

**MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held BY SKYPE  
on MONDAY, 21 SEPTEMBER 2020**

**Present:** Councillor Rory Colville (Chair)  
Councillor Gordon Blair Councillor Roderick McCuish

**Attending:** Iain Jackson, Governance, Risk and Safety Manager (Adviser)  
Fiona McCallum, Committee Services Officer (Minutes)

**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. CONSIDER NOTICE OF REVIEW REQUEST: DUNEIRA, PIER ROAD, RHU, HELENSBURGH, G84 8LH (REF: 20/0007/LRB)**

The Chair welcomed everyone to the meeting and introductions were made. He explained that no person present would be entitled to speak other than the Members of the Local Review Body (LRB) and Mr Jackson who would provide procedural advice if required.

He advised that his first task would be to establish if the Members of the LRB felt that they had sufficient information before them to come to a decision on the Review. Everyone agreed that although the site inspection had been extremely helpful it had raised further issues that would need clarified before a final decision could be taken on this Review (*note of Site Inspection attached at Appendix A of this Minute*).

Councillor Colville raised the following points:

Notwithstanding the Planning Officer has provided a plan regarding the use of Pier Road (page 51 of the Agenda pack for the first calling of the LRB), the Roads Officer confirmed at the site inspection that she could not support the use of Pier Road as an exit from the development, which, Councillor Colville advised, would mean he would be unable to support the Applicant's suggestion that there could be a one way in (Gareloch Road) and one way out (Pier Road) system.

Councillor Colville advised that he had also noted the Planning Officer had suggested an alternative set of conditions (detailed on page 32 of the Agenda Pack for the first calling of the LRB), in the event that a one way in and one way out system was agreed by the LRB. These alternative conditions varied from those applied to the original consent (detailed on pages 13 and 38 of the Agenda Pack for the first calling of the LRB).

He said that the revised conditions included an additional condition 2 restricting the number of delegates to 14 which has been agreed to by the Applicant's Agent both

at page 5 of the Agenda Pack for the second calling of the LRB and at the site inspection.

He pointed out that there was no mention of the following in the alternative conditions, which were included within the original conditions:

- condition 2iii – parking shall be provided for 1no. vehicle per staff member and onsite turning provision will be required within the boundary;
- condition 2iv – parking for 1no. vehicle per course participant and onsite turning provision will be required; and
- condition 2v – delivery drop off and onsite turning provision shall be within the boundary.

Councillor Colville also pointed out that alternative condition 3 stated that car parking provision shall be in accordance with SG LDP TRAN 6 – Vehicle Parking Provision. He said he was not sure if this was the same as what was in the original consent as the Roads Officer confirmed at the site inspection that there would be a requirement for 1 space for each attendee and 1 space per 3 employees.

Councillor Colville also advised that the alternative conditions did not include the requirement for the primary mode of transport by attendees to and from the training centre to be via shuttle bus provided by the Applicant. This requirement was detailed in condition 3 of the original consent.

Councillor Colville advised that at this point he was minded to refuse the application for Review but to ensure clarity for himself and all parties, and on the basis of all the information available to him, he would wish the Planning Officer to submit a new and appropriate set of conditions, in consultation with the Roads Officer, that the LRB could apply to the consent as there appeared to be a contradiction between those applied to the original approval and the alternatives submitted in the event the LRB were minded to agree to a one way in (from Gareloch Road), one way out (from Pier Road) system.

He also requested clarity on whether or not a further planning application would be required to make the necessary alterations to the front gate as he felt these could be dealt with by planning conditions.

Councillor McCuish said that Councillor Colville had covered the majority of his concerns. He advised that it would assist him in coming to a final decision if there were any Police stats regarding Pier Road and whether or not there was a record of any accidents on this road.

Councillor McCuish also referred to hearing at the site inspection that the property had originally been operated as a Care Home. He sought clarification on whether or not the Pier Road access was used for coming in and out of the property at that time.

Councillor Blair referred to the various issues raised and different parts viewed at the site inspection. He said that clarity was required as to whether or not, if the Gareloch Road was just to be used for entering the site, there would still be a requirement to widen the gates and cut down the foliage to enable vehicles to turn right safely from the A814 into the site.

Councillor Blair agreed that clarity on parking provision was required.

Councillor Blair referred to the possibility of exiting the site onto the Pier Road, and asked if this was agreed to, would this require the lowering of the wall and cutting back excess foliage. He also requested that roads stats and accident statistics for Pier Road be provided.

Councillor Colville asked Mr Jackson to comment on the further information that was being requested. Mr Jackson summarised the various issues which the LRB sought clarity on. He pointed out that clarity was required as to whether or not exiting onto the Pier Road could be agreed to as the Roads Officer had made it clear at the site inspection she would not support the Pier Road access being used to exit the site.

Councillor Blair said that if it was the case that Pier Road could not be used if the property was changed from residential to commercial use, he would like the technical detail and stats why this would be the case.

Mr Jackson referred to the request at the site inspection for a copy of the latest Traffic Survey carried out on Pier Road. He confirmed that the Roads Officer had provided this to Committee Services but the LRB would need to formally request this at this meeting so that it could be accepted into the process.

## **Decision**

The Argyll and Bute LRB agreed:

1. To request the Planning Officer to consult further with the Roads Officer and provide the following further written information –
  - a) confirmation that the access onto Pier Road could be used to exit the site if the property is for commercial use, and if this is not the case, provide the technical reasons that would prevent this,
  - b) confirmation as to whether or not the Pier Road access was used to exit and enter the property when it was operated as a Care Home,
  - c) confirmation on parking provision, drop off points and turning areas required for 14 delegates, employees and delivery vehicles,
  - d) confirmation as to whether or not a shuttle bus, provided by the Applicant, for delegates leaving and entering the property was still required,
  - e) confirmation on whether or not the gate posts at the Gareloch Road access require to be widened with foliage cut back to enable vehicles to turn right safely from the A814 into the property if this was used for access into the property only,
  - f) confirmation on whether or not any necessary alterations required at the front gate would require a separate planning application or could be dealt with by condition,

- g) confirmation of any alterations to the wall and cutting back of foliage that would be required if the use of Pier Road to exit the site was agreed to, and
  - h) taking account of the clarification sought on the above, and in consultation with the Roads Officer, to provide appropriate conditions and reasons to attach to the consent firstly, if the LRB were minded not to agree to the request by the Applicant that Gareloch Road be used for entering the site only and Pier Road be used for exiting the site only, and secondly, if the LRB were minded to agree to the request by the Applicant that Gareloch Road be used for entering the site only and Pier Road used for exiting the site only.
2. To request from the Roads Officer –
- a) The most recent Traffic Survey carried out of Pier Road, and
  - b) A report on any Police stats and accidents recorded at Pier Road.
3. To adjourn the meeting and agree to reconvene once all written information has been received and interested parties have had the opportunity to comment on this information.

(Reference: Notice of Review and support documentation, further information received and comments from Interested Parties, submitted)

## Appendix A

### ARGYLL AND BUTE LOCAL REVIEW BODY

#### NOTE OF MEETING OF SITE INSPECTION RE CASE 20/0007/LRB DUNEIRA, PIER ROAD, RHU, G84 8LH THURSDAY 17 SEPTEMBER 2020

In attendance: Councillor Rory Colville, Argyll and Bute LRB (Chair)  
Councillor Gordon Blair, Argyll and Bute LRB  
Councillor Roderick McCuish, Argyll and Bute LRB  
Iain Jackson, Governance, Risk and Safety Manager (Adviser)  
Fiona McCallum, Committee Services Officer (Minutes)  
John McLean - Applicant's Agent  
Donna Lawson, Traffic and Development Officer – Consultee  
Jean Cook – Rhu and Shandon Community Council - Consultee  
Jim Duncan – Objector  
Linda Duncan – Objector  
Charles McKerracher – Objector  
John McGall – Objector  
Alastair Moore – local resident

The Argyll and Bute LRB agreed on 1 June 2020 to conduct a site inspection in order to view the existing accesses onto Pier Road and Gareloch/Shore Road.

The LRB convened on 17 September 2020 within the grounds of Duneira at 11.00 am. The Chair welcomed everyone to the site inspection and introductions were made.

The following points were discussed and noted at the site inspection:

1. The access to/from Duneira at Gareloch/Shore Road was viewed and the Roads Officer explained the need for visibility splays of 42 x 2.4 x 1.05 metres in both directions of the access at Gareloch Road with all walls, hedges and fences maintained at a height of not greater than 1 m above the road. This was the minimum requirement for a strategic route and for a 30mph road.
2. There was currently no visibility for vehicles existing onto the A814 Gareloch/Shore Road.
3. The gate pillars require to be relocated to ensure a 6m wide vehicle access to allow an existing vehicle to be stationary while waiting to join the A814 at the same time as a vehicle entering the property.
4. The access to/from Duneira at Pier Road was viewed. Reference was made to suggested condition submitted by the Planning Officer for proposed alterations to this access to enable access onto Pier Road from the property. It was noted that the Roads Officer would not support this access being used to exit the property.
5. It was noted that there was currently zero visibility at the Pier Road access.

6. The Roads Officer advised that exiting onto Pier Road would not be safe regardless of visibility splays. The existing layout of Pier Road did not provide a formal footway and the introduction of multiple traffic movements could not be supported.
7. It was noted that concerns have been raised by local community groups and Police Scotland about road safety for both pedestrians and motorists at Pier Road.
8. The proposed location of the car park within the grounds of Duneira was also viewed.
9. It was noted that this location shared boundaries with other properties and concerns had been raised about the car park's impact on the amenity of these properties.
10. The Applicant's Agent confirmed that if a condition was imposed to erect screening this would be complied with.
11. Various locations within the boundary of property were also pointed out by the Applicant's Agent as additional parking areas.