1 The key planning legislation relevant to this proposal is:

- The Town and Country Planning (Scotland) Act 1997 as amended ('the Principal Act');
- The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as amended;
- The National Parks (Scotland) Act 2000 as amended;
- The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 as amended; and
- The Climate Change (Scotland) Act 2009.

4.2.2 Under section 25 of the Principal Act, the determination of all planning applications must be made in accordance with the statutory Development Plan unless material considerations indicate otherwise. Section 264A of the Principal Act also requires special attention to be paid to the applicable National Park Plan. Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as amended requires planning authorities to have "*special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*".

4.2.3 Section 1 of the National Parks (Scotland) Act 2000 as amended identifies the four aims of Scotland's National Parks:

- *"(a) to conserve and enhance the natural and cultural heritage of the area;*
- *(b) to promote sustainable use of the natural resources of the area;*
- *(c) to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and*
- *(d) to promote sustainable economic and social development of the area's communities".*

- 4.2.4 These aims are material planning considerations and should be achieved collectively. However, if in relation to any matter it appears to the National Park Authority that there is a conflict between the first aim, and the other National Park aims, greater weight must be given to the conservation and enhancement of the natural and cultural heritage of the area.

### 4.3 National Planning Policy

- 4.3.1 National planning policy is contained within both the National Planning Framework 3 (NPF3) and Scottish Planning Policy (SPP), both of which were published in June 2014. A Revised version of the Draft NPF4 was published on the 8th of November 2022 and is a material consideration. It is due to be adopted by Scottish Ministers on the 13th of February 2023.

#### National Planning Framework 3

- 4.3.2 The National Planning Framework for Scotland (NPF3) sets out the spatial strategy for Scotland's development. Published in June 2014, it notes that part of the vision is to have successful and sustainable places. There is also a desire to have improved transport links to facilitate growth.
- 4.3.3 NPF3 states that planning should address the development requirements of businesses and enable key opportunities for investment to be realised.
- 4.3.4 The Framework includes a strategy for development in the National Park Areas:

*Scotland's two National Parks – Cairngorms, and Loch Lomond and The Trossachs – are special places. National Park Partnership Plans provide the strategic framework for co-ordinated delivery of the four National Park aims, supporting their role as exemplars of a partnership approach to increasing sustainable economic growth and providing multiple benefits for residents, visitors and the wider Scottish economy.*

*Our National Parks are sustainable, successful places. We want to see positive planning and innovation continue to strengthen communities, encourage investment, support tourism, deliver affordable rural housing, and encourage high quality placemaking and visitor experiences. Both parks can be low carbon places, with potential for increased use of microgeneration and to support the biomass supply chain. They are also connected places, with programmed improvements to key routes including the A82 and A9, the scenic routes initiative, the development of the National Walking and Cycling Network, and other path network improvements.*

*Above all, our National Parks are natural, resilient places. We expect their exceptional environmental quality, comprising some of the very best of Scotland's nature and landscapes, to continue to form the foundations of their development plans.*

- 4.3.5 NPF3 highlights that Scotland's city regions should be the focus for investment in the future as they are the major economic drivers in the country. Within the Glasgow City Region, it notes that "The Strathleven area has significant potential for growth and regeneration". In particular sectors such as the creative industries, financial and business services, learning and life sciences are often situated in city region locations. NPF3 says that there is scope for the city regions to capitalise on new and expanding growth sectors.
- 4.3.6 There is a desire across the Glasgow City Region including Balloch for proposals which drive employment and economic development. Derelict and vacant land is identified as an opportunity for investment and that a planned approach is required to bring development forward in areas that would benefit from regeneration.
- 4.3.7 NPF3 promotes the Central Scotland Green Network (CSGN) which is a national priority. It emphasises that the remediation of derelict land and the promotion of active travel such as

walking, and cycling should be encouraged by the CSGN Trust and others. Moreover, the promotion of green infrastructure and 'greening' of the urban environment is also encouraged. NPF3 notes that well-designed green infrastructure can assist regeneration proposals.

- 4.3.8 Continued investment in infrastructure is encouraged in order to strengthen transport links within Scotland and to the rest of the world.

### Scottish Planning Policy

- 4.3.9 SPP (2014) is a material consideration that carries significant weight. It sets out the Scottish Government's expectations regarding the treatment of specific planning issues within development planning and development management. The document aims to contribute to the achievement of the Scottish Government's overarching purpose of achieving sustainable economic growth.

- 4.3.10 SPP's Principal Policy on Sustainability (paragraphs 24-35) includes a presumption in favour of development that contributes to sustainable development, which relates to the identification of the need for and acceptability of the development. To implement this policy presumption, SPP (paragraph 29) identifies 13 sustainable development principles which should guide planning policies and decisions, of which 12 are relevant to the proposed development:

- *“giving due weight to net economic benefit;*
- *responding to economic issues, challenges and opportunities, as outlined in local economic strategies;*
- *supporting good design and the six qualities of successful places;*
- *making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;*
- *supporting delivery of accessible housing, business, retailing and leisure development*
- *supporting climate change mitigation and adaptation including taking account of flood risk;*
- *improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;*
- *having regard to the principles for sustainable land use set out in the Land Use Strategy;*
- *protecting, enhancing and promoting access to cultural heritage, including the historic environment;*
- *protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;*
- *avoiding over-development, protecting the amenity of new and existing development and*
- *considering the implications of development for water, air and soil quality”.*

- 4.3.11 SPP's other Principal Policy, on Place making (paragraphs 36-57), seeks to direct new development to the right location and to encourage a design-led approach to development in order to create high quality places. SPP (under paragraph 40) states that high quality development which demonstrates the following six qualities of successful places should be supported: “Distinctive, Safe and Pleasant, Welcoming, Adaptable, Resource efficient, and

Easy to move around and beyond". These six qualities are referenced in Overarching Policy 1 – Strategic Principles within the adopted LDP.

4.3.12 Subject specific provisions within the SPP of relevance to the proposed development are outlined in **Table 4-1** below.

Table 4-1: Relevant Scottish Planning Policy (2014)

Subject Policy	Relevance
Promoting Rural Development (Paragraphs 74 – 91)	This section identifies planning principles related to sustainable rural development including “...encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality...”. The section includes a sub-section regarding planning within Scotland’s National Parks (paragraphs 84 – 86), which lists the statutory aims of National Parks (see Section 5.2 above) and notes the need for LDP’s covering National Parks to be consistent with National Park Partnership Plans (see below).
Supporting Business and Employment (Paragraphs 92 – 108)	This section highlights the need to “give due weight to net economic benefit of Proposed Development” (paragraph 93). The SPP identifies tourism as one of several key growth sectors which should be appropriately supported through development plans.
Valuing the Historic Environment (Paragraphs 135 – 151)	This section states that planning should promote the care and protection of the designated and non-designated historic environment and should take account of all aspects of the historic environment. Detailed policy provisions are set out in order to protect and enhance different types of historical assets.
Listed Buildings (Paragraph 141)	This paragraph states that “where planning permission and listed building consent are sought for development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest...”.
Gardens and Designed Landscapes (Paragraph 148)	This paragraph states that “planning authorities should protect and, where appropriate, seek to enhance gardens and designed landscapes included in the Inventory of Gardens and Designed Landscapes and designed landscapes of regional and local importance”.
Archaeology (Paragraph 150)	This paragraph states that “planning authorities should protect archaeological sites and monuments as an important, finite and non-renewable resource and preserve them in situ wherever possible”. In-situ preservation is encouraged, but in cases where this is not possible conditions or legal obligations should be used to ensure archaeological assets are recorded and analysed before development proceeds.
Valuing the Natural Environment (Paragraphs 193 - 233)	This section identifies a number of planning principles related to natural heritage protection and ecological resilience. Principles (paragraph 194) of relevance to the Proposed Development include that planning should: <ul style="list-style-type: none"> <li>■ “facilitate positive change while maintaining and enhancing distinctive landscape character;</li> <li>■ conserve and enhance protected sites and species;</li> <li>■ promote protection and improvement of the water environment...in a sustainable and co-ordinated way;</li> <li>■ protect and enhance ancient semi-natural woodland as an important and irreplaceable resource, together with other native or long-established woods, hedgerows and individual trees with high nature conservation or landscape value;</li> <li>■ seek benefits for biodiversity from new development where possible...”</li> </ul>
Protecting Designated	This paragraph requires designated areas and sites to be identified and appropriately protected through development plans,
Sites	Without the use of buffer zones. It also states that “the level of protection given to local designations should not be as high as that given to international or national designations”.

(Paragraph 196)	
Development Management Decisions (Paragraphs 202 - 203)	This section states that planning decisions “ <i>should take account of potential effects on landscapes and the natural and water environment, including cumulative effects</i> ” (paragraph 202). It further states that “ <i>planning permission should be refused where the nature or scale of proposed development would have an unacceptable impact on the natural environment</i> ” (paragraph 203). The same paragraph notes that whilst effects on statutorily protected sites will be an important consideration, this “ <i>does not impose an automatic prohibition on development</i> ”.
Non-Native Species (Paragraph 210)	This paragraph states that “ <i>where non-native species are present on site, or where planting is planned as part of a development, developers should take into account the provisions of the Wildlife and Countryside Act 1981 relating to non- native species</i> ”.
National Designations and Protected Species (Paragraphs 212 - 214)	Reflecting legislative requirements, these paragraphs identify criteria to safeguard nationally designated sites (including National Parks) and protected species from adverse effects. In relation to the protection of designated sites and protected species, these criteria have effectively been transposed into Natural Environment Policies 2-4 of the adopted Loch Lomond and the Trossachs LDP (2016).
Woodland (Paragraph 218)	This paragraph refers to and aligns directly with provisions set out in the Scottish Government’s Control of Woodland Removal Policy 2009 (see below).
Maximising the Benefits of Green Infrastructure (Paragraphs 219 - 233)	This section identifies a number of planning principles related to the protection, enhancement and promotion of green infrastructure including core paths and other important routes.
Managing Flood Risk & Drainage (Paragraphs 254-268)	This section promotes a precautionary approach to flood risk management. Where relevant, flood risk assessments and the deployment of Sustainable Urban Design (SUDs) are required (paragraph 255).
Promoting Sustainable Transport and Active Travel (Paragraphs 269-291)	This section includes a requirement for development proposals to consider traffic impacts including cumulative effects (paragraph 286).

## National Planning Advice and Circulars

- 4.3.13 National planning policy is supported by numerous Scottish Government Planning Circulars, Planning Advice Notes (PANs), Advice Sheets, Ministerial/Chief Planner Letters to Planning Authorities, as well as guidance documents prepared by Key Agencies of the Scottish Government. Annex A to Scottish Government Planning Circular 3/2013: Development Management Procedures confirms that amongst other considerations, the types of documents listed below are all potential material considerations in the determination of a planning application depending on the individual context of the case.
- 4.3.14 The following guidance and advice documents are considered to be of relevance to the proposed development and have been considered in undertaking this Planning Statement:
- SEPA Flood Risk Standing Advice for Planning Authorities and Developers (November 2020);
  - PAN 33 Development of Contaminated Land (December 2017);
  - SEPA's Development Management Guidance: Flood Risk (July 2017);
  - Scottish Government Flood Risk Planning Advice (June 2015);
  - PAN 1/2013: Environmental Impact Assessment (August 2013);
  - PAN 2/2011 Planning and Archaeology (July 2011);
  - Planning Circular 3/2011: The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011;
  - PAN 1/2011 Planning and Noise (March 2011);
  - PAN 3/2010 Community Engagement (August 2010)
  - PAN 65 Planning and Open Space (June 2008)
  - PAN 60 Planning for Natural Heritage (2000, revised January 2008);
  - PAN 81 Community Engagement (March 2007);
  - PAN 51 Planning, Environmental Protection and Regulation (Revised October 2006);
  - PAN 79 Water and Drainage (September 2006);
  - PAN 75 Planning for Transport (August 2005);
  - PAN 68 Design Statements (August 2003); and
  - PAN 61 Planning and Sustainable Urban Drainage Systems (July 2001).

## Other National Policies, Advice and Guidance

### Scotland's National Strategy for Economic Transformation 2022

- 4.3.15 The Strategy sets out the priorities for Scotland's economy as well as the actions needed to maximise the opportunities of the next decade to achieve our vision of a wellbeing economy. It sets out how, over the next ten years, how Scotland will aim to deliver economic growth that significantly outperforms the last decade, so that the Scottish economy is more prosperous,

more productive and more internationally competitive. This will be done through focused interventions, working in collaboration with businesses and other partners, building on strengths in sectors like energy, financial services, creative industries and life-sciences and carving out new strengths in technology, space and decarbonisation. Five key transformational programmes of action have been identified that can drive improvements in Scotland's economy: stimulating entrepreneurship; opening new markets; increasing productivity; developing the skills we need for the decade ahead; and ensuring fairer and more equal economic opportunities.

#### **Tourism Development Framework for Scotland 2020 (Refresh 2016)**

- 4.3.16 SPP (2014) requires Development Plans to be informed by the Tourism Development Framework for Scotland, which is also identified as a key document for planning decisions more widely. The Framework was first published in 2013 and refreshed in 2016 to align with a mid-term review of the national tourism strategy, Tourism Scotland 2020.
- 4.3.17 The Framework sets out actions to assist and promote growth in Scotland's visitor economy to 2020. It supports the implementation of Tourism Scotland 2020 and the achievement of its central target to secure annual visitor spend of between £5.5bn and £6.5bn to 2020 for overnight visitors. The Framework does this by providing guidance to development planning authorities to help secure growth in the visitor economy.
- 4.3.18 The Framework identifies the importance of the tourism economy within the LLTNP and states that "further opportunities remain around the south of the Loch at the gateway to the National Park" for hotel and other accommodation (paragraph 2.48). At paragraphs 2.54 – 2.58 the Framework defines 'resort development' as "destinations where a collection of activities, such as eating, sleeping and recreation, can be undertaken in one defined location" and confirms that such development can be situated in urban or rural locations, including within National Parks as existing key visitor destinations. The "significant economic opportunities" provided by resort development in terms of onsite rural employment, off-site supply chain benefits and the type of visitors they attract is noted within paragraph 2.55 of the Framework.

#### **Historic Environment Policy for Scotland 2019**

- 4.3.19 Historic Environment Policy (HEP) is a policy statement directing decision-making that affects the historic environment. It is relevant to a wide range of decision-making at national and local levels. It is supported by detailed policy and guidance. HEPS is a material consideration for planning proposals that might affect the historic environment, and in relation to listed building consent and scheduled monument consent.

#### **Creating Places - A Policy Statement on Architecture and Place for Scotland (2013)**

- 4.3.20 This document sets out the Scottish Government's overall policy statement on architecture and place. The document defines 'good design' as "an innovative and creative process that delivers value" and provides a detailed explanation of the six qualities of successful places which are now embedded within the SPP (2014).

#### **Designing Streets – A Policy Statement for Scotland (2010)**

- 4.3.21 Designing Streets is a policy statement for street design and marks a change in the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles.

#### **Scottish Government Control of Woodland Removal Policy (2009)**

- 4.3.22 This policy provides a national position to inform decisions on all woodland removal across Scotland. The policy includes a presumption in favour of protecting woodland, stating that



removal should only be permitted where it would achieve significant and clearly defined additional public benefits. The concept of additionality is therefore central to the application of the Policy.

4.3.23 The Policy identifies situations where:

- There is a strong presumption against removal of woodland;
- Woodland removal is acceptable without compensatory planting (CP); and
- Woodland removal is acceptable with CP.

4.3.24 The Policy requires consideration of any need for CP as part of a judgement regarding the acceptability of woodland removal, rather than as a separate issue or automatic presumption.

4.3.25 Consequently, if significant net additional public benefit can be demonstrated from a development proposal involving woodland removal without compensatory planting, there is no policy requirement for compensatory planting to then be provided (whether on a like-for-like or other basis).

4.3.26 Annex C of the Policy specifies acceptability criteria for demonstrating significant net additional public benefit either in the absence of, or with, CP. The criteria regarding acceptability in the absence of CP include benefits derived from land use change (whether or not the intended direct result of a development proposal) as well as other environmental and public safety factors.

4.3.27 The policy is supported by implementation guidance (March 2015) for Forestry & Land Scotland staff. This document notes that the need for any compensatory planting should be minimised and that compensatory planting “*should be seen as the final option once all other solutions have been exhausted*”.

## 4.4 Development Plan

4.4.1 The current statutory Development Plan applicable to the site of the proposed development comprises the Loch Lomond and the Trossachs Local Development Plan 2017 – 2021 (“the LDP”), which was adopted by LLTNPA in December 2016, and associated adopted Supplementary Guidance. The timescales for the next LDP have been revised and the current LDP will remain in place until 2024 to ensure the next LDP aligns with the new Planning Act.

4.4.2 The LDP is split into four distinct sections (and appendices), of which Sections 2 – Vision, Section 3 – Place and Section 4 - Policies are of relevance.

### Section 2 – Vision

4.4.3 The LDP’s vision is focused on conservation, visitor experience and rural development. Of relevance to the proposed development, it calls for “a high quality, authentic experience for visitors, with many opportunities to appreciate and enjoy the natural and cultural heritage within an internationally renowned landscape that compares to the best on offer around the world”. The LDP’s Development Strategy Map (page 17) identifies Balloch as one of eight locations for “Strategic Tourism Opportunities”, reflecting its role as a visitor destination and gateway to the National Park.

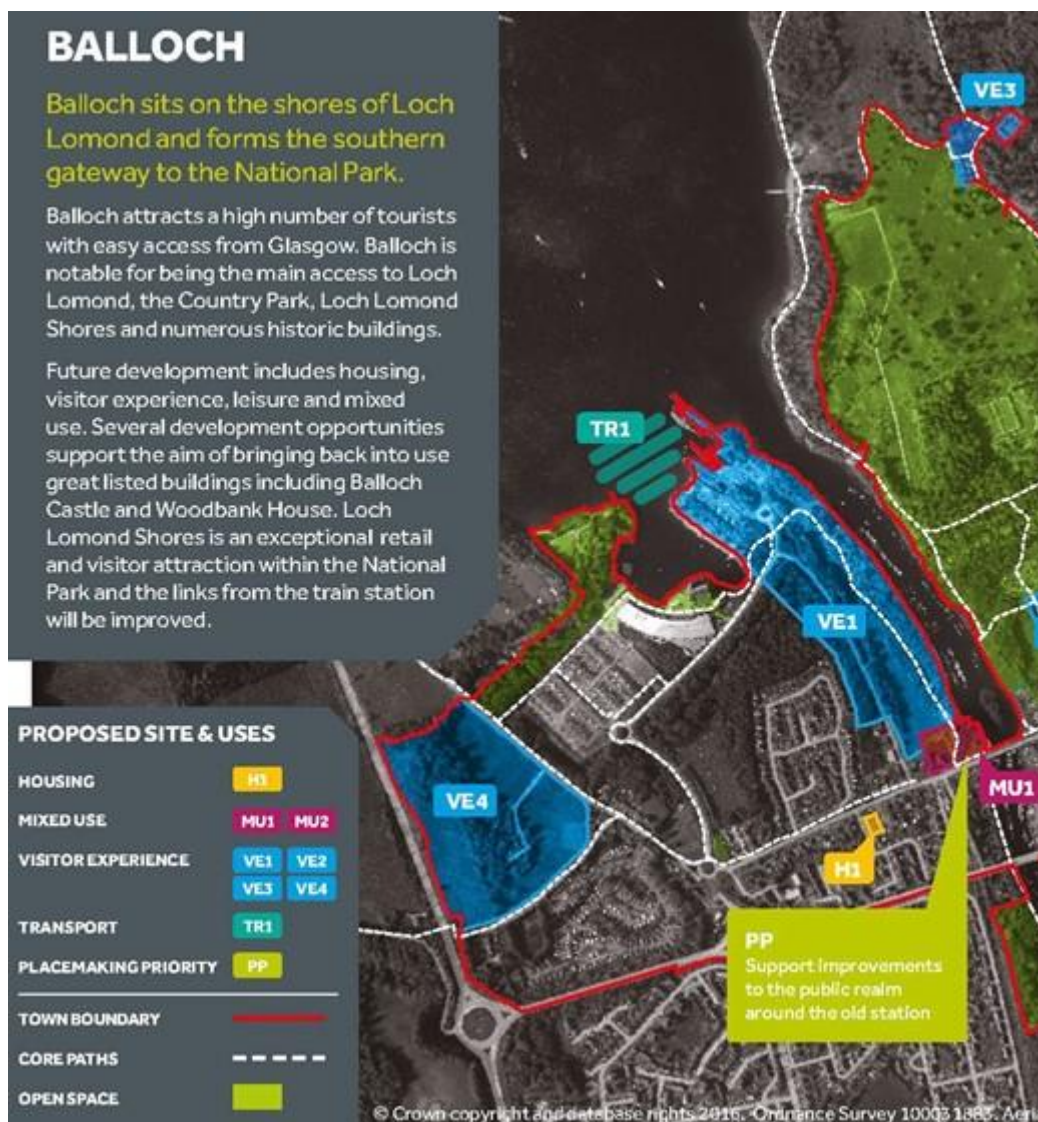
### Section 3 – Place

4.4.4 This section sets out a spatial strategy for the LLTNP area, including land use allocations for each defined settlement. The following land use allocations in Balloch are of relevance:

- Balloch VE1: West Riverside – allocated for visitor experience related uses. This allocation covers the eastern part of the proposed site;
- Balloch VE4: Woodbank House – allocated for visitor experience related uses. This allocation covers the proposed site, Woodbank House and attendant grounds;
- Balloch MU1: The Old Station – allocated for mixed use (visitor experience and transport) uses. This allocation is located immediately south east of the proposed site; and
- Open Space – The promontory to the north of Drumkinnon Bay is allocated for Open Space uses. The proposed boathouse equipment store is located in this area.

4.4.5 The extent of the allocations mentioned here are shown in below, **Figure 4-1**, an extract from the LDP.

Figure 4-1: Extract from LDP for Balloch



## Section 4 – Policies

- 4.4.6 This section of the LDP sets out three overarching policies which apply to all development proposals, followed by a suite of subject specific policies. The most relevance policy is Visitor Experience Policy 1, which at criterion (a) provides support for proposals forming a strategic tourism opportunity within Balloch.
- 4.4.7 Other policies within the adopted LDP of particular relevance to the proposed development are outlined in **Table 4-3** Particular attention is given to Overarching Policies 1 – Strategic Principles and 2 – Development Requirements as these set the framework within which all environmental and wider planning issues will be assessed through individual subject policies.

### 4.5 Other Material Considerations

- 4.5.1 Other material considerations of relevance to the proposed development are the Loch Lomond & The Trossachs National Park Partnership Plan (2018 – 2023) and the revised version of the Draft National Planning Framework 4 (NPF4) which is due to be adopted on the 13th of February 2023.

#### National Park Partnership Plan

- 4.5.2 All planning decisions within the LLTNP area require to be guided by the policies of the National Park Partnership Plan where relevant to ensure that decisions are consistent with the National Park’s statutory aims.
- 4.5.3 The National Park Partnership Plan (NPPP) 2018-2023 is an important material consideration in the determination of this PPIp application. It is framed around three thematic vision statements, 13 outcomes and numerous related priorities for the LLTNP. All three identified themes, Conservation and Land Management, Visitor Experience and Rural Development, are relevant to the proposed development. Many of the identified outcomes are also relevant:
- Outcomes 1, 2 and 3 seek to conserve and enhance the National Park’s natural resources, special qualities, and sense of place, whilst better mitigating and adapting to climate change;
  - Outcomes 5 – 9 seek to enhance recreational opportunities of all kinds and enjoyment within the National Park, deliver a thriving visitor economy, and protect and enhance environmental quality, community life, health and wellbeing; and
  - Outcomes 10 – 12 seek to enhance the National Park’s towns and villages through investment, strengthen and diversify the rural economy, realise sustainable business growth, and retain a larger skilled young and working age population.
- 4.5.4 To monitor its implementation, the NPPP it lists 14 targets for the LLTNP area over the period to 2023, of which the following are relevant to the proposed development:
- Increase the value of the visitor economy from 2016 STEAM baseline of £340m;
  - Increase the proportion of people reporting a good quality experience of the National Park’s settlements and landscapes;
  - Reduce the proportions of people arriving in or exploring within the National Park by car and increase the proportion exploring by foot, water and bike, all from 2015/16 Visitor Survey baseline levels; and
  - Increase from 2016 baseline of 44% to 59% of water bodies achieving at least good ecological condition.

### Revised Draft National Planning Framework 4 (NPF4)

- 4.5.5 On the 8th of November 2021, Scottish Ministers published the revised version of Draft NPF4. NPF4 will, for the first time, incorporate Scottish Planning Policy and will take on enhanced status as part of the statutory development plan. NPF4 will have a longer time-horizon, fuller regional coverage and improved alignment with wider programmes and strategies. It is due to be adopted by Scottish Ministers on the 13th of February 2023 and thereby a material consideration for the assessment of the proposal. The conformity of the proposed development with NPF4 is assessed in detail in **Table 4-2** below.

Table 4-2: Relevant National Planning Framework 4 Policy (2022)

NPF4 Policy Title	Summary	Conformity
Policy 1 (Tackling the climate and nature crisis)	This policy states that development proposals should be considered against the global climate and nature crises, considering the just transition, conserving assets and rural revitalization.	<p>Whilst the proposal is not at the detailed design stage, the applicant is committed to ensuring that the proposals will meet the required standards for sustainable design, materials and infrastructure including energy and heating requirements to ensure the construction and operation of the proposed development will meet the Scottish Government's net zero targets and commitment to tackling the biodiversity / nature crisis.</p> <p>A Sustainability Statement is included with the planning application.</p>
Policy 2 (Climate mitigation and adaptation)	This policy seeks to minimise emissions associated with development and ensure that places are more resilient to the impacts of climate change.	
Policy 3 (Biodiversity)	<p>This policy seeks to enhance biodiversity by strengthening nature networks and implementing nature-based solutions.</p> <p>Policy 3(a) requires that development proposals contribute to the enhancement of biodiversity and restore degraded habitats.</p>	<p>Chapter 6 of the EIAR Addendum provides an assessment of the likely significant effects on trees and woodland within and in close proximity to the site.</p> <p>Only trees and planting of local provenance will be delivered on site – adding to the biodiversity value of the area. As part of the detailed design, a landscape and planting strategy will be developed to present detailed enhancement measures to be undertaken.</p> <p>Chapter 5 of the EIAR and Appendix 5.1 of EIAR Addendum Volume 2 provides a habitat assessment of the likely significant effects on species and habitats within and in close proximity to the proposed development.</p> <p>As the current planning application is seeking permission in principle, further ecology surveys will likely be required at the detailed design stage (depending on timing). The specified mitigation measures for badgers, otters, red squirrel, bats and nesting birds will be required to be implemented in advance of any construction.</p> <p>Moreover, a shadow Habitats Regulations Assessment (HRA) has also been produced, which following the</p>

NPF4 Policy Title	Summary	Conformity
<p>Policy 6 (Forestry, woodland and trees)</p>	<p>This policy seeks to ensure that development proposals enhance and improve woodland and tree cover. It highlights that where any woodland is removed, compensatory planting will most likely be expected to be delivered.</p>	<p>implementation of appropriate mitigation measures, concludes there will be no significant effects on any Natura 2000 sites.</p> <p>Chapter 6 of the EIAR Addendum provides an assessment of the likely significant effects on trees and woodland within and in close proximity to the site.</p> <p>Tree felling is only proposed at the pierhead area of the proposal, to make room for the pierhead element of the proposed development. This is set to occur on an area of low value immature woodland. Otherwise, there is no significant felling proposed at West Riverside or Woodbank House.</p> <p>Additional planting including compensatory planting, in lieu of the pierhead, is proposed by the applicant at West Riverside and Woodbank and it is expected that this will be secured via planning conditions having regard to the outline planting plans contained in the Design and Access Statement and as shown on the Indicative Masterplan. Non-native and invasive species north of Woodbank House will be removed and replaced by only native species.</p>
<p>Policy 7 (Historic assets and places)</p>	<p>This policy seeks to protect and enhance the historic environment and bring redundant or neglected historic buildings back into sustainable and productive uses.</p> <p>Policy 7 (m) highlights that development proposals will be supported where they sensitively repair, enhance, and bring historic buildings, as identified as being at risk locally or on the national Buildings at Risk Register, back into beneficial use.</p>	<p>Within the Site, the Category A listed building Woodbank House with Garden Building and stables have been assessed for potential direct and setting effects.</p> <p>There will be no demolition of any of the listed buildings and attendant structures within the Woodbank House Area. It is proposed to reuse the A Listed former hotel and associated and bring them back into a viable use as self-catering holiday accommodation and thereby prevent further deterioration of the fabric of these buildings. The buildings are on the LLTNPA's Vacant and Derelict Land Register and the Buildings at Risk register.</p> <p>The proposals will directly support this policy and a detailed Listed Building Consent (LBC) application will</p>

NPF4 Policy Title	Summary	Conformity
		be required in due course for assessment by LLTNPA in consultation with Historic Environment Scotland (HES) before any works can take place.
Policy 9 (Brownfield, vacant and derelict land and empty buildings)	<p>This policy seeks to encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings, ensuring that development is directed to the right locations (maximising the use of existing assets and minimising additional land take).</p> <p>Moreover, it seeks to ensure that derelict buildings and spaces are regenerated to improve wellbeing and transform places.</p>	<p>There will be no demolition of any of the listed buildings and attendant structures within the Woodbank House Area. It is proposed to reuse the A Listed former hotel and associated and bring them back into a viable use as self-catering holiday accommodation and thereby prevent further deterioration of the fabric of these buildings. The buildings are on the LLTNPA's Vacant and Derelict Land Register and the Buildings at Risk register.</p> <p>The proposals will directly support this policy which seeks to secure the conversion and reuse of redundant buildings and a detailed Listed Building Consent (LBC) application will be required in due course for assessment by LLTNPA in consultation with Historic Environment Scotland (HES) before any works can take place.</p> <p>The land at West Riverside (encompassing the pierhead, amenity areas, car parking and Lomond Shores) and Woodbank House (comprising the remains of the house, outbuildings and gardens including estate walls) is a sustainable location for the proposed development and comprises a mix of brownfield and vacant land in proximity to the current facilities at Lomond Shores.</p>
Policy 12 (Zero waste)	This policy seeks to encourage, promote, and facilitate development that is consistent with the waste hierarchy.	This application is for planning permission in principle. Details of waste management will be dealt with in subsequent detailed applications. A contractor will be appointed prior to operation and the required levels of bin provisions and recycling facilities will be agreed prior to any detailed application.
Policy 13 (Sustainable transport)	This policy seeks to encourage, promote, and facilitate development that prioritises walking, wheeling, cycling and public transport for travel and reduce the need to travel unsustainably.	The proposed developments proximity to Balloch town centre and associated public transport services (such as the train and bus); the John Muir Way core path and the National Cycle Route will also reduce reliance on

NPF4 Policy Title	Summary	Conformity
	<p>Policy 13(c) highlights that where development proposals are likely to generate an increase in the number of person trips, a transport assessment will be required to be undertaken.</p> <p>Policy 13(e) states that proposals which are “ambitious in terms of low car parking will be supported”. Policy 13 (f) notes that proposals for travel generating uses will be required to monitor travel patterns resulting from the development and be accompanied by a Travel Plan.</p>	<p>non-sustainable models of transport. This accessibility is one of the factors that make the location one of the few within the National Park capable of supporting and accommodating a tourism-led development of this nature.</p> <p>The proposed development will enhance the existing paths within the area, in terms of width and surfacing in some areas. It also seeks to connect with the John Muir Way core path at various points.</p> <p>Visitors to the proposed development will be encouraged to use sustainable modes of transport. For example, cars will be permitted to park at the West Riverside holiday lodges and a shuttle bus service will be provided. The Outline Travel Plan measures are set out in the enclosed Transport Assessment which provides further information in this regard.</p> <p>A Transport Assessment has been prepared to accompany the planning application. Given the inherently sustainable location of the proposed development, a key operational aspect will be to promote and encourage sustainable transport behaviour and reduce reliance on private vehicles as a means to access the area.</p>
<p>Policy 14 (Design, quality and place)</p>	<p>This policy seeks to encourage, promote, and facilitate well designed development that makes successful places by taking a design-led approach.</p> <p>It highlights that proposals should be designed to improve the quality of an area and be consistent with the six qualities of successful places: healthy, pleasant, connected, distinctive, sustainable, and adaptable.</p>	<p>Whilst the proposal is not at the detailed design stage, the applicant is committed to ensuring that the proposals will meet the required standards for sustainable design, materials and infrastructure including energy and heating requirements.</p> <p>The land at West Riverside (encompassing the pierhead, amenity areas, car parking and Lomond Shores) and Woodbank House (comprising the remains of the house, outbuildings and gardens including estate walls) is a sustainable location for the proposed development and comprises a mix of brownfield and vacant land in proximity to the current facilities at Lomond Shores.</p>



NPF4 Policy Title	Summary	Conformity
		<p>The proposals are also well connected to Balloch town centre and its services including train and bus. The proposed development also seeks to enhance connections with the John Muir Way core path and the National Cycle Route and reduce the reliance on non-sustainable modes of transport.</p> <p>Moreover, the high-quality design and layout of the proposal, and over time the compensatory tree planting, will further integrate the proposed development into the semi-rural landscape and reduce its visual influence on the landscape.</p>
Policy 20 (Blue and green infrastructure)	This policy seeks to both protect and enhance blue and green infrastructure, ensuring that they form an integral part of design and that communities can benefit from accessible, high-quality blue, green and civic spaces.	<p>The proposals seek to improve access to blue and green infrastructure assets across / adjacent to the site, including areas of open space, woodland, the River Leven, and Loch Lomond.</p> <p>Whilst the proposal is not at the detailed design stage, the applicant is committed to ensuring that the proposals will deliver appropriate blue-green infrastructure on site.</p>
Policy 22 (Flood risk and water management)	This policy seeks to strengthen resilience to flood risk. Policy 22(c) notes that development proposals must not increase the risk of surface water flooding and manage all rain and surface water through sustainable drainage systems.	<p>Chapter 10 of the EIAR Addendum provides an assessment of the likely significant effects on the water environment including surface water and drainage.</p> <p>A Drainage Strategy has been proposed to avoid and minimise likely significant effects from surface water and wastewater. Other mitigation measures include:</p> <ul style="list-style-type: none"> <li>• Adherence to relevant national guidance, legislation and good practice in construction methods;</li> <li>• Adherence to a Construction Environmental Management Plan (CEMP) including a Pollution Prevention Plan (PPP) and monitoring of activities on the Site to ensure compliance;</li> <li>• The use of construction phase Sustainable Drainage Systems (SUDs);</li> </ul>

NPF4 Policy Title	Summary	Conformity
		<ul style="list-style-type: none"> <li>• An Environmental Clerk of Works (ECoW) will supervise the construction works to ensure compliance with the CEMP and PPP;</li> <li>• Permanent surface water drainage network incorporating SUDs to ensure efficient levels of treatment and attenuation of surface water discharges from site; and</li> <li>• Routing of construction discharges through at least three levels of SUDs to ensure that water quality of high sensitivity receptors is not adversely affected.</li> </ul> <p>Moreover, a Flood Risk Assessment (FRA) has been submitted with the PPIp application that assesses the likely significant effects on the water environment.</p> <p>In terms of flood risk, the proposed development zones are located outwith the floodplain as identified in the FRA. The minimum finished floor levels of any buildings will be above the maximum flood level estimated for the 1 in 200 year plus climate change event.</p>
Policy 23 (Health and safety)	This policy seeks to protect people and places from environmental harm, mitigate risks arising from safety hazards, and encourage development that improves health and wellbeing. In doing so, proposals will be supported that improve health and address health inequalities.	<p>The proposed development is inherently supportive of improving health and wellbeing – providing an enhanced space for leisure and recreation, as well as improving key public routes and access.</p> <p>Whilst the proposal is not at the detailed design stage, the applicant is fully committed to ensuring that the proposals will meet the required health and safety standards, both in terms of human safety and environmental health.</p>
Policy 29 (Rural development)	<p>This policy seeks to encourage rural economic activity, whilst ensuring that the distinctive character of the rural area and the service function of small towns, natural assets and cultural heritage are safeguarded and enhanced.</p> <p>Policy 29(a) highlights that development proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy will be supported.</p>	<p>The land at West Riverside and Woodbank House is a sustainable location for the proposed development and comprises a mix of brownfield and vacant land in proximity to the current facilities at Lomond Shores. The proposals also ensure the safeguarding and enhancement of the natural environment and seek to bring redundant heritage assets back into productive use.</p>

NPF4 Policy Title	Summary	Conformity
	<p>Policy 29(b) notes that development proposals in rural areas should be suitably scaled, sited, and designed to be in keeping with the character of the area.</p>	<p>The proposals are well connected to Balloch town centre and its services including train and bus. The proposed development also seeks to enhance connections with the John Muir Way core path and the National Cycle Route and reduce the reliance on non-sustainable modes of transport.</p> <p>Moreover, the high-quality design and layout of the proposal, and over time the compensatory tree planting, will further integrate the proposed development into the semi-rural landscape and reduce its visual influence on the landscape.</p> <p>Above all, the proposals seek to stimulate the economy of the National Park by encouraging sustainable tourism and providing employment opportunities for those living in nearby villages and towns.</p>
<p>Policy 30 (Tourism)</p>	<p>This policy seeks to encourage, promote, and facilitate sustainable tourism development which benefits local people, is consistent net zero and nature commitments, and inspires people to visit Scotland.</p> <p>Policy 30(a) notes that development proposals for new and extended tourist facilities or accommodation, in locations identified in the LDP, will be supported.</p> <p>Policy 30(b) highlights that proposals for tourism development will take into account a variety of factors, including contribution to the local economy, compatibility with the surrounding area, impacts on communities, opportunities for sustainable travel and access to the natural environment.</p>	<p>It is an identified strategic tourism opportunity in Balloch as shown in the LDP Development Strategy Map.</p> <p>The proposed development is in a sustainable tourism location. Its proximity to the existing tourism and leisure offer at Lomond Shores will both enhance and complement the experiences provided at this location.</p> <p>Its proximity to Balloch town centre and associated public transport services (such as the train and bus); the John Muir Way core path and the National Cycle Route will also reduce reliance on non-sustainable models of transport.</p>

### LLTNP Register of Vacant & Derelict Land

- 4.5.6 The National Park Authority have identified 10 vacant and derelict land (VDL) sites within the National Park. One of these is located at Woodbank House and the VDL register, 2019, notes that the site has been allocated in the LDP for Visitor Experience (VE4) in order to secure its return to active use.

### Buildings at Risk Register

- 4.5.7 Woodbank House and Woodbank House Stables are both on the Buildings at Risk register with separate listings. The most recent update for the House from March 2020 confirms:

*External inspection finds the ruined house in much the same condition as seen previously. Deterioration continues at pace. Further roof and masonry loss at south wing. Chimneys appear very unstable. Vegetation and tree growths growing throughout. Grounds strewn with debris and overgrowth. Remains At Risk*

- 4.5.8 The Stables, also inspected in March 2020 is reported as follows:

*13 March 2020: External inspection finds the stables in much the same condition as seen previously. Deterioration continues at pace. Tree and vegetation growths are taking hold. Some evidence of vandalism in litter and graffiti throughout. Further masonry loss. Remains At Risk.*

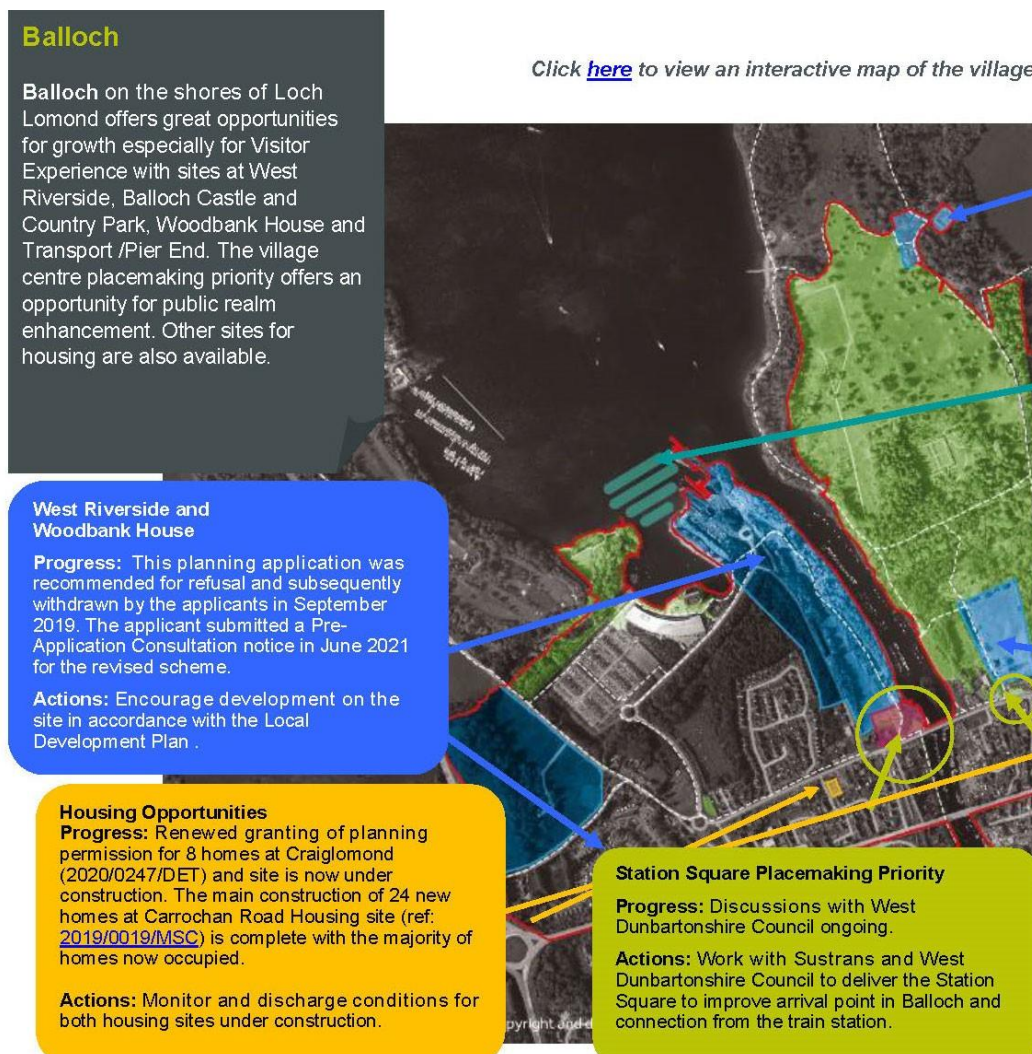
### LLTNP Action Programme

- 4.5.9 The National Park Action Programme is produced by the National Park Authority and the most recent update is from November 2021. The introduction to the Action plan notes that:

*This Action Programme accompanies the Local Development Plan (the Plan) and identifies the actions needed to implement and deliver the development proposals (allocated sites), strategic growth areas and placemaking priorities contained within the Plan.*

- 4.5.10 The Action Programme then goes on to identify specific actions for areas allocated with the LDP. For Balloch, it includes the following diagram which sets out the objectives for the application site.

Figure 4-2: Extract from LDP Action Programme Showing Application Site (Blue box text)



4.5.11 The Action Programme is clear in that it will encourage development on the site in accordance with the LDP. The proposals' conformity with the LDP is demonstrated in **Table 4-3** below.

## 4.6 Assessment of Proposed Development

### Changes from Previous Application

4.6.1 The previous application for development of the Lomond Banks Site (ref: 2018/0133/PPP) was submitted in 2018 and was withdrawn by the applicant prior to its determination by LLTNPA. The National Park Authority Board Report (September 2019) contained 5 draft reasons for refusal. These are set out in the table below along with summary comments on the changes made to address the issues.

Table 4-3: How the Development Responds to Previous Draft Reasons for Refusal

Reason	Text	Response
1	<p>The scale and height of the proposed development at the Pierhead (along with the loss of tree canopy cover within Drumkinnon Wood) would result in adverse impacts on:</p> <ul style="list-style-type: none"> <li>▪ The Special Landscape Qualities of The National Park and in particular on localised views in and around Loch Lomond Shores, Balloch Castle Inventory Garden and Designed Landscape, Cameron House and the southern approach to Drumkinnon Bay on Loch Lomond;</li> <li>▪ The setting of the Category A Listed Drumkinnon Bay Winch House including Slipway and on important views from within and to Balloch Castle Inventory Garden and Designed Landscape; and</li> <li>▪ The recreational and visitor experience within the immediate and close vicinity to the Pierhead.</li> </ul>	<p>Substantial revisions have been made to the preliminary design and parameters for the pierhead development, specifically to address the criticisms set out in the draft reason for refusal. These include:</p> <ul style="list-style-type: none"> <li>▪ Substantial reduction in overall height and footprint in order to address concerns around visual and landscape impact including important views. (See EIA LVIA chapter);</li> <li>▪ Increased separation to the Category A listed winch house (see EIA heritage Chapter); and</li> <li>▪ Preservation and enhancement of the recreational and visitor experience close to the pierhead including maintenance of access at all times, including to the beach at the north of the proposed pierhead building improved setting and additional choice of activities (See design &amp; Access Statement.</li> </ul>
2	<p>The proposed lodges and reception buildings within Drumkinnon Wood would result in an unacceptable loss, deterioration and fragmentation of ancient woodland habitat.</p>	<p>No development is now proposed in Drumkinnon Wood. The reception building and the lodges have been removed from this area.</p>
3	<p>The application has not demonstrated that there will be no adverse impacts on the character or integrity of the Category A Woodbank House and associated outbuildings.</p>	<p>The proposals at Woodbank House have been substantially revised, including omission of all private housing, firm proposals for restoration and reconstruction of the house and attendant structures to provide self-catering visitor accommodation. The proposals are assessed in the Heritage Chapter of the EIA Report.</p>
4	<p>The demolition of Woodbank House “Agricultural Building”, which is protected under the existing Listing of Woodbank House, would result in the unacceptable loss of a building of special interest, and it has not been demonstrated that the building is not capable of repair.</p>	<p>This is no longer proposed, the building will be rebuilt and repurposed.</p>
5	<p>The information submitted has not demonstrated that the enabling development proposed is the minimum necessary to secure the long-term future of the Listed Buildings at Woodbank.</p>	<p>No enabling development is proposed. As above, all private residential development has been removed from the proposals.</p>

4.6.2 Taking on board the feedback from LLTNPA, key stakeholders, consultees and the representations received from the public, the revised proposal are considered to be fully acceptable in Policy Terms (see below). Furthermore, the results of the public consultation as

set out in the PAC report confirm an overwhelmingly positive response to the new proposals. This has been achieved by a combination of the following:

- Wide ranging and positive targeted engagement programme prior to the application which has engaged with local residents, local businesses and key stakeholders;
- Correction of many misconceptions that were prevalent at the time of the previous application. These included the development being a 'theme park' or 'fairground resort' of some description, or that the proposal included wide scale 'destruction' of important ecological features. It was demonstrably not the case that any of these negative aspects were proposed at the time of the last application, however the misinformation has now been clarified in the preapplication consultation period; and
- A perceptible change in the public outlook on development in Balloch, such that the principle of development, previously at issue, is no longer a material consideration for many people. The focus is now on the detail of the application including public access, design, traffic & transport, economic development, sustainability, and ecology. The EIAR Addendum included with this application includes significant detail on all of the topics and should be read in conjunction with the parameters plan and the Design & Access Statement.

### Conformity with the Development Plan

- 4.6.3 This Statement demonstrates that in relation to the identified planning matters, the proposed development accords with the Development Plan and that there are no material considerations which indicate that planning permission should not be granted. Under Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) the determination of planning applications must be made in accordance with the statutory Development Plan unless material considerations indicate otherwise. Therefore, the conformity of the proposed development with the Development Plan is a very important consideration in favour of a positive determination of the planning application.

### Principle of the Proposed Development

- 4.6.4 As noted above in Sections 4.4.4 to 4.4.5 the majority of the proposed development is allocated for Visitor Experience (VE) or Mixed use (MU) purposes in the adopted LLTNPA LDP 2017 - 21. The small area of the site that is Open Space, on the promontory to the north of Drumkinnon Bay is proposed for development purposes compatible with Open Space Policy 2, as noted in **Table 4-4** below. The principle of a tourism and leisure led mixed use proposal at Lomond Banks is therefore established by the LDP and in accordance with the Action programme (see para 4.5.10 above) the principle of the proposed development is supported and encouraged by the LLTNPA.
- 4.6.5 Following the principle of the proposal being established, it is important that the proposal is also assessed for its conformity with relevant LDP policies and also current Supplementary Guidance and Planning Guidance. The conformity of the proposals is assessed in detail in **Table 4-4** below.

Table 4-4: Assessment against Relevant LDP Policies

LDP Policy Title	Summary	Conformity
<p>Overarching Policy 1 - Strategic Principles</p>	<p>Sets out principles linking the LDP with the Scottish Planning Policy (SPP, 2014). All proposals should demonstrate their accordance with relevant principles, including:</p> <ul style="list-style-type: none"> <li>▪ Collective achievement of the four statutory National Park aims and implementation of the National Park Partnership Plan;</li> <li>▪ Contributing to sustainable development and climate change mitigation, including through sustainable design;</li> <li>▪ Prioritising the reuse of brownfield and vacant land;</li> <li>▪ Prioritising place making, including in street design;</li> <li>▪ Increasing connectivity, especially to public transport and key destinations, and providing safe access;</li> <li>▪ Open space provision that is <i>“high quality, appropriate to the needs of the local community, integrated to the development and provide links to the wider green network”</i>;</li> <li>▪ <i>“Minimising adverse impacts on water, air and soil quality”</i>;</li> <li>▪ <i>“Addressing climate change impacts”</i>;</li> <li>▪ <i>“Avoiding significant flood risk”</i>;</li> <li>▪ <i>“Relating well to the landscape context and setting”, including in terms of cultural heritage and local built form”</i>; and</li> <li>▪ <i>“Incorporating appropriate soft and hard landscaping, a planting scheme, and measures to protect existing trees and other landscape features”</i>.</li> </ul>	<p>The EIAR Addendum and other supporting documents submitted addresses these criteria. Whilst the proposal is not at the detailed design stage, the applicant is committed to ensure the detailed proposals will meet the required standards for sustainable design, materials and infrastructure including energy and heating requirements to ensure the construction and operation of the development will meet the Scottish Governments Net Zero Carbon targets. A sustainability Statement is included with the application prepared by Third Energy Ltd.</p> <p>The land at West Riverside and Woodbank House is a sustainable location for the proposed development and comprises a mix of brownfield and vacant land in close proximity to the current facilities at Lomond Shores. It is also well connected to Balloch town centre and its services including train and bus. The proposals also seek to enhance connections with the John Muir Way core path and the National Cycle Route and reduce the reliance on non-sustainable modes of transport.</p>



LDP Policy Title	Summary	Conformity
<p>Overarching Policy 2 - Development Requirements</p>	<p>Provides high level design and environmental assessment criteria to assess all proposals, including the following of relevance to the PPIp application for the proposed development:</p> <ul style="list-style-type: none"> <li>▪ <i>“Safeguard visual amenity and important views, protect and/or enhance rich landscape character, and features and areas specifically designated for their landscape values at any level;</i></li> <li>▪ <i>avoid any significant adverse impacts of: flooding, noise/vibration, air emissions/ odour/fumes/dust, light pollution, loss of privacy/sunlight/daylight;</i></li> <li>▪ <i>protect and/or enhance the character, appearance and setting of the historic environment;</i></li> <li>▪ <i>protect and/or enhance the biodiversity, geodiversity, water environment, sites and species designated at any level...including ancient and semi- natural woodland, green infrastructure and habitat networks;</i></li> <li>▪ <i>support Active Travel choices where possible...and transport infrastructure;</i></li> <li>▪ <i>provide safe road access and appropriate parking provision;</i></li> <li>▪ <i>promote understanding and enjoyment (including recreation) of the special qualities of the area by the public including safeguarding access rights;</i></li> <li>▪ <i>achieve a high-quality design and layout, provide a positive sense of place, and compliment local distinctiveness; and</i></li> <li>▪ <i>adaptable for the changing needs of future users, designing for extreme weather, fulfil disabled requirements, support new businesses, training/jobs for local people and a mix of uses/tenures...”.</i></li> </ul>	<p>Within the EIAR Addendum, the proposed development has been assessed in relation to the likelihood of significant effects on the following aspects of the environment:</p> <ul style="list-style-type: none"> <li>▪ Ecology;</li> <li>▪ Trees &amp; Woodland;</li> <li>▪ Noise;</li> <li>▪ Air Quality;</li> <li>▪ Ground Conditions &amp; Geology;</li> <li>▪ Flood Risk and Drainage;</li> <li>▪ Landscape &amp; Visual;</li> <li>▪ Traffic &amp; Transport;</li> <li>▪ Archaeology &amp; Cultural Heritage; and</li> <li>▪ Socio-economic, Tourism, Recreation &amp; Public Access.</li> </ul> <p>Within each EIAR Addendum chapter, and taking account of embedded and additional mitigations, it was determined that the proposal did not have a significant adverse impact on the site and surrounding area in terms of ecology, woodland, noise, air quality, ground conditions, flood risk, transport, and cultural heritage. The Landscape and Visual Impact Assessment (LVIA) concluded there will be minimal impact once the proposed development is in operation and matures into the surrounding area and landscape. The aim has been to ensure the proposal is not visually intrusive with significant preliminary design work having been carried out for the pierhead development in tandem with the LVIA. The proposed lodges are located within and making a positive contribution to the woodland at West Riverside. The redevelopment of Woodbank House will be a significant positive from a landscape and visual perspective.</p>
<p>Overarching Policy 3 - Developer Contributions</p>	<p>Sets out the circumstances in which development contributions will be sought in respect of proposals, including for infrastructure upgrades required to make the proposal acceptable in planning terms.</p>	<p>Should developer contributions be requested they will depend on the scale, location, and particular circumstances of the development and only where effects cannot otherwise be mitigated. The Policy allows collection of contributions for purposes including open space, infrastructure and placemaking priority improvements (public realm improvements). It is considered unlikely at this juncture that contributions will be required given the significant positive contribution that the development will make to the area on land allocated for this specific purpose.</p>

LDP Policy Title	Summary	Conformity
Visitor Experience Policy 2 - Delivering a World Class Visitor Experience	Requires tourism development proposals to enhance the visitor experience of the National Park.	<p>The proposed development is an identified strategic tourism opportunity in Balloch as shown in the LDP Development Strategy Map.</p> <p>The proposed development is in a sustainable location. Its close proximity to the current tourism and recreation offer at Lomond Shores will both enhance and complement the experiences provided at this strategic location. Its close proximity to Balloch town centre and its services including train and bus; the John Muir Way core path and the National Cycle Route will also reduce reliance on non- sustainable modes of transport. This accessibility is one of the factors that make the location one of the few within the National Park suited to accommodating a tourism led development of this scale. The enclosed Transport Assessment provides further commentary on this.</p>
Transport Policy 2 - Promoting Sustainable Travel and Improved Active Travel Options	Sets out criteria requiring proposals to contribute positively to <i>“encouraging safe, sustainable travel and improving active travel options”</i> throughout the National Park.	<p>The proposed development will enhance existing path networks within the area.</p> <p>The proposed development seeks to connect with the John Muir Way at various locations. In some locations, the applicant will provide improvements of the existing route in terms of width and surfacing. Informal access to the uses along the River Leven will be maintained and enhanced to ensure ongoing accessibility for the uses along the riverfront including the boat clubs.</p> <p>Its proximity to Balloch town centre and its services including train and bus; the John Muir Way and the National Cycle Route will reduce reliance on non-sustainable modes of transport.</p> <p>Visitors will be encouraged to use sustainable modes of transport and there will be no cars permitted to park at the West Riverside holiday lodges for example and a shuttle service will be provided for visitors. The travel plan measures are set out in the enclosed transport assessment and relevant EIA chapter.</p>
Transport Policy 3 - Impact Assessment and Design Standards of New Development	Requires large-scale proposals to be supported by a Transport Statement and Travel Plan, and to implement any identified appropriate mitigation, in order to minimise adverse traffic effects. The policy also sets out design related assessment criteria to ensure that proposals satisfy relevant technical standards and contribute to place making in the National Park.	A Transport Assessment (including an Outline Travel Plan) has been prepared to accompany the planning application. Given the inherently sustainable location of the proposed development, a key operational aspect will be to promote and encourage of sustainable transport behaviour and reduce the reliance on vehicles as means of transport to the area.
	Requires proposals to protect the defined Special Qualities (SQ) of the LLTNP. In this regard proposals must <i>“be sympathetic to their setting and minimise visual impact”</i> .	The Landscape and Visual Chapter (11) of the EIAR Addendum provides an assessment of the likely significant effects from the proposed development on the landscape, views and visual amenity.

LDP Policy Title	Summary	Conformity
<p>Natural Environment Policy 1 - National Park Landscapes, seascape and Visual Impact</p>		<p>During construction there will be direct and indirect adverse effects on the landscape within the site and its immediate setting. Within 1km of the site, there will also be indirect adverse effects on the quality of the views both within and into/out of the National Park. Taken together, these direct and indirect effects will be medium in scale and moderate in significance. They will, however, be short-term and temporary. They are also in the southernmost part of the National Park, in an area which has been influenced by proximity to Balloch and the presence of visitor attractions and facilities, including the Loch Lomond Shores development.</p> <p>During the operational phase, significant adverse long-term landscape effects will only be experienced very locally within the southernmost part of the National Park. Development at Pierhead will alter the character of the existing landscape and will be visible across the open waters of the loch. The high-quality design and layout of the proposal and over time the compensatory tree planting will further integrate the proposed development into the wider landscape and reduce its visual influence on the landscape.</p> <p>The introduction of the proposed development at Station Square will result in a significant beneficial effect. A cluster of new buildings of coherent architectural style and massing will strengthen the quality of Station Square and improve it as a gateway to the National Park and the Highlands.</p> <p>The restoration of Woodbank House and enhancement of its setting will improve the current appearance of the Site. Lodges are not out of character with the area and there are several developments of this type.</p> <p>Woodland lodges in the existing clearings between Drumkinnon Woods and the River Leven at the riverfront, will alter the visual character of the site but it will be of equal quality and in keeping with the current landscape. In addition, they will be well screened by existing woodland and substantial additional planting.</p> <p>Similarly, the redevelopment of the boathouse will not have an effect on the landscape and visual character of its location.</p>
<p>Natural Environment Policy 2 - European</p>	<p>In line with European legislative requirements, this policy sets out criteria to protect SPAs and SACs from significant adverse effects relating to the integrity and conservation objectives of each designated site.</p>	<p>The ecology assessment within the EIAR Addendum (Chapter 5 and appendices) has considered the likely effects of the Proposed Development on the Important Ecological Features (IEFs). The following SAC and SSSI designations are proximate to the proposed site and the impact of the development on them has been assessed:</p>

LDP Policy Title	Summary	Conformity
Sites - Special Areas of Conservation (SAC) and Special Protection Areas (SPA)		<ul style="list-style-type: none"> <li>Endrick Water SAC is Designated and protected under international legislation. The potential impact on the SAC and its designation will be from night-time light disturbance, which could reduce the survival or breeding success of species associated with the SAC. No new lighting near the watercourse and SAC is proposed by the development. Therefore, there will be no significant impact on the SAC. This is confirmed by the enclosed Shadow Habitats Regulation Assessment (HRA).</li> </ul>
Natural Environment Policy 3 - Sites of Special Scientific Interest, National Nature Reserves and RAMSAR Sites	Requires development affecting these nationally designated sites to either result in an overall <i>“enhancement”</i> to the designation, not have an adverse effect on its conservation objectives or integrity, or otherwise demonstrate that <i>“adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance”</i> .	The ecology assessment within the EIA Addendum (Chapter 5) provides an assessment on the likely significant effects on Boturich Woodland SSSI. There will be increased pressure on the SSSI from recreational use and this could result in a decrease in the quality and extent of the habitat. With no development in this area though the likely adverse impact is considered to be low and therefore there will be no significant impact on the SSSI.
Natural Environment Policy 4 - Legally Protected Species	Affords protection to all legally protected species from adverse effects, unless criteria protecting the conservation status of the species, the absence of alternatives and the demonstration of <i>“public health, public safety or other imperative reasons of overriding public interest, including those of a social or economic nature”</i> are satisfied.	<p>The Ecology Chapter 5 of the EIA Addendum and Appendix 5.1 of EIA Addendum Volume 2 provides a habitat assessment of the likely significant effects on Protected Species within and in close proximity of the proposed development. Protected species have been identified within the development areas of the site, however mitigation and design is also proposed to ensure that no significant effects will occur on these species.</p> <p>Pre-construction species surveys will be carried out for all relevant habitat within 100m of construction. If necessary, licences will be sought for any relevant setts discovered as a result of this.</p> <p>Site induction for construction personnel will include a site briefing provided by the appointed ECoW regarding species, and the identification of shelters and protection. The briefing will also emphasise the importance of protection of key habitats such as woodland.</p> <p>Design and installation of a wildlife-friendly night lighting scheme especially for bats will restrict the use of lighting to only those areas where it is strictly needed, using timers and low-level pillar lighting wherever possible to ensure dark corridors are maintained for use by nocturnal and crepuscular animals. Lighting wavelengths should be kept within the frequencies advised by the Bat Conservation Trust for use in areas with high bat activity.</p> <p>Notwithstanding the above as the current application is for planning permission</p>

LDP Policy Title	Summary	Conformity
		<p>in principle, further ecological surveys may be required at the detailed design stage (depending on timing) and the specified mitigation measures for badgers, otters, red squirrel, bats and nesting birds will be required to be implemented in advance of any construction.</p>
<p>Natural Environment Policy 5 - Species and Habitats</p>	<p>Sets out criteria to protect habitats and species identified in the National Park Biodiversity Action Plan from unacceptable adverse impacts. Also requires consideration of effects on ecological functions and the continuity and integrity of species and habitats. Compensatory and management measures are required where adverse effects are predicted.</p>	<p>The Ecology Chapter 5 of the EIAR Addendum and Appendix 5.1 of EIAR Addendum Volume 2 provides a habitat assessment of the likely significant effects on species and habitats within and in close to the proposed development.</p> <p>As the current application is for planning permission in principle, further ecological surveys may be required at the detailed design stage (depending on timing) and the specified mitigation measures for badgers, otters, red squirrel, bats and nesting birds will be required to be implemented in advance of any construction.</p> <p>A shadow Habitats Regulations Assessment has also been prepared, which following the implementation of appropriate avoidance and mitigation measures, concludes that there will be no significant effects on any Natura 2000 sites.</p>
<p>Natural Environment Policy 6 - Enhancing Biodiversity</p>	<p>Requires proposals to enhance biodiversity by protecting, managing and enhancing natural landscape, wildlife, wildlife habitat, habitat networks and green corridors. The policy also encourages the planting of native species.</p>	<p>The Tree and Woodland Chapter 6 of the EIAR Addendum assessment of the likely significant effects on trees and woodland within and in close proximity to the proposed development.</p> <p>Only native trees and planting of local provenance will be delivered on site. This will add to the biodiversity value of the area. As part of the detailed design, a landscaping and planting strategy will be submitted. In addition, a Biodiversity Management Plan will also be submitted to present detailed enhancement measures to be undertaken.</p>
<p>Natural Environment Policy 8 - Development Impacts on Trees and</p>	<p>Sets out criteria to protect against the loss or deterioration of loss of ancient or long- established plantation or semi-natural woodland. Development proposals resulting in the loss of woodland which contributes to local amenity, character and/or are of nature conservation value or historic significance will not be supported. The policy refers to the Scottish Government's Control of Woodland Removal Policy in relation to woodland removal and compensatory planting requirements.</p>	<p>The Tree and Woodland Chapter 6 of the EIAR Addendum assessment of the likely significant effects on trees and woodland within and in close proximity to the proposed development.</p> <p>Tree felling is only proposed at the pierhead area, to make room for the pierhead development. This is set to occur on an area of low value immature woodland. Otherwise, there is no significant felling proposed at West Riverside or Woodbank House. Additional planting including areas of compensatory planting, in lieu of the pierhead, is proposed by the applicant and it is expected that this will be secured by planning condition having regard to the outline planting plans contained in the Design &amp; Access Statement and shown on the Indicative Masterplan:</p>

LDP Policy Title	Summary	Conformity
Woodlands		<ul style="list-style-type: none"> <li>▪ West Riverside Area – All works to take place outside identified root protection zones from detailed tree survey thereby avoiding direct impacts on trees, including RPZs to achieve a layout within the constraints of the trees, new tree planting proposed;</li> <li>▪ Pierhead - all trees removed - major change, but a lower sensitivity area as trees not yet mature and sits in urbanised context. Effects mitigated through compensatory planting elsewhere on site;</li> <li>▪ Car parking on Pier Road – root friendly engineering solutions to be implements to allow car parking;</li> <li>▪ Staff Accommodation area – High sensitivity within LEPO area, but no works proposed in this area. Low sensitivity elsewhere and impacts mitigated through detailed design based on full tree survey work to BS5837;</li> <li>▪ Woodbank - High sensitivity area overall esp. within LEPO area. Impacts expected to be beneficial as a result of sensitive placement of structures within woodland and use of root friendly foundations / low impact services as necessary. Beneficial impact as a result of clearance of Invasive and Non- native Species (INNS), new planting and removal of category U trees as part of woodland management plan;</li> <li>▪ Drumkinnon Wood - High Sensitivity area outside the boundaries of the development site with no direct impacts, woodland preserved including public access; and,</li> <li>▪ Station Square - Low sensitivity area with limited tree cover proposed for new civic plaza and commercial units.</li> </ul>
Natural Environment Policy 9 - Woodlands on or Adjacent to Development Sites	Requires proposals which may affect trees or woodland to comply with British Standard 5837:2012.	<p>Chapter 5 Ecology and Chapter 6 Trees and Woodland of the EIAR Addendum assess the likely significant effects on woodland within and in close proximity to the proposed development.</p> <p>Full compliance with the embedded mitigation and implementation of additional construction phase mitigation and operational phase enhancement, significant residual ecological effects associated with the Proposed Development will be limited. The compensation and enhancement measures will reduce residual construction phase impacts to being significant at only the Site level.</p> <p>In addition, development will be required to meet the requirements of BS 5837: 2012 – Trees in Relation to Design, Demolition and Construction. At the detailed design stage a site plan will be submitted to show the required tree protection measures that will need to be in place before any construction starts on site.</p>

LDP Policy Title	Summary	Conformity
<p>Natural Environment Policy 11 - Protecting the Water Environment</p>	<p>Requires proposals not to have a significant adverse effect on the water environment.</p>	<p>Chapter 10 of the EIAR Addendum provides an assessment of the likely significant effects on the water environment including surface water and fluvial hydrology (including flooding); water quality; drainage; groundwater; water supplies; and wetlands from the Proposed Development has been carried out. Mitigation measures have been proposed to avoid and minimise likely significant effects on the water environment. These include:</p> <ul style="list-style-type: none"> <li>▪ A buffer for construction activity within a 5m of waterfronts;</li> <li>▪ Adherence to relevant national guidance, legislation and good practice in construction methods;</li> <li>▪ Adherence to a Construction Environmental Management Plan (CEMP) including a Pollution Prevention Plan (PPP) and monitoring of activities on the Site to ensure compliance;</li> <li>▪ The use of construction phase Sustainable Drainage Systems (SUDs);</li> <li>▪ An Environmental Clerk of Works (ECoW) will supervise the construction works to ensure compliance with the CEMP and PPP;</li> <li>▪ Permanent surface water drainage network incorporating SUDs to ensure efficient levels of treatment and attenuation of surface water discharges from site;</li> <li>▪ All Proposed Development located outwith the functional floodplain and the minimum finished floor levels of buildings on the Site will be above the maximum flood level estimated for the 1 in 200 year plus climate change event; and</li> <li>▪ Routing of construction discharges through at least three levels of SUDs to ensure that water quality of high sensitivity receptors is not adversely affected.</li> </ul>
<p>Natural Environment Policy 12 - Surface Water and Wastewater Management</p>	<p>Requires proposals to connect to public sewers where available.</p>	<p>Chapter 10 of the EIAR Addendum provides an assessment of the likely significant effects on the water environment including surface water and drainage; A Drainage Strategy has been proposed to avoid and minimise likely significant effects from surface water and wastewater. Other mitigation measures include:</p> <ul style="list-style-type: none"> <li>▪ Adherence to relevant national guidance, legislation and good practice in construction methods;</li> <li>▪ Adherence to a Construction Environmental Management Plan (CEMP) including a Pollution Prevention Plan (PPP) and monitoring of activities on the Site to ensure compliance;</li> <li>▪ The use of construction phase Sustainable Drainage Systems (SUDs);</li> <li>▪ An Environmental Clerk of Works (ECoW) will supervise the construction works to ensure compliance with the CEMP and PPP;</li> </ul>

LDP Policy Title	Summary	Conformity
		<ul style="list-style-type: none"> <li>▪ Permanent surface water drainage network incorporating SUDs to ensure efficient levels of treatment and attenuation of surface water discharges from site; and,</li> <li>▪ Routing of construction discharges through at least three levels of SUDs to ensure that water quality of high sensitivity receptors is not adversely affected.</li> </ul>
Natural Environment Policy 13 - Flood Risk	Requires compliance with the SPP (2014) Flood Risk Framework.	<p>A Flood Risk Assessment (FRA) has been submitted with the PPiP application that assesses the likely significant effects on the water environment.</p> <p>In terms of flood risk, all of the proposed development zones are located outwith the functional floodplain as identified in the FRA. The minimum finished floor levels of any buildings will be above the maximum flood level estimated for the 1 in 200 year plus climate change event.</p>
Natural Environment Policy 16 - Land Contamination	Requires proposals on or close to known or suspected contamination to be supported by an appropriate risk assessment.	<p>An assessment of the likely significant effects on ground conditions resulting from the Proposed Development is provided in Chapter 9 of the EIAR Addendum. It also assesses the effects from potential contamination within the site.</p> <p>No potentially significant contamination was encountered within soil samples recovered from soils at Woodbank House and to the west of Pier Road or South of Ben Lomond Way. Elevated concentrations of heavy metals were encountered within made ground soils to the east of Pier Road and North of Ben Lomond Way. These are likely to be associated with the former railway land and offsite dye works. Remediation is likely to comprise of localised excavation of contaminated soils and / or capping with clean material to present a barrier between contamination and receptors. In the case of proposed buildings or areas of hardstanding, the barrier will be integral to the design of the new development.</p> <p>Ground gas monitoring east of Pier Road and north of Ben Lomond Way showed concentrations of carbon dioxide and methane in exceedance of trigger values. The design of buildings in these areas may require the inclusion of gas protection measures. No gas protection measures will be required within the rest of the site.</p> <p>Groundwater samples confirmed the presence of slightly elevated concentrations of heavy metals in some boreholes. The concentrations encountered are considered not likely to pose a significant risk to the sensitive water environment receptors of Loch Lomond and River Leven.</p>



LDP Policy Title	Summary	Conformity
		<p>At the detailed design stage, further area-specific site investigations will quantify the potential sources of contamination and inform the design of the any required remediation / mitigation measures.</p>
<p>Historic Environment Policy 1 - Listed Building</p>	<p>Criterion (b) restricts the demolition of listed buildings. Criterion (c) seeks to limit enabling development to the minimum level required and ensure it is sensitively designed.</p>	<p>Within the Site, the Category A listed building Woodbank House with Garden Building and stables have been assessed for potential direct and setting effects. Beyond the Site boundary, four further designated heritage assets are assessed for setting effects including: Drumkinnon Pier, Winch House including Slipway (Category A), Balloch Castle, Balloch Castle (Inventory Garden and Designed Landscape), and Balloch Castle, earthwork (Scheduled Monument).</p> <p>There will be no demolition of any of the listed buildings and attendant structures within the Woodbank House Area. It is proposed to reuse the A Listed former hotel and associated and bring them back into a viable use as self-catering holiday accommodation and thereby prevent further deterioration of the fabric of these buildings.</p> <p>As noted in Section 4.5 the buildings are on the LLTNPA's Vacant and Derelict Land Register and also the Buildings at Risk register.</p> <p>The proposals will directly support this policy and a detailed Listed Building Consent (LBC) application will be required in due course for assessment by LLTNPA in consultation with Historic Environment Scotland (HES) before any works can take place.</p>
<p>Historic Environment Policy 3 - Wider Built Environment and Cultural Heritage</p>	<p>Sets out criteria to protect buildings or feature of architectural and/or historical merit or of cultural significance.</p>	<p>Beyond the Site boundary, four further designated heritage assets are assessed for setting effects including: Drumkinnon Pier, Winch House including Slipway (Category A), Balloch Castle, Balloch Castle (Inventory Garden and Designed Landscape), and Balloch Castle, earthwork (Scheduled Monument).</p> <p>Embedded mitigation and enhancement measures have been considered, and additional mitigation measures are proposed as necessary to minimise the potential impacts of the Proposed Development.</p> <p>Taking into account the implementation of mitigation and enhancement measures, there are no likely adverse direct or setting effects upon the historic environment arising from the Proposed Development. The proposals at Woodbank are beneficial.</p>

LDP Policy Title	Summary	Conformity
Historic Environment Policy 4 - Gardens and Designed Landscapes (GDL)	Requires proposals not to adversely impact on GDL character, important views or wider landscape setting.	Beyond the Site boundary, Balloch Castle Garden and Design Landscape was assessed with Chapter 13 of the EIAR Addendum for effects on its setting. With the implementation of mitigation and enhancement measures, there are no predicted likely adverse direct or setting effects upon GDL of Balloch Castle arising from the Proposed Development.
Historic Environment Policy 5 – Conversion and Re-Use of Redundant Buildings	Requires proposals for the conversion and reuse of “ <i>buildings of vernacular quality and local historic and/or architectural interest</i> ” to demonstrate the building is structurally sound and that conversion would not involve significant “ <i>rebuilding or new building elements</i> ”.	<p>There will be no demolition of any of the listed buildings and attendant structures within the Woodbank House Area. It is proposed to reuse the A Listed former hotel and associated and bring them back into a viable use as self-catering holiday accommodation and thereby prevent further deterioration of the fabric of these buildings.</p> <p>As noted in Section 4.5 the buildings are on the LLTNPA's Vacant and Derelict Land Register and also the Buildings at Risk register.</p> <p>The proposal supports this policy to which seeks to secure the conversion and reuse of redundant buildings. A detailed Listed Building Consent (LBC) application will be required in due course for assessment by LLTNPA in consultation with Historic Environment Scotland (HES) before any works can take place.</p> <p>No buildings within the site are proposed for demolition.</p>
Historic Environment Policy 6 - Scheduled Monuments and Other Nationally Important Archaeological Sites	Sets out criteria to protect these national heritage assets and their setting.	<p>Beyond the Site boundary, Balloch Castle, earthwork Scheduled Monument was assessed within Chapter 13 of the EIAR Addendum for effects on its setting.</p> <p>With the implementation of mitigation and enhancement measures, there are no predicted likely adverse direct or setting effects upon the Scheduled Monument at Balloch Castle arising from the Proposed Development.</p> <p>In terms of archaeology, the Site is considered to be of medium archaeological potential for unknown archaeological remains. Potential impacts upon unknown archaeological deposits can be addressed through a staged programme of archaeological works undertaken as a post-determination planning condition of this PPiP application.</p>
Historic Environment Policy 7 – Other Archaeological Resources	Requires development proposals to retain, protect and preserve in-situ and in an appropriate setting any archaeological resources affected by the proposal.	The Site is considered to be of medium archaeological potential for unknown archaeological remains. Potential impacts upon unknown archaeological deposits can be addressed through a staged programme of archaeological works undertaken as a post-determination planning condition of this PPiP application.

LDP Policy Title	Summary	Conformity
Historic Environment Policy 8 – Sites with Unknown Archaeological Potential	Requires development proposals on sites considered to have significant archaeological potential to be supported by an archaeological evaluation of the site, with appropriate archaeological mitigation then implemented.	The Site is considered to be of medium archaeological potential for unknown archaeological remains. Potential impacts upon unknown archaeological deposits can be addressed through a staged programme of archaeological works undertaken as a post-determination planning condition of this PPI application.
Open Space Policy 2 - Protecting Other Important Open Space	Sets out criteria to protect formal and informal open spaces in public or private ownership. Proposals need to demonstrate that any affected open space “is not of community value and has no other multifunctional purposes such as cultural, historical, biodiversity or local amenity value”. Where open space is affected, alternative provision and alignment with nature conservation management objectives is also required.	<p>All formal and informal open spaces will remain accessible for the wider community. None of the proposed holiday accommodation will have any areas of private ground and all areas of open space areas will be accessible to members of the public via formal and informal paths and connections.</p> <p>The proposed boathouse and equipment storage area on the promontory to the north of Drumkinnon Bay is located within an area of open space that is protected under this policy. To that end we note that the principle of development for this purpose at this location was previously assessed during the course of the previous application and considered to be acceptable in the Board report of September 2019 at para 8.2.18:</p> <ul style="list-style-type: none"> <li>▪ <i>“It is proposed to erect a boathouse for storage and water-based recreation purposes within this area. The site comprises a small area of woodland edge adjacent to the lochshore. Although it is informal open space, it does make an important contribution to the character of the wider area. The site is however very small in relation to the wider open space allocation, and it is not considered that the siting of the boathouse would adversely impact upon its overall local value. Furthermore the proposed recreational use would complement the use of the wider open space by facilitating access to the water and providing water recreation opportunities. With appropriate mitigation the proposals would not result in any adverse issues relating to the nature conservation of the wider site. The principle of a boathouse is therefore not considered to be contrary to Open Space Policy 2.”.</i></li> </ul>
Waste Management Policy 1 - Waste Management Requirement for new Developments	Requires suitable waste management provision to be incorporated into proposals.	This application is for planning permission in principle. Details of waste management will be dealt with in subsequent detailed applications. A contractor will be appointed prior to operation and the required levels of bin provisions and recycling facilities will be agreed prior to any detailed application.

## LDP Supplementary Guidance

- 4.6.6 A number of Supplementary Guidance (SG) documents were published following the adoption of the LLTNP LDP in 2016. The SGs relevant to the proposed development are:

### Design & Placemaking 2018

- 4.6.7 The Design & Placemaking SG provides siting and design guidance to ensure that all development proposals, including specifically “holiday park developments” are of high quality. In doing so the document identifies a range of detailed urban and environmental considerations for proposals in the National Park.
- 4.6.8 Whilst the proposal is not at the detailed design stage the applicant is committed to ensuring the detailed proposal will meet the required design and placemaking standards using sustainable design, materials and infrastructure including energy and heating requirements to ensure the construction and operation of the development will be an exemplar development in terms of its design, form, and function.
- 4.6.9 The land at West Riverside and Woodbank House is a sustainable location for the proposed development and comprises a mix of brownfield and vacant land near the current facilities at Lomond Shores. It is also well connected to Balloch town centre and its services including train and bus. The proposals also seek to enhance connections with the John Muir Way core path and the National Cycle Route and reduce the reliance on non-sustainable modes of transport.

### Developer Contributions 2018

- 4.6.10 The Development Contributions SG identifies where developer contributions are likely to be sought by the LLTNPA in respect of proposals, depending on their scale, location, predicted impact and particular circumstances.
- 4.6.11 As stated in **Table 4-3**, should developer contributions be requested they will depend on the scale, location and particular circumstances of the development and only where effects cannot otherwise be mitigated. The Policy allows collection of contributions for purposes including open space, infrastructure and placemaking priority improvements (public realm improvements). It is considered unlikely at this juncture that contributions will be required given the significant positive contribution that the development will make to the area on land allocated for this specific purpose.

## LDP Planning Guidance

- 4.6.12 In addition to statutory SGs, the adopted LDP is also supported by a number of non-statutory Planning Guidance (PG) documents. The following approved PG documents are relevant to the proposed development:

### Listed Buildings and Conservation Areas Planning Guidance

- 4.6.13 This sets out assessment criteria for proposals in the grounds of listed buildings, including the protection of key views and landscape setting.
- 4.6.14 The PPIp has assessed the impact of the proposal on key heritage assets with and out with the proposed site. The redevelopment of the A-Listed Woodbank House and its attendant structures is a significant positive effect as it is in poor condition and now on the LLTNPA register of vacant and derelict land as well as the Buildings at Risk register. Its conversion to holiday accommodation will require an additional Listed Building Consent (LBC) application in due course.

### Visitor Experience Planning Guidance

- 4.6.15 This PG defines different types of tourism accommodation and infrastructure. This PG does not set out criteria to assess tourism development proposals beyond repeating those within relevant LDP policies.
- 4.6.16 The proposed tourism and recreation led mixed use development on sites allocated in the LDP for tourism and leisure use ensures it is consistent with this guidance.
- 4.6.17 The recent update introduced new guidance on delivery of car parking to support visitor Experience uses. This is covered in the accompanying Transport Assessment report.

### Site Effectiveness and Delivery

- 4.6.18 The Scottish Government requires local authorities to ensure that sites allocated in LDPs are effective. The National Park Action Programme (See Section 4.5 above) notes that the Park Authority will encourage development on the site in accordance with the LDP. The proposed development is considered effective for the following reasons.

Table 4-5: Site Effectiveness

Criteria	Assessment of Proposed Allocation	Complies
<b>Ownership</b>		
The site is in the ownership or control of a party which can be expected to develop or release it for development. Where a site is in the ownership of a local authority or other public body, it should be included only where it is part of a programme of land disposal.	LLTNPA, have allocated the sites for Visitor Experience and Mixed-use tourism and leisure-based developments. The majority of the site benefits from tourism and visitor experience allocations within the adopted LLTNP LDP 2017 – 2021. Scottish Enterprise currently owns the West Riverside site, whilst Flamingo Land Ltd own the Woodbank House site. Scottish Enterprise are entered into an exclusive agreement with Flamingo Land Ltd to develop the land for leisure and tourism purposes.	<input type="checkbox"/>
<b>Physical</b>		
The site, or relevant parts of it, is free from constraints related to slope, aspect, flood risk, ground stability or vehicular access which would preclude development.  Where there is a solid commitment to removing constraints in time to allow development in the period under consideration, or the market is strong enough to fund remedial work required, the site should be included in the effective land supply.	As detailed in the Design Statement, a number of technical and environmental constraints have influenced the design layout of the proposed development. All known constraints have been taken into account through the design process, in physical terms the site is considered to be free of any constraints that would represent any impediment to its successful development for tourism and recreation related use.	<input type="checkbox"/>
<b>Contamination</b>		
Previous use has not resulted in contamination of the site or, if it has, commitments have been made which would allow it to be developed.	An assessment of the likely environmental effects from the construction and operation of the proposed development in relation to the ground conditions, including land stability and geological hazards has been undertaken. The assessment concludes that the proposed development could have effects in respect of site workers during the construction phase.  However, this effect is localised, and will be mitigated through site specific Risk	<input type="checkbox"/>

Criteria	Assessment of Proposed Allocation	Complies
	<p>Assessment and Method Statements together with a 'procedure and watching brief' for any unexpected conditions encountered during groundworks.</p> <p>Taking account of all proposed mitigation measures no likely significant residual effects are predicted on ground conditions from the proposed development.</p>	
<b>Marketability</b>		
The site, or a relevant part of it, can be developed in the period under consideration.	There is an ongoing and continued demand for a full range of tourism and recreation related development in the locality.	<input type="checkbox"/>
<b>Infrastructure</b>		
The site is either free of infrastructure, or any required infrastructure can be provided realistically by the developer or another party to allow development.	The on-site infrastructure upgrades required to facilitate the development of the site would, as a matter of necessity, be implemented as an integral part of the development. As such, on-site infrastructure issues are not considered to present impediment to the development of the site. There are no known off-site infrastructure constraints	<input type="checkbox"/>
<b>Land Use</b>		
Leisure and tourism-related development is the predominant preferred use of the land in planning terms.	The majority of the proposed site is allocated for visitor experience related development in the LLTNPA LDP 2017-2021. This demonstrates that from both the LLTNPA's perspective, as well as the applicant, leisure and tourism-related development is the preferred use of the land in planning terms.	<input type="checkbox"/>

## 5 Summary and Conclusion

### 5.1 Summary

- 5.1.1 Flamingo Land Ltd is seeking 'Planning Permission in Principle' (PPiP) for the erection and operation of a proposed tourism and leisure-led mixed-use development at Lomond Banks, Balloch. As a PPiP application, the proposal at this stage does not provide detailed design of the buildings and infrastructure. The PPiP seeks to establish the acceptability of potential new uses at this location. The application site requires to be outlined in red, and in this case, the submitted Parameters Plan and Accommodation Schedule provides a maximum threshold in terms of number and scale within which further detailed application will adhere to. The accompanying Design Statement and Indicative Masterplan provides concept layouts for each of the proposed 'Development Zones' and are for illustrative purposes only (See para 1.5.3 above) at this stage of the planning process.
- 5.1.2 Should PPiP be granted for the proposed development, subsequent applications for Approval of Matters Specified by Conditions (AMSC) will be required. These would seek approval of the detail of the development proposal. No development could take place until the AMSC stage has been concluded.

### 5.2 Conclusion

- 5.2.1 The Planning Authority is required to determine planning applications in accordance with the Local Development Plan unless material considerations indicate otherwise.
- 5.2.2 As noted above in Sections 4.4.4 to 4.4.5 the majority of the proposed development is allocated for Visitor Experience (VE) or Mixed use (MU) purposes in the adopted LLTNPA LDP 2017 - 21. The small area of the site that is Open Space, on the promontory to the north of Drumkinnon Bay is proposed for development purposes compatible with Open Space Policy 2, as noted in **Table 4-3**. The principle of a tourism and leisure led mixed use proposal at Lomond Banks is therefore established by the LDP and in accordance with the Action programme (see para 4.5.10 above) the principle of the proposed development is supported and encouraged by the LLTNPA.
- 5.2.3 The development of this site is well integrated with the surrounding built form without significant adverse impact on the amenity currently enjoyed by the local population and visitors.
- 5.2.4 The proposal and its placemaking, initial design parameters and masterplanning principles are in accordance with the relevant policies in the LDP and the Council's Supplementary and Planning Guidance, as well as Scottish Government's requirements.
- 5.2.5 The proposed site is in a sustainable location as it seeks to expand and improve the existing tourism and recreation offer in Balloch for residents, business and visitors. The proposal represents a sustainable development with its close proximity to Balloch town centre and its services, Balloch train and bus services plus improved access to the John Muir Way and National Cycle Route. This accessibility is one of the factors that make the location one of the few within the National Park suited to accommodating a tourism led development of this scale. The proposal can be accommodated within existing available infrastructure.
- 5.2.6 With the substantive merits of the proposed development, we recommend that the application for planning permission in principle be approved subject to conditions.

## 6 References

- Forestry Commission Scotland (2009) Scottish Government Control of Woodland Removal Policy:
- Great Britain Parliament. (1997) The Planning (Listed Buildings & Conservation Areas) (Scotland) Act (1997) as amended:
- Great Britain Parliament. (1997) The Town & Country Planning (Scotland) Act (1997) as amended:
- Historic Environment Scotland. (2016) Historic Environment Scotland Policy Statement:
- Scottish Government. (2013) Creating Places - A policy statement on architecture & place for Scotland:
- Loch Lomond & the Trossachs National Park Authority (LLTNPA). (2016) Loch Lomond & the Trossachs Local Development Plan 2017 – 2021:
- LLTNPA (2016). Loch Lomond & the Trossachs Local Development Plan 2017 – 2021 Supplementary Guidance & Planning Guidance:
- LLTNPA (2017). Loch Lomond & the Trossachs National Park Partnership Plan 2018 – 2027:
- Scottish Executive. (2000) Planning Advice Note 33 Development of Contaminated Land (2000):
- Scottish Executive. (2000, revised 2008) Planning Advice Note 60 Planning for Natural Heritage:
- Scottish Executive. (2001) Planning Advice Note 61 Planning & Sustainable Urban Drainage Systems:
- Scottish Executive. (2003) Planning Advice Note 68 Design Statements:
- Scottish Executive. (2005) Planning Advice Note 75 Planning for Transport:
- Scottish Executive. (Revised 2006) Planning Advice Note 51 Planning, Environmental Protection & Regulation:
- Scottish Executive. (2006) Planning Advice Note 79 Water & Drainage:
- Scottish Executive. (2007) Planning Advice Note 81 Community Engagement:
- Scottish Environment Protection Agency (SEPA). (2017) Development Management Guidance: Flood Risk:
- Scottish Government. (2015) Online Planning Advice regarding Flood Risk (2015)
- Scottish Government. (2011) Planning Advice Note 1/2011 Planning & Noise:
- Scottish Government. (2011) Planning Advice Note 2/2011 Planning & Archaeology:
- Scottish Government. (2011) Planning Circular 3/2011: The Town & Country Planning (Environmental Impact Assessment) (Scotland) Regulations:



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- Scottish Government. (2013) Planning Advice Note 1/2013: Environmental Impact Assessment:
  - Scottish Government. (2015) Scotland's Economic Strategy (2015):
  - The Scottish Parliament. (2009) The Climate Change (Scotland) Act (2009):
  - The Scottish Parliament. (2000) The National Parks (Scotland) Act (2000) as amended:
  - The Scottish Parliament. (2017) The Town & Country Planning (Environmental Impact Assessment) (Scotland) Regulations (2017) as amended:
  - The Scottish Parliament. (2013) The Town & Country Planning (Development Management Procedure) (Scotland) Regulations (2013) as amended:
  - Visit Scotland. (2016). Tourism Scotland 2020 and Tourism Development Framework.

# Appendix A Parameters Plan