

**Argyll and Bute Council**  
Comhairle Earra Ghaidheal agus Bhoid

*Customer Services*  
*Executive Director: Douglas Hendry*



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4 May 2010

**RECONVENED ARGYLL AND BUTE LOCAL REVIEW BODY – THURSDAY 13  
MAY 2010 @ 2.00 PM**

I refer to the above and enclose herewith further written submissions requested at the LRB meeting on 26 March 2010.

Douglas Hendry  
Executive Director - Customer Services

**BUSINESS**

**3. CONSIDER NOTICE OF REVIEW REQUEST: THE OLD MANSE, MINARD,  
ARGYLL**

**(d) Further Written Submissions**

- (a) Further information received from Transport Scotland (Pages 1 – 2)
- (b) Further information received from Mrs M Smart (Pages 3 – 4)
- (c) Further information received from Planning (Pages 5 - 24)

**ARGYLL AND BUTE LOCAL REVIEW BODY**

Councillor Robin Currie  
Councillor Mary Jean Devon

Councillor Roderick McCuish (Chair)

Contact: Fiona McCallum Tel: 01546 604406

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Network Operations

**Trunk Roads: Network Management**

Buchanan House, 58 Port Dundas Road, Glasgow G4 0HF

Direct Line: 0141 272 7387, Fax: 0141 272 7373

ken.aitken@transportscotland.gsi.gov.uk

CÒMHDHAIL  
ALBATRANSPORT  
SCOTLAND

Committee Services  
Argyll & Bute Council  
Kilmory  
Lochgilphead  
Argyll  
PA31 8RT

Your ref:  
10/003/LRBOur ref:  
NW/253/2009Date:  
1 April 2010

FAO Fiona McCallum

Dear Ms McCallum

**THE OLD MANSE, MINARD, ARGYLL - PLANNING PERMISSION FOR ERECTION OF SINGLE STOREY DWELLING HOUSE AND INSTALLATION OF SEPTIC TANK  
COUNCIL REFERENCE 09/01424/PPP**

I refer to your request for further submissions, dated the 30 March 2010, to provide additional information on the achievable visibility splay and clarification of the access requirements.

In terms of the visibility splay Transport Scotland's Operating Company found it difficult to ascertain the achievable visibility splay during their site visit due to the height of the existing hedges. Examining the layout on the plans within the office it does appear that it may be possible to achieve the required visibility by cutting back the hedge and the wall within the frontage of the Old Manse. However, there is a small section of the wall in the adjacent property to the north, "Landfall" which may slightly affect the visibility but it is Transport Scotland's opinion that the impact of this wall would be minimal. Therefore Transport Scotland would accept that the visibility which would be achieved by the removal of the hedge and wall, within the applicant's ownership along the frontage of the Old Manse would be acceptable, even if it was slightly substandard.

In terms of the access requirements Transport Scotland are concerned at the proximity of the access to the Old Manse and the access to "Lea Croft" to the south, and in particular the hedge running between the two accesses. It is Transport Scotland's opinion that this combination of adjacent accesses with the hedge between could adversely affect road safety on the trunk road. Vehicles entering and leaving both accesses could not see each other and potential conflict could occur where a vehicle could be left wholly or partially on the trunk road thus interfering with the efficiency and safety of trunk road traffic. Obviously, this could occur at the present but an additional house would increase the number of movements and exacerbate the situation. Transport Scotland would note that this problem could be resolved if a length of the hedge could be removed and the accesses combined to create a wider access over the first 10 metres or so.

I trust this explains Transport Scotland's position but if you require any further details please do not hesitate to contact me.

Yours faithfully

Ken Aitken  
Transport Scotland

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Mrs M M Smart  
The Old Manse  
Minard  
Argyll  
PA328YB

08/04/2010

Dear Sir / Madam

**Review Reference Number 10/0003/LRB- Planning Application 09/01424/PPP**

As a person /Organisation named as an Interested Party with regard to the above subject I submit the following information, as required by Argyll and Bute Council, to clarify whether shared or separate access is proposed.

I submit that the proposed access will comply with the requirements of the Council and any other statutory organisation and will be 'shared' for a distance of approximately 10 meters from the pavement in the form of a hammer head. This will be achieved by removing part of the existing dividing hedge and tarring that area over.

Yours faithfully



M M Smart

Cc:

Local Review Body - Argyll and Bute Council Kilmory  
Mr Ross McLaughlin - Development Manager Argyll and Bute Council  
Area Roads and Amenity Services Manager-Argyll and Bute Council  
Transport Scotland-Buchanan House 58 Port Dundas Road Glasgow  
Sheila Campbell- Landfall Minard by Inveraray Argyll  
West of Scotland Archaeology Service- 20 India Street Glasgow  
Scottish Water- Customer Connections 419 Balmore Road Glasgow  
Scotland Transerve- Broxden House Lamberkine Perth  
SEPA- Leading Light Building 142 Sinclair Road Torry Aberdeenshire  
Dr John Raven-Inspector of Ancient Monuments Historic Scotland Lonhmore House  
Salisbury Place Edinburgh

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Committee Services  
Argyll and Bute Council  
Kilmory  
Lochgilphead  
Argyll  
PA31 8RT

**Development & Infrastructure Services**  
**Mid Argyll, Kintyre & the Islands Area Office,**  
**67 Chalmers St, Ardrishaig, Argyll PA30 8DX**  
Tel: 01546 604082 Fax : 01546 604081  
E-mail: Peter.Bain@argyll-bute.gov.uk  
Website: www.argyll-bute.gov.uk

Ask For: Peter Bain  
Our Ref: 09/01424/PPP  
Your Ref: 10/00003/LRB  
Date: 12<sup>th</sup> April 2010

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**  
**LOCAL REVIEW BOARD REF. 10/00003/LRB – REQUEST FOR FURTHER**  
**INFORMATION BY WRITTEN SUBMISSIONS**

Further to your request dated 20<sup>th</sup> March 2010 I attach a copy of the additional information as requested.

Having regard to the list of suggested conditions, it is noted that the requirements set out by Transport Scotland in their comments of 25<sup>th</sup> November 2009 cannot be accommodated within the boundary of the application site and/or wholly within land which is in the ownership of the applicant. In this respect it is noted that condition 6, parts i) and ii) (identified in **bold** text) shall require to be updated to accommodate any further recommendation of Transport Scotland in respect of clarifying this matter.

Yours faithfully

Peter Bain  
Area Team Leader (Acting) – Planning & Regulatory Services  
Mid Argyll, Kintyre & the Islands

c.c.

- Moirs Smart, The OldManse, Minard, Argyll, PA32 8YB
- Area Roads Manager, Manse Brae, Lochgilphead, PA31 8RD
- Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

**SUGGESTED CONDITIONS AND REASONS RELATIVE TO LOCAL REVIEW BOARD  
REF. 10/00003/LRB (09/01424/PPP)**

1. That the permission is granted in terms of Section 59 of the undernoted Act and Regulation 10 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 on the basis of an application (or applications) for planning permission in principle that further approval of Argyll and Bute Council or of Scottish Minister on appeal shall be required, such application must be made before whichever is the later of the following:-

- a) the expiration of a period of 3 years from the date of this permission.

- b) the expiration of a period of 6 months from the date on which an earlier application for the requisite approval was refused.

- c) the expiration of a period of 6 months from the date on which an appeal against such refusal is dismissed.

And in the case of b and c above only one such application can be made after the expiration of the period of 3 years from the original planning permission in principle.

Reason: In accordance with Section 59 (1) of the Town and Country Planning (Scotland) Act 1997

2. The development shall be implemented in accordance with the details specified on the application form dated 22<sup>nd</sup> August 2010 and the approved drawing reference number 1 of 1.

*Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.*

3. No development shall commence until details of the siting, design and finishes of the dwellinghouse hereby approved have been submitted to and approved by the Planning Authority. Thereafter the development shall be implemented in accordance with the duly approved details. Such details shall show a dwellinghouse which incorporates the following elements:

- i) External walls to be finished in white wet/dry dash render or natural stone or a mixture of both;
- ii) Roof covering of natural slate or a good quality slate substitute coloured dark blue/grey;
- iii) Single storey design;
- iv) Incorporates windows with a strong vertical emphasis;
- v) Roof pitch of not less than 37° and not greater than 42°
- vi) Incorporating smooth cement window and/or door bonds;
- vii) Is predominantly rectangular shaped with traditional gable ends;
- viii) Incorporates a ridge line located parallel to the public road;

Reason: In the interest of visual amenity, in order to integrate the proposed dwellinghouse with its surrounds and, no such details having been submitted.

4. No development shall commence until details of the proposed finished floor level of the dwellinghouse, hereby approved, relative to an identifiable fixed datum located outwith



the application site have been submitted to and approved by the Planning Authority. Thereafter the development shall be implemented in accordance with the duly approved details.

Reason: In the interest of visual amenity, in order to integrate the proposed dwellinghouse with its surrounds and, no such details having been submitted.

5. No development shall commence until details of the proposed landscape and boundary treatment, including details of location, height and materials of any walls/fences/gates, have been submitted to and approved by the Planning Authority. Such details shall also identify the location, canopy width and species of existing trees, hedges and shrubs within the application site boundary and will clearly identify any trees, hedges and shrubs which are to be felled/removed to accommodate the development. Thereafter the development shall be implemented in accordance with the duly approved details prior to the occupation of the dwellinghouse.

Reason: In the interest of visual amenity, in order to integrate the proposed dwellinghouse with its surrounds and, no such details having been submitted.

6. No development shall commence until details of the proposed access arrangements from the public highway and onsite parking turning provision have been submitted to and approved by the Planning Authority. Thereafter the duly approved details shall be fully implemented prior to the commencement of works on site, or to an alternative timetable as agreed in writing with the Planning Authority. Such details shall show:
  - i) **This item should specify layout of connection to A83 Trunk Road as per agreement with Transport Scotland (*the requirements set out in Transport Scotland's response dated 25<sup>th</sup> November 2009 are not achievable within the bounds of the application site boundary or land within the control of the applicant and cannot therefore be achieved by planning condition*);**
  - ii) **Visibility splays of 120.0m x 4.5m in both directions from the centreline of the proposed access within which there will be no obstruction of 1.05m in height above the level of the adjoining carriageway (*it is again advised that this element of the condition be reviewed having regard to any further comments received from Transport Scotland if appropriate*);**
  - iii) Provision of onsite parking and turning to comply with the requirements of LP TRAN 6 and Appendix C of the Argyll and Bute Local Plan 2009.

Reason: In the interest of road safety and, no such details having been submitted.

7. No development shall commence until details of the proposed foul drainage arrangements to serve the development have been submitted to and approved by the Planning Authority. Thereafter the development shall be fully implemented in accordance with the duly approved details prior to the occupation of the dwellinghouse.

Reason: In the interest of public health, to ensure that the development is served by an appropriate means of foul drainage commensurate to the scale of the development and, no such details having been submitted.

**SUGGESTED NOTE TO APPLICANT – 10/00003/LRB**

- In order to comply with Section 27A(1) of the Town and Country Planning (Scotland) Act 1997, prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start.
- In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was completed.

Site Photographs – taken 27.11.09

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View looking South West on A83 approach to Minard – application site located behind shrubbery to left of coniferous tree which is framed by the boundary of the road.



Single row of existing dwellings on Mansfield Road to North East of application site set back from A83 – Juniper Hill to Kennels Cottage from near to far.

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Looking South West on Mansefield Road toward application site from entrance to Cove (central coniferous trees are within the application site).



Looking West on Mansefield Road toward The Old Manse – Cove and Landfall in foreground.

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Looking North West on A83 toward properties which lie to West of the application site – Leacroft Cottage and Lea Croft (west to east).



Looking North on A83 toward The Old Manse.

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Looking North East along A83 toward application site (behind rhododendron hedge, includes coniferous trees central) and existing accesses to Old Manse & Lea Croft (between brick and stone piers).



Looking North West on A83 – Existing accesses serving Lea Croft (left) and The Old Manse & application site (right)

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Looking North East along A83 from existing access to The Old Manse (note: this should not be interpreted as providing a representation of the visibility splay requested by Transport Scotland).



Looking South West along A83 from existing access to The Old Manse (note: this should not be interpreted as providing a representation of the visibility splay requested by Transport Scotland).

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View of application site looking North from A83.



Looking North West within application site toward The Old Manse

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View across application site looking North East (gable of Cove & line of A83 street lighting visible through foliage).



View across application site looking North (frontage of Landfall visible behind)

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