

REVIEW REFERENCE 13/0015/LRB

RESPONSE TO REPRESENTATION FROM ARGYLL & BUTE COUNCIL

The response from the Council states that the decision of the Review Body should be solely based on the reason for refusal of the application to vary the Condition to permit holiday letting.

The reason for the refusal to vary the Condition was based on road safety grounds which do not stand up to close examination.

The occupants and persons residing in Dundonald which is across the road can stay in the gazebo.

The traffic report submitted by the Roads Engineer is not relevant to the C25 passing the site under Review because it was taken at the Swedish Houses and vehicles can travel faster at that location (The Swedish Houses).

The Report by Vector Consultancy states that within the visibility limits of the property (gazebo) the speeds of the vehicles observed by the author were below 30 miles per hour.

The access used by the occupants of Dundonald to go to the gazebo is far worse than the access from the approved car park to the gazebo. Members will be able to verify that at the site inspection.

The roads engineer states that it is not practicable to use parking facilities on the other side of the road. That statement cannot be substantiated as there are many parking areas on the opposite side of a road from a residence.

The Vector Consultancy Report at 3.1 states that there are several minutes between vehicles travelling along the road and that there is ample visibility on both sides of the road to enable pedestrians to check for approaching traffic before entering the roadway. The Report further states that the road in the vicinity of the property is a relatively wide section of single track road with

ample room for vehicles to pass pedestrians standing or walking along the side of the road.

The conclusion states that there is no significantly elevated risk to pedestrians due to the location of the property and the nature of the road, which would prevent pedestrians either accessing the road as a walking route, or crossing the road between the car park and the gazebo.

The Review Body is therefore requested to permit the Variation of Condition 2 of planning permission 08/01309/DET to allow holiday letting.

**RESPONSE BY MR IAIN MACDONALD OF VECTOR TRANSPORT CONSULTANCY
ON THE COMMENTS BY MR JOHN HERON.**

The minimum distance between the edge of the carriageway and for a pedestrian would be a maximum of 1 metre to a minimum of 0.5 metres with the pedestrian standing between the maximum and minimum distance. It is policy that when erecting road signs the minimum distance from the road edge is 0.5 metres, this is to prevent damage from wing mirrors, overhangs etc., these measurements are based on this.

We are not proposing the development of a new road or verge. Hence the relevance of this comment is doubtful.

The existing carriageway and verge are available and used by pedestrians currently. We understand that this will continue to be the case in the future.

Before emerging from the property, there is visibility on to the roadway, from within the property boundary, which enables pedestrians to check for traffic before leaving the property. We expect the use of the road, by pedestrians, will continue in the same way that it is used currently.

The visibility splays of 53m have been requested as the estimated percentile speed was 35 to 40 mph. This is not possible as both splays have restrictions, towards Bonawe Quarry is scrub/trees and towards North Connel is the 1.8m fence and scrub/trees. The actual sightlines for any road with a national speed limit is normally 160m, the speed of vehicles has been taken in to consideration.

This acknowledges that local speeds are low and hence lower visibility is required. Once again, we are not seeking to introduce a new vehicle access, so the issues raised are not applicable. We do not seek to change existing vehicular access arrangements. Given the visibility restrictions which have been highlighted, the sensible approach would be to utilise existing, safer access arrangements for vehicle access.

Any new development or in this case. change of use, parking requirements required are within the curtilage of the property.

Really? We are disputing this position. The sensible approach would be to use existing, safer and less restrictive provision.

Therefore it is not considered practicable to use parking facilities on the other side of the road.

The use of the word 'Therefore' implies a level of logic and sense which is misplaced. It does not logically follow that parking facilities on the other side of the road are not practicable.

There is a possibility to use the existing vehicular access to the pontoon, however again the fence requires to be reduced/moved and the access surfaced. This is Roads preferred option

The key issue here is the acknowledgement of the "existing" vehicular access. If this exists and can be used, then this forms the access to the site. We are advocating a safer alternative.

I agree with the Vector Transport Consultancy assessment in relation to traffic flows, however an half an hour survey is inadequate to form an opinion.

The attached traffic count and speed survey information validates the assessment that the traffic volumes are low. The highest recorded hourly traffic flow was two isolated incidences of 84 vehicles per hour. Typically, traffic volumes at the 'active' times of day, between 7.00 am and 10.00 pm, are around 20 to 30 vehicles per hour.

There is simple solution to this planning application, which is to reduce the height of the existing fence or replace out with the visibility splay and cut back the scrub/trees.

The simple solution is to use the existing access. We are proposing an improved arrangement.

Attached is a traffic survey for Bonawe Road but undertaken at this location.

I trust this is helpful

Régards

John F Heron
