



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

National Park Authority Board – Decision by Correspondence

Paper for decision

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1. Purpose

- 1.1. This paper outlines the proposed procedures that it is recommended are adopted for the Board's consideration of the above Application and its determination.
- 1.2. Approval for a site visit and a hearing is sought.
- 1.3. This paper does not consider the merits of the Application. **The merits of the Application must not be considered or discussed by Members at this time.**

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

2. Recommendation(s)

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

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

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

4. Background

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

Board Standing Orders

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

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

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

Planning and Access Committee Standing Orders

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

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

4.4. Planning Application 2022/0157/PPP

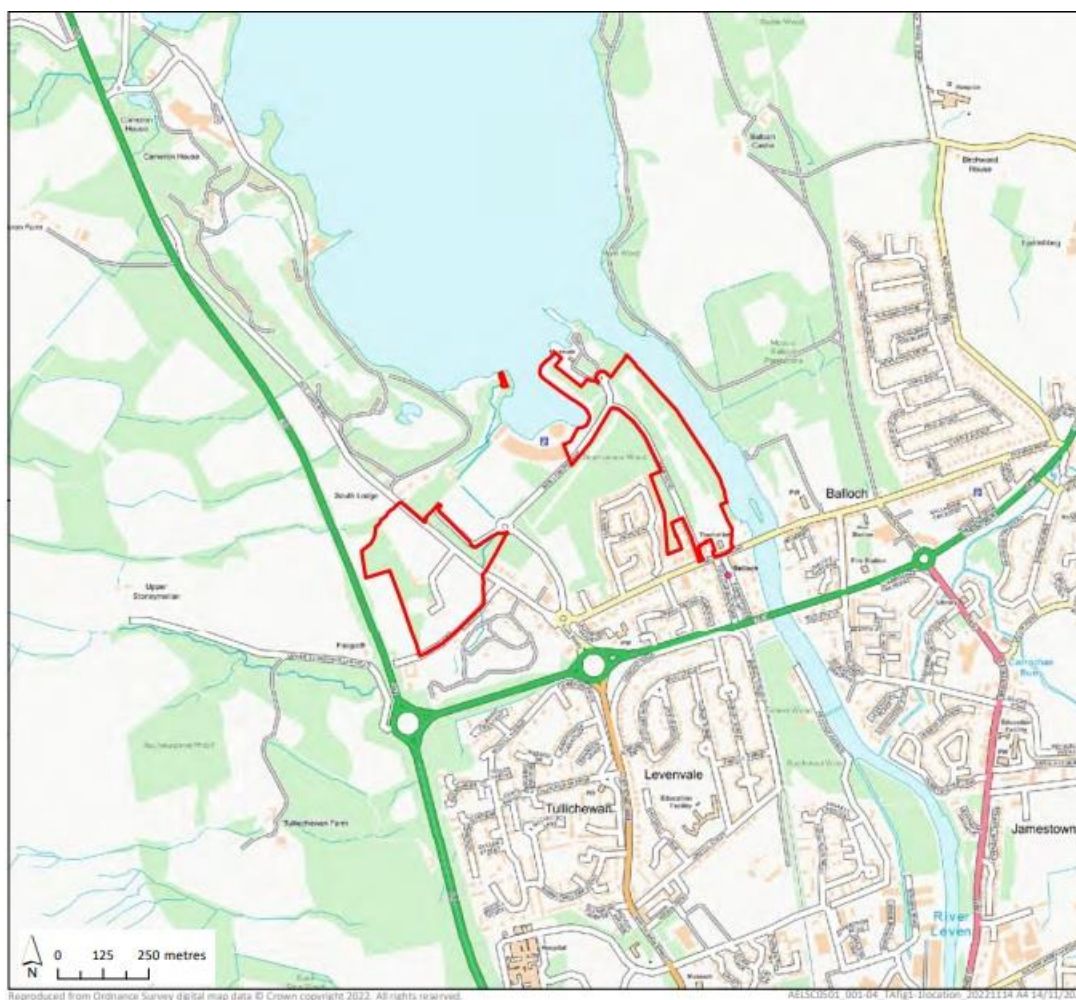
Planning Permission in Principle is sought for the erection and operation of a mixed-use tourism and leisure development including:

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

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

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

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



5. Key Planning Considerations

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

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

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

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

6. Representations

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

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

6.2. An objection has been received from Balloch and Haldane Community Council who are a statutory consultee as the relevant community council.

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

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

be directly affected but have views on a proposal which might constitute a material consideration.

7. Status of Application and Next steps

7.1. The Application is currently in the assessment phase.

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

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

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Background Material

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

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