

Reference Number: 08/01979/VARCON
Applicant's Name: Mr. and Mrs. C.R. Chisholm
Application Type: Detailed
Application Description: Improvement of existing access for timber haulage (Variation of Condition 3 of Planning permission 06/02018/DET)
Location: Heronlea, High Road, Sandbank, Argyll

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Improvements to existing access at junction with A885 Sandbank High Road comprising formation of bellmouth, widening, regrading and resurfacing of existing track and provision of dropped kerbs.

(B) RECOMMENDATION

It is recommended that planning permission be **Granted** subject to the conditions and reasons set out overleaf.

(C) SUMMARY OF DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

(i) Development Plan Context:

This application relates to improvements to an existing private vehicular access serving the dwellinghouse Heronlea from the A885 road between Dunoon and Sandbank in connection with the provision of a timber haulage route which is being constructed as permitted development under Class 22 of the General Permitted Development Order. The applicant is seeking relief from part of condition 3 of planning permission 06/02018/DET granted on 21 March 2007.

The Area Roads Manager has no objection to the access improvements subject to conditions and advisory notes. The improvements to the access are to be welcomed and the proposal is considered acceptable subject to the conditions and advisory notes set out overleaf.

(ii) Representations:

Neighbour notification. No response.

(iii) Consideration of the Need for Non-Statutory or PAN 41 Hearing:

Not required

- (iv) **Reasoned Justification for a Departure from the Provisions of the Development Plan.**

Not applicable

- (v) **Is the Proposal a Schedule 1 or 2 EIA development:**

No

- (vi) **Does the Council have an interest in the site:**

Yes. Council is partner in Scottish Strategic Timber Transport Scheme.

- (vii) **Need and Reason for Notification to Scottish Ministers.**

Not required

- (viii) **Has a sustainability Checklist Been Submitted:**

No

Angus J Gilmour
Head of Planning
20 February 2009

Author: Brian Close

Date: 2 February 2009

Reviewing Officer: David Eaglesham

Date: 20 February 2009

NOTE: Committee Members, the applicant, agent and any other interested party should note that the consultation responses and letters of representation referred to in Appendix A, have been summarised and that the full consultation response or letter of representations are available on request. It should also be noted that the associated drawings, application forms, consultations, other correspondence and all letters of representations are available for viewing on the Council web site at www.argyll-bute.gov.uk

CONDITIONS AND REASONS RELATIVE TO APPLICATION: 08/01979/VARCON

1. The existing sightlines of 120 metres from a 4.5 metre setback in each direction shall be maintained with no obstruction to visibility (including hedges and verges) greater than 1.0 metre in height above the road level.

Reason: *In the interests of road safety and to ensure that existing sightlines are maintained..*

2. The access shall be constructed as per Fig 5.4 of the Council's Development Guidelines, *Junction layout for long vehicles*, incorporating a taper in the nearside kerb. The access and the widened section of the A885 shall be of a heavy duty construction in hot-rolled asphalt with HB2 kerbs at the rear of the bellmouth.

The access shall be a minimum width of 6 metres for a minimum distance of 12 metres from the edge of the carriageway, where the gradient shall not exceed 5%. A sealed surface shall be provided for at least the first 12 metres from the edge of the carriageway. The footway shall be renewed from the tangent points north and south of the proposed access with dropped kerbing to be supplied for pedestrian traffic along the A885.

Reason: *In the interests of road and public safety.*

3. The access shall not be used by articulated vehicles until signage has been provided on the A885 to raise awareness of this new junction in accordance with details to be submitted to and approved by the planning authority. The southbound signage shall be located before the summit to the north of the access. (*Refer also to Advisory Note (iii) below*)

Reason: *In the interests of road and public safety.*

INFORMATIVES RELATIVE TO APPLICATION: 08/01979/VARCON

- (i) *The Area Roads Manager advises that the proposed works will require Construction Consent (S21) for the carriageway and footway works and a Road Opening Permit (S56) will be required for the upgrading of the junction. The applicant is advised to contact the Area Roads Manager (Mr. Paul Farrell, tel. 01369 708613) directly upon this matter.*
- (ii) *The Area Roads Manager previously advised that surface water drainage should not pass on to the public highway and a drainage system including positive drainage measures should be agreed with the Area Roads Manager. The developer is advised to contact the Area Roads Manager (Mr. Paul Farrell, tel. 01369 708613) directly in this regard.*
- (iii) *Condition 3 stipulates that appropriate warning signs will be required on the A885 on either side of the new junction. The applicant/developer is advised to liaise directly with the Area Roads Manager (contact Mr. Paul Farrell, tel. 01369 708613) regarding location and type of signage.*

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 08/01979/VARCON

MATERIAL CONSIDERATIONS AND ADVICE

(i) POLICY OVERVIEW AND MATERIAL ADVICE

Adopted Cowal Local Plan Cowal Local Plan 1993

The site is located between the established settlements of Dunoon and Sandbank covered by Policy POL RUR 1. The application site is situated within the Central and East Cowal Local Scenic Area as defined by POL RUR 1: Landscape Quality, under Areas of Local Landscape Significance specifically Loskin and Loch Loskin Broadleaf Woodland where the Council will resist prominent or sporadic development which would have an adverse landscape impact.

Argyll & Bute Local Plan Post Inquiry Modifications 2008

The site is located within an area zoned as Countryside Around Settlement where only small-scale, infill and rounding off and redevelopment proposals will be supported where appropriate and provided they do not compromise the long term growth of the settlement.

Policy LP TRAN 4 New and Existing, Public Roads and Private Access Regimes where existing private accesses can be upgraded by improvements to sightlines, access design, width and gradient.

Note (i): **The applicable elements of the above Policies have not been objected too or have no unresolved material planning issues and are therefore material planning considerations.**

Note (ii): **The Full Policies are available to view on the Council's Web Site at www.argyll-bute.gov.uk**

(ii) SITE HISTORY

Planning permission (06/02018/DET) for improvement of existing access to Heronlea for timber haulage was granted on 21 March 2007. Condition 3 required, inter alia, that the A885 should be widened to 7.3m for 20m either side of the improved access.

Planning permission (07/02404/DET) for the formation of a vehicular access to Sandbank Business Park from the A885 approximately 150m north west of this access was granted on 7 March 2008.

(iii) CONSULTATIONS

Area Roads Manager (response dated 16 February 2009) The 7.3m carriageway width as previously conditioned is no longer required, due to approval of a new vehicular access to Sandbank Business Park and the close proximity to the U26 Ferry Road junction. The increase in width would interrupt the flow of traffic along the A**5 High Road. No objections subject to conditions and advisory notes.

(iv) PUBLICITY AND REPRESENTATIONS

Neighbour notification. No response.

PLANNING LAND USE AND POLICY ASSESSMENT

A. Road Network, Parking and Associated Transport Matters.

The improvements to the access at Heronlea form part of a larger project, the Dunoon Timber Haul Route, which is now under construction. This project involves construction of a new forest road and upgrading of existing forest roads to provide a new access to the forest between Dunoon and Sandbank. The proposal will provide an alternative to two current access points which come down onto small roads in residential areas i.e. Bishop's Glen into Kilbride Road, Dunoon and between Toward and Innellan. The new network will link three forest areas which currently have no paths or tracks to join them. The project is a partnership between Forest Enterprise and areas in private ownership.

At the meeting of the Bute & Cowal Area Committee on 6 February 2007, consideration of the original application to improve the access at Heronlea was continued to seek further improvements to the public road. The applicant's agent then agreed to a higher standard of junction improvement with localised road widening to 7.3m for 20m either side of the junction and the application was approved with a condition to secure that improvement at the meeting of the Area Committee on 20 March 2007. The Area Roads Manager now considers that such widening would produce an inconsistent change in carriageway standard on High Road and no longer considers such improvement to be desirable.

The access improvements are in line with Policy TRAN 4 of the Argyll and Bute Local Plan.

CONCLUSION.

In view of the Area Roads Manager's advice, the road improvement previously agreed and required by condition cannot be supported on road safety grounds. Permission can therefore be granted subject to revised conditions