

New planning application at Tarbet – another chunk of west Loch Lomond to be handed over to developers?

Description



The area covered by the Planning Application as outlined in red on the LLTNPA planning portal

Last week news of yet another proposed major development on the western shores of Loch Lomond emerged. The Loch Lomond and Trossachs National Park Authority published its response to the pre-application consultation proposals on their planning portal ([see here](#)) and this then received coverage in the Helensburgh Advertiser ([see here](#)). This post explains why the Planning Application raises serious issues about the integrity of the LLTNPA, both as a Planning Authority and as a Public Authority entrusted to use public assets in the public interest.

Background

The only detail so far provided about the proposal is this:

“2019/0209/PAC | Formation of a village square and erection of a tourism and mixed use development (incorporating and not limited to accommodation, retail, food and drink uses) with associated traffic calming measures, infrastructure and landscaping – Major Development | Tarbet Loch Lomond G83? ([see here](#))

The Application appears to have been from Mouldsdale Properties of Cumbernauld, which the Helensburgh Advertiser states is owned by David Charles Mouldsdale, the multi-millionaire owner of Optical Express and Director of 30 linked companies. The letter from the LLTNPA to Mouldsdale Properties is indeed addressed to the same address as that registered on the Companies House website for Mr Mouldsdale. However, a search on that website indicates that the only company whose name resembles “Mouldsdale Properties” is “Mouldsdale Properties Ltd” and David Charles Mouldsdale is NOT a director of that company. Nor is he listed under persons having significant control of it. Instead, the two Directors listed are Nicola Louise and James Leslie Mouldsdale, both with addresses in Gloucestershire, while Nicola Louise Mouldsdale is registered as the sole person having significant control:

1 active person with significant control / 0 active statements

Mrs Nicola Louise Mouldsdale **ACTIVE**

Correspondence address

School House, Maisemore, Gloucester, Gloucestershire, GL2 8HU

Notified on

27 March 2017

Date of birth

June 1968

Nationality

British

Nature of control

Ownership of shares – More than 25% but not more than 50%

Country of residence

England

Strange! Perhaps the explanation is that David Mouldsdale has recently taken over this company, which appears to have been connected with his family and to have been used up until now for renting out property, and failed to inform Companies House as he is legally obliged to do?

Whatever the explanation, the Helensburgh Advertiser reported that David Mouldsdale has had “*a home in Tarbet for over 20 years*” [note, not “his home”] “*and has many close connections with the area*”. It didn’t expand on this but one of those connections appears to be with Andy Miller, now Sales Director for Flamingo Land ([see here](#)), whose LINKED IN profile says he worked for Optical Express for 6 years and ten months.

The Helensburgh Advertiser also reported Mr Mouldsdale has ‘*supported numerous local projects including the Three Villages Community Hall Project and Ardroy Outdoor Education Centre, as well as providing funding to the Friends of Loch Lomond.*’ That information, I suspect, could only have come from Mr Mouldsdale. It would be interesting to know how much the multi-millionaire Mr Mouldsdale actually gave to the Three Villages Hall Project, even if we are unlikely to be able to ascertain his motivation for doing so. It would be interesting also to know how this compares to the money that goes from Optical Express to its ultimate parent company:

19 ULTIMATE PARENT COMPANY

The immediate controlling party is DCM (Optical Holdings Scotland).

The ultimate parent company is Insight Global Holding, a Group financial statements are not prepared.

A web search suggests that Insight Global Holding, where some at least of Mr Mouldsdale’s wealth appears to end up, is registered in the tax haven of the Cayman Islands. Flamingo Land may pay low wages and be inappropriate for Loch Lomond but at least it is ultimately owned by entities registered in the UK.

Optical Express does, however, appear to be a significant funder of the Friends of Loch Lomond and Trossachs:

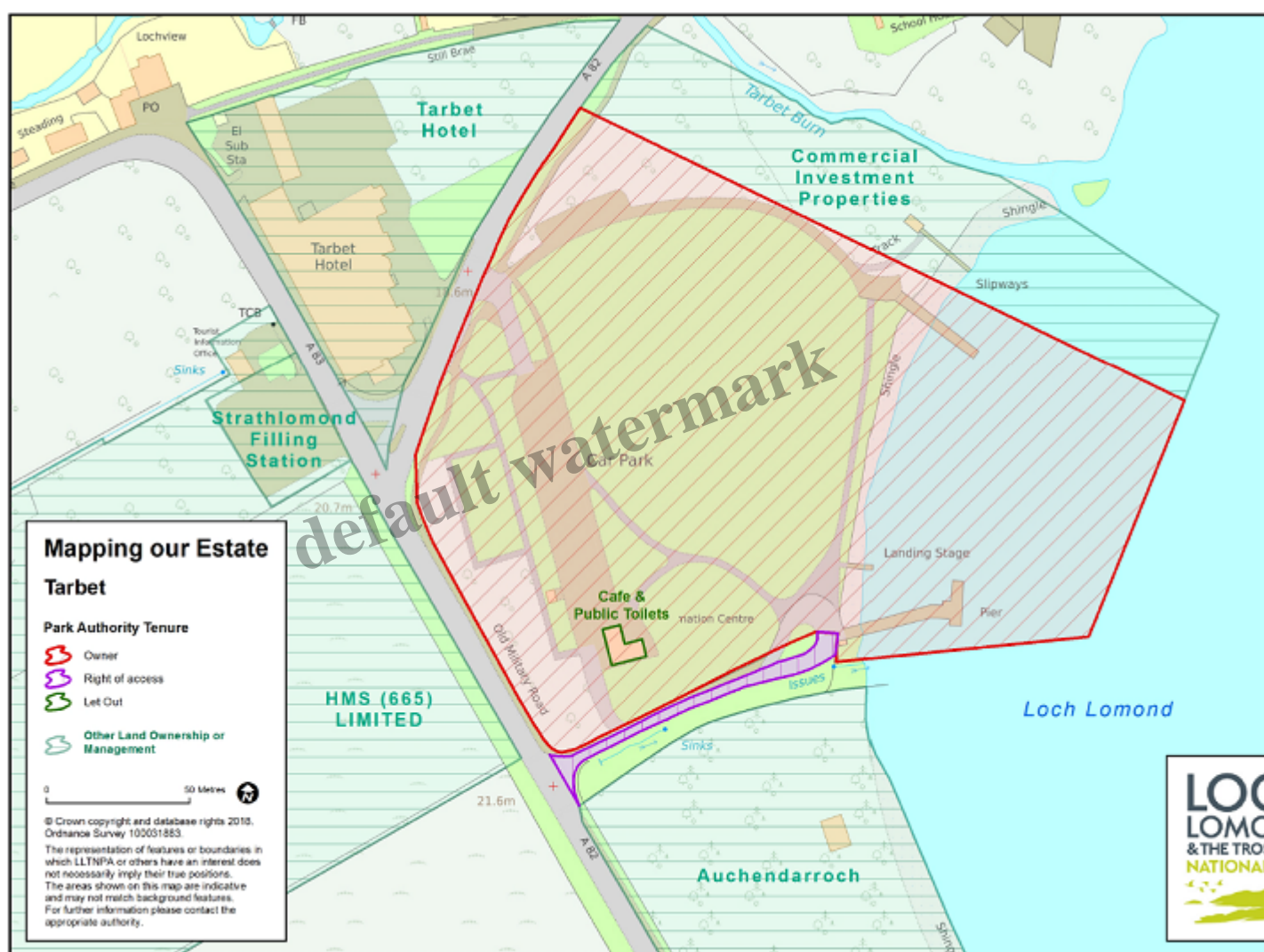
Supported by:

Hannah Stirling
Loch Lomond Charitable Trust



Designed and Developed by Mucky Puddle | Friends of Loch Lomond & The Trossachs is a registered Scottish charity

The LLTNPA's interest in the land and any future planning application



Now, under Planning law, anyone can submit a Planning Application for a site and initially at least they don't have even to notify the landowner (Flamingo Land and Scottish Enterprise failed to notify all the landowners, including the LLTNPA, whose land is included in the Riverside Planning Application). The

land in this case, however, is so large and so obviously at the centre of the proposed development that it seems unlikely that Mouldsdale Properties Ltd, particularly because they are so well connected, would not have involved the LLTNPA in the development of their proposals. I could be wrong.

In the words of the Helensburgh Advertiser, however, in response to Mouldsdale's consultation proposals *"officials have demanded to know more before the idea can move forward"*. This gives the impression that Planning staff knew nothing about the application before it was received, as does their suggestion in their letter that Mouldsdale Properties report the application to ALL the relevant landowners. The National Park is included in this list. So is this a smokescreen, a case of one part of the LLTNPA not knowing what the other was doing or did the application genuinely come out of the blue?

Recent history of the LLTNPA owned site at Tarbert

At the LLTNPA Board Meeting in December 2018 there was a brief discussion about the land owned by the Park at Tarbet, with staff indicating that there were opportunities to make better use of it – but no mention that I can recall – and nothing in the minute – about any joint project with Mouldsdale Properties.

At neither the March or the June meeting of the Board was there any agenda item, whether in open or closed session, about the LLTNPA going into partnership with Mr Mouldsdale. At no stage therefore does the Board appear to have given its approval to this publicly owned land being included in a planning application by a private developer.

Then, on 5th July, the LLTNPA issued a news release announcing it was spending over £500k to improve visitor facilities on West Loch Lomond funded by Visit Scotland's Rural Tourism Infrastructure Fund ([see here](#)):

"Luss, Tarbet and Inveruglus will all benefit from the investment with facilities such as toilets, parking and bins being upgraded and modernised. A motorhome toilet disposal point at Tarbet is also being introduced as well as 24 hour access toilets at both Tarbet and Inveruglas.

The work will deliver multiple benefits to the area, responding to changing visitor needs, including increasing accessibility, lowering the carbon footprint, improving the parking facilities at Inveruglas and reducing litter.

.....

"We recognise that closures during the latter half of the summer season are not ideal, but in order to maximise the external funding available for this project, all work requires to be carried out within this time frame.

.....

The work will begin at Tarbet toilets later this month and will not only improve visitor experience and relieve pressures but will also ensure the future sustainability of the facilities.

Notes to Editor

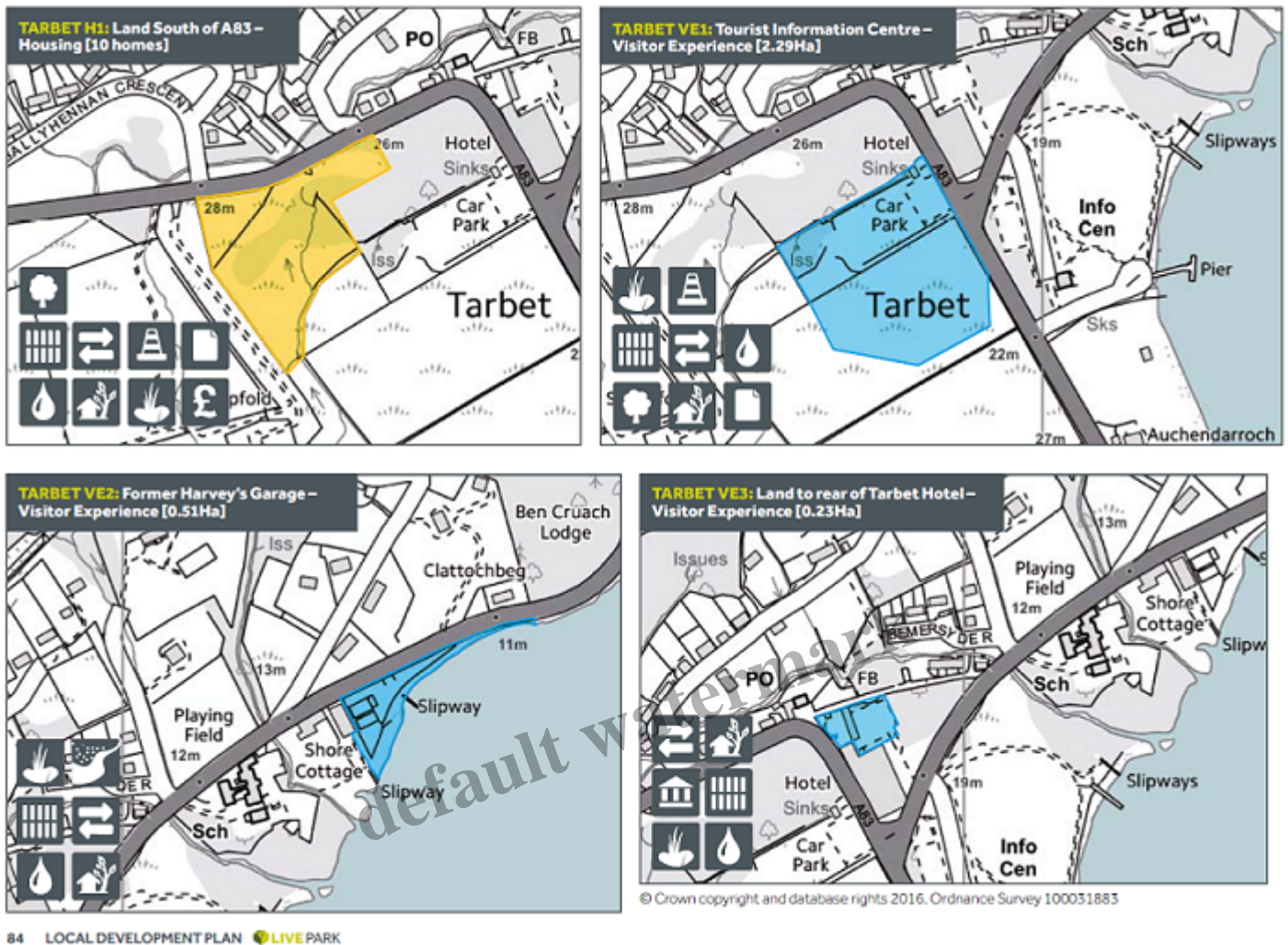
The building in Tarbet will be closed from 22nd July until late August. The car park will remain open but coaches will not be able to access the pier road via the National Park Authority's car park."

The news release gave no indication that the publicly funded improved facilities at Tarbet would shortly be included in a Planning Application by Mouldsdale Properties Ltd. If a local council received a planning application from a private developer out of the blue to develop land it owned and had recently invested in, I think I can guess what the response would be. Yet the LLTNPA has so far been silent. That suggests that their senior management may have been party to whatever development is being proposed for some time without the consent of their Board or their Board has secretly consented to public land being used in this way. If so, this is just as scandalous as Scottish Enterprise's use of public funds to subsidise the Flamingo Land development ([see here](#)).

Tarbet, the LLTNPA owned land and the Local Development Plan

The land which Mr Mouldsdale owns at Tarbet through the company HMS 665 (see above) appears to have been in his hands for some time – as according to Companies House the company has not traded since 2011. That parcel of land was included in the Local Development Plan as VE1 (Visitor Experience 1 or for tourism development) and the LLTNPA would not have done this without his permission. There must therefore have been some dialogue about the future of the site between

planning officials and Mr Mouldsdales or his agents.



While the Local Development Plan identified Tarbet as “a strategic tourism opportunity”, it only allocated three parcels of land for this (see above), one of which – VE3 – is not included in the new development. The land outlined in the application is far far bigger than the three parcels of land earmarked for tourism development and therefore far bigger than that envisaged in the Local Development Plan.. What is equally striking is that nowhere in the LDP is the land owned by the LLTNPA at Tarbet identified for inclusion in any new tourism developments.

The paper to the December Board Meeting described the land it owns at Tarbet as follows:

Our Estate: A Starter Paper

Site Name	Occupied (by Park Authority) or Let Out	Description and Use
Venachar North	Occupied	Land used for car parks and for public recreation
Venachar South	Occupied	Land used for car parks and for public recreation
Tarbet	Occupied (part)	Building used as café and public toilets; land used as car park and <u>for public recreation, including solum of loch; slipway and pier</u>

No mention

here of the land being included in a major development.

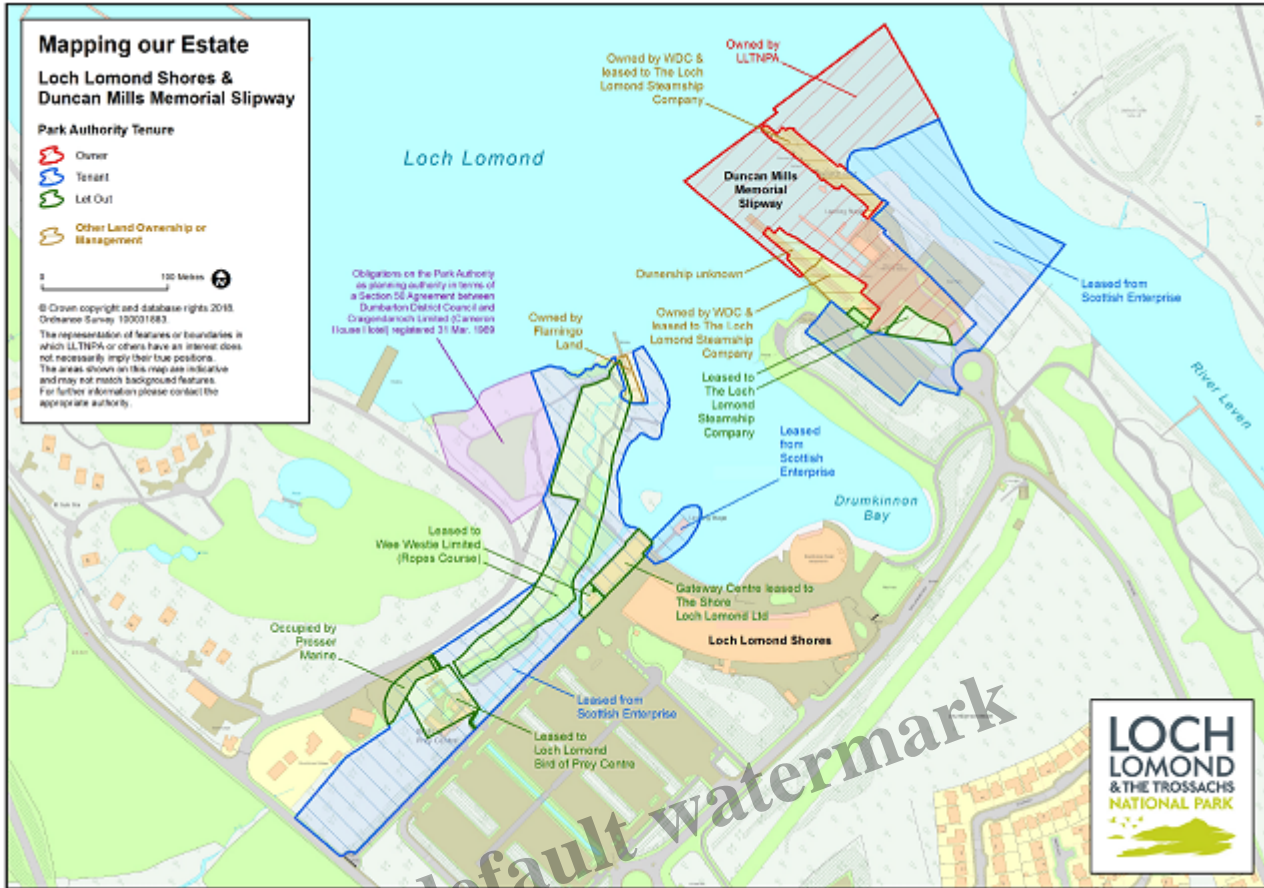
EVEN IF ITS NOT PARTY TO THE APPLICATION, BY GOING ALONG WITH IT THE LLTNPA IS CONSENTING TO ITS OWN LAND BEING INCLUDED IN A DEVELOPMENT PROPOSAL WHICH IS CONTRARY TO ITS OWN LOCAL DEVELOPMENT PLAN. That is quite extraordinary and threatens to undermine any remaining credibility the Planning System in the National Park has with politicians and the public.

What hope, one might also ask, for the LLTNPA standing by its Local Development Plan at Balloch and refusing the Flamingo Land development on the grounds that something like 40% of it is outwith land identified for development when its allowing its land to be included in similar application down the road at Tarbet?

This is serious and its time the Scottish Government and its Chief Planner intervened.

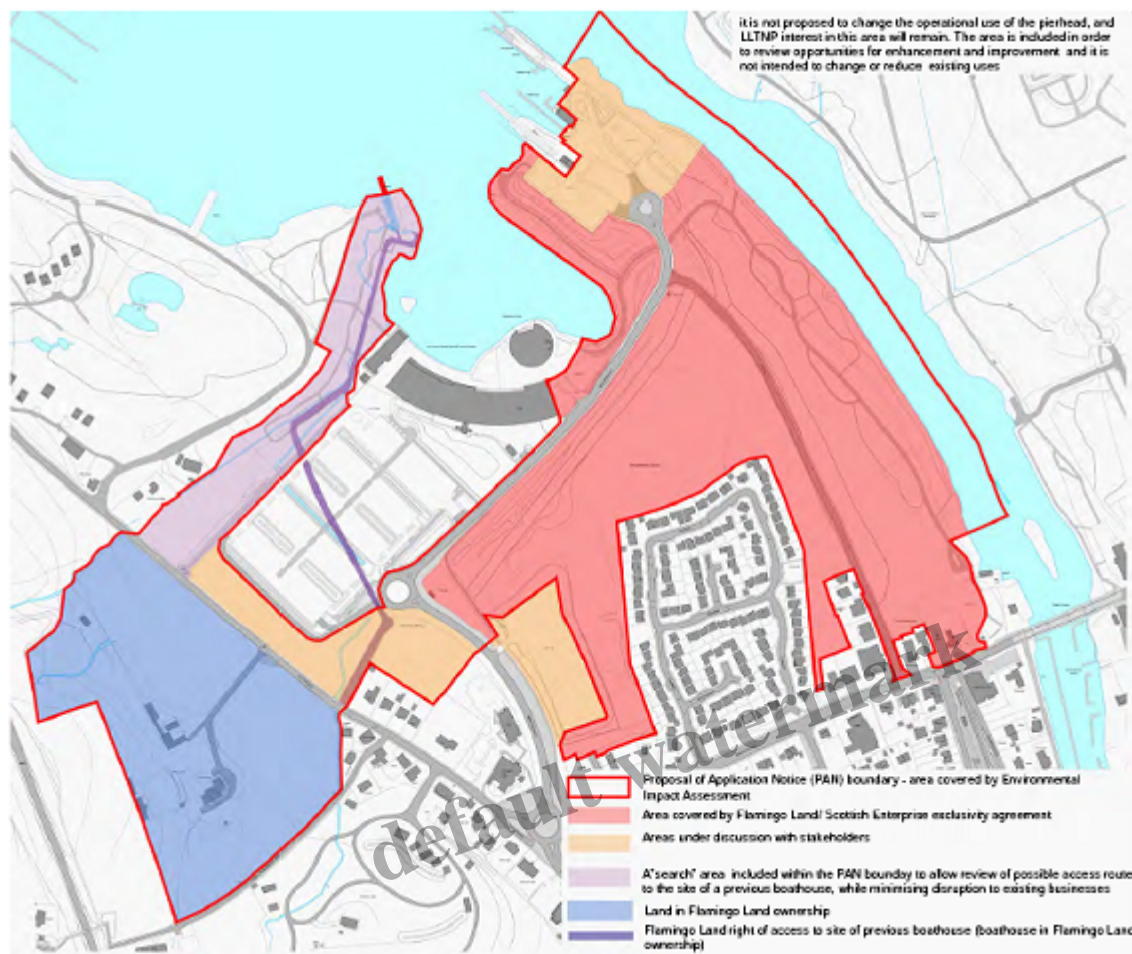
The papers for the December Board Meeting also reported that the lease of the pier at Tarbet to Cruise Loch Lomond was due to terminate in 2019. So has Cruise Loch Lomond been informed of a planning application which includes the pier they use? And what decisions, if any, has the LLTNPA taken about who will use the pier in future?

The parallels with the Riverside site at Balloch



The December Board meeting papers show that the LLTNPA also owns land that Flamingo Land has included in their Planning Application for the Riverside Site. I can find NO evidence that the LLTNPA Board has ever agreed to this. That raises the question of how the LLTNPA Board can possibly decide the Flamingo Land Planning Application on the 24th September unless they decide first whether they consent to their own land being included or not?

LAND OWNERSHIP



The Design Statement submitted by Flamingo Land in April indicated that the area at the pierhead was “*under discussion with stakeholders*”. That’s a strong indication that the Park has been discussing the inclusion of its land in the Planning Application. If senior management have agreed to this, that would appear to have prejudiced any recommendations they make to the Board (the paper is due to be published this week). If not, it will be interesting to see how the Board deals with this on 24th September.

The mess is not the responsibility of front line planning staff

Front Line planning staff are unlikely to have known if the LLTNPA had had been discussing use of its land with Mouldsdale Properties and their advice to Mouldsdale was to the book. As are their recommendations on how the local community should be consulted:

Public Events

We note that you propose to hold a public event at The Shore, Balloch. We do not consider this to be the most appropriate location for a sole public event. Although a public event at The Shore in Balloch may be beneficial to capture any wider body of interest from the communities in the Loch Lomond area of the National Park we require that, in addition to this event described in your Proposal of Application Notice, at least one public event in Tarbet/Arrochar should be held. A public event should be held prior to the Balloch event. We recommend that the Three Sisters Hall in Arrochar would be a suitable venue for the public event.

The timing proposed for the Balloch event in your Proposal of Application Notice (2pm to 4pm) is limited and could be difficult for working persons to attend. The times for both public events should be 10am to 9pm to ensure the best possible attendance and ensure meaningful public engagement.

Response from the LLTNPA to the pre-application consultation proposals

It does seem strange that someone who claims to be so well connected to the local community as Mr Mouldsdale could have proposed holding the local consultation meeting in Balloch – but maybe that is another local business connection?

What needs to happen

The LLTNPA has lost all credibility as a planning authority by allowing public land to be included in major planning applications which are not just controversial but breach their own Local Development Plan. Their senior staff, like in many other public authorities, also appear to see nothing wrong in agreeing in principle to hand over public assets to private developers without the consent of their Board and without any public consultation. They are no doubt partly driven by austerity which forces them to go cap in hand to the Scottish Government (the Tarbet improvements were funded by yet another centralised Scottish Government fund) before they can do anything with their land.

It's well past time for the LLTNPA Board to re-assert control over the planning processes in the National Park. A public statement from the Board this week dissociating the Park from the planning proposal at Tarbet and explaining how they will decide whether the land they own at the Pierhead should be included in the Riverside Planning Application is the minimum that is needed. Should they fail to do this, our politicians nationally need to intervene and the public should force them to do so. We need to put a halt to public authorities using public assets for private interests, especially in what is supposed to be a NATIONAL Park.

Category

1. Loch Lomond and Trossachs

Tags

1. Development Plan

2. flamingo land
3. LLTNPA
4. planning

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Author

nickkempe

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