



**Argyll and Bute Council**  
**Comhairle Earra-Ghàidheal Agus Bhòid**

*Customer Services*  
*Executive Director: Douglas Hendry*

*Kilmory, Lochgilphead, PA31 8RT*  
*Tel: 01546 602127 Fax: 01546 604435*  
*DX 599700 LOCHGILPHEAD*

25 October 2017

**RECONVENED MEETING OF ARGYLL AND BUTE LOCAL REVIEW BODY**

To be held on **WEDNESDAY 1 NOVEMBER** at **10:30 AM** at **CONNEL VILLAGE HALL,**  
**CONNEL, BY OBAN**

I refer to the above meeting and enclose herewith further written submissions as requested by the Local Review Body at their meeting on 20 September 2017 along with comments from the Applicant.

Douglas Hendry  
Executive Director of Customer Services

**BUSINESS**

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST**
3. **CONSIDER NOTICE OF REVIEW REQUEST: SITE FOR THE ERECTION OF CROFT HOUSE, LAND NORTH OF 1 KILVAREE, CONNEL, OBAN. PA37 1RN**
  - (a) Further Information Received from Planning (Pages 3 - 8)
  - (b) Further Information Received from Roads (Pages 9 - 10)
  - (c) Further Information Received from Applicant (Pages 11 - 12)
  - (d) Comments Received from Applicant (Pages 13 - 14)

**ARGYLL AND BUTE LOCAL REVIEW BODY**

Councillor Rory Colville (Chair)      Councillor Mary-Jean Devon  
Councillor Donald MacMillan

Contact: Adele Price-Williams: 01546 604480

This page is intentionally left blank

**FURTHER INFORMATION**

**FOR**

**ARGYLL AND BUTE COUNCIL  
LOCAL REVIEW BODY (LRB)**

**17/0005/LRB**

**Amendment to Condition 4 of Planning Permission in Principle  
17/00493/PP granted on 02/05/17 (requirement for surfacing in a  
bituminous surface to a point 10 metres south of the access into  
the site)**

**Site for erection of dwellinghouse on land North of 1 Kilvaree,  
Connel**

**03/10/17**

**FURTHER INFORMATION REQUESTED FROM PLANNING  
AUTHORITY RELATIVE TO 17/0005/LRB**

- i) To provide clarity as to the length of access to be improved as referred to in Condition 4.

*Comment: The access is to be improved from its junction with the public road to a point 10 metres south of the access into the proposed development site (approximately 900 metres) – see attached plans.*

It should be noted that at the time when the Planning Service received the consultation response from the Roads Authority their requirement was not explicitly clear and was misinterpreted by the Planning Service. The Planning Service was under the impression that the Roads Authority required 10 metres of surfacing south of the entrance into the development site and not the entire access surfaced from the junction with the public road to 10 metres south of the entrance into the proposed development site.

It is only within the last week during discussions with the Roads Authority regarding the LRB that their requirement was fully understood.

Had the Planning Service fully understood the requirements of the Roads Authority we would have sought clarification from the Roads Authority prior to determination of the application as to why they thought that their requirement was commensurate and proportionate for a development of a single dwellinghouse. The Planning Service would have sought to negotiate more appropriate and commensurate works reflecting the development of a single dwellinghouse.

Furthermore this would have been reflected in the Statement of Case submitted by the Planning Authority to the LRB.

- ii) To explain how this Condition impacts on the other properties built along the same road.

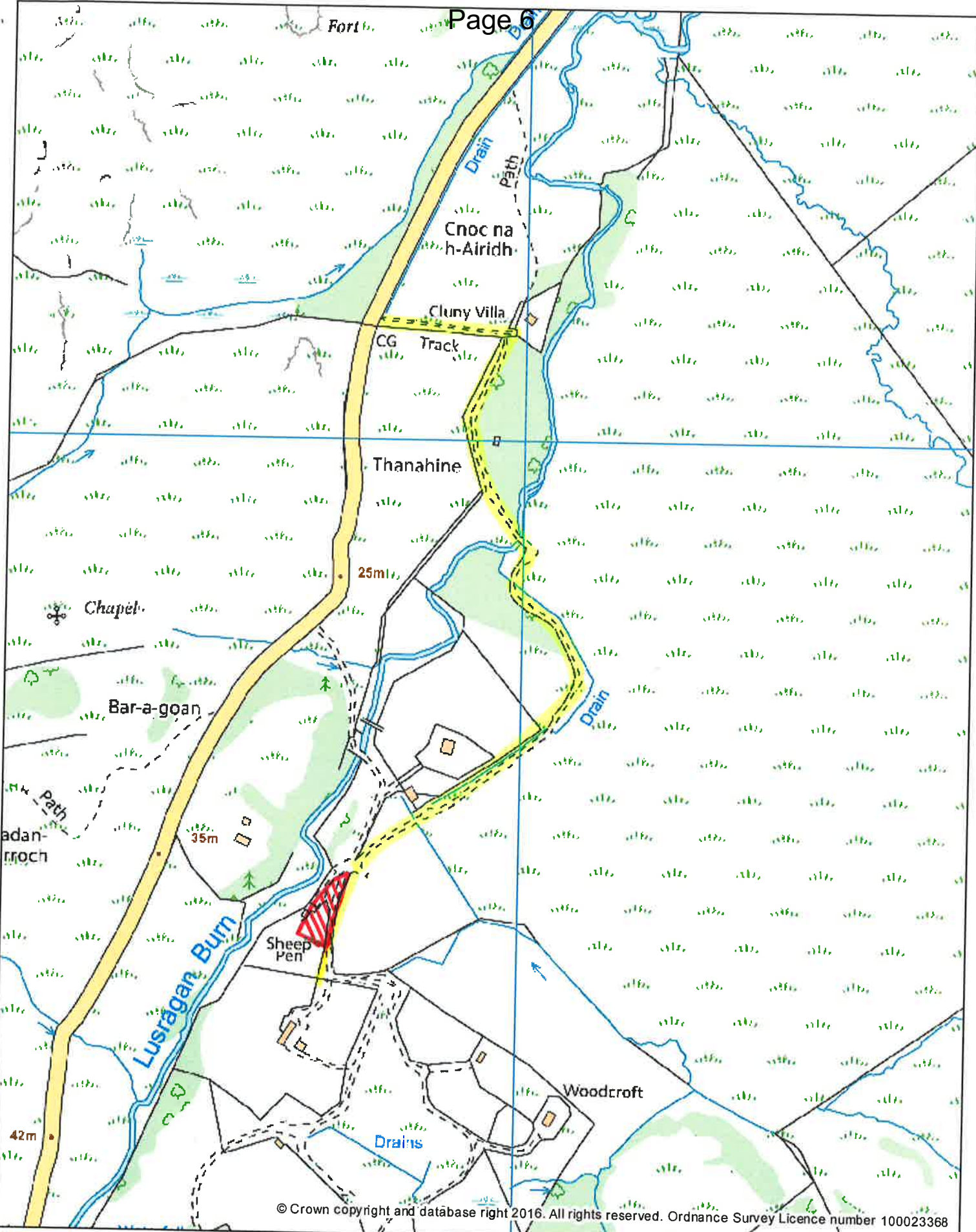
*Comment: The access currently only serves Cluny Villa and will improve the access for their use.*

- iii) To provide detail on what responsibilities these other properties have in relation to the maintenance of the road to be improved.

*Comment: This is not a matter the Planning Service can answer but something that other users of the access track would have to clarify.*

iv) To provide confirmation of land ownership in respect of the roadway and adjacent landholdings in so far as can be established.

*Comment: The applicant certified on the application form that he owns the extent of the road which the Roads Authority require to be upgraded. The drawings show all land outlined in red and blue on the application drawings within the applicants ownership (see attached location plan). The Planning Service cannot advise on the ownership of any land outwith these boundaries.*



© Crown copyright and database right 2016. All rights reserved. Ordnance Survey Licence number 100023368



### Location Plan

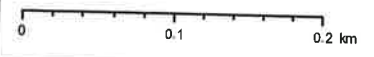


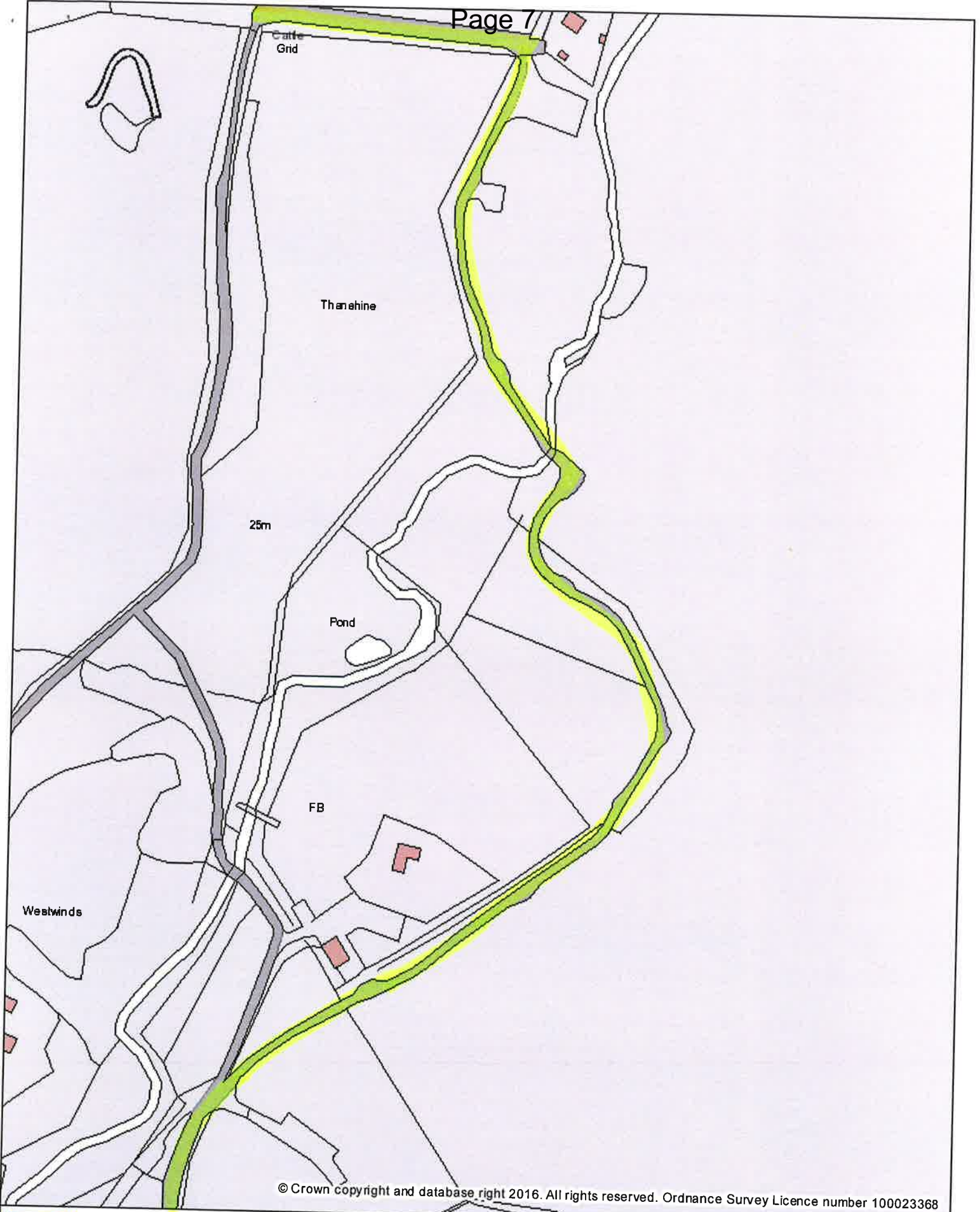
APPLICATION SITE



EXTENT OF UPGRADE REQUIRED BY THE ROADS AUTHORITY

Author: ABC  
 Date: October 3, 2017  
 Scale: 1:5,000



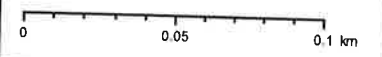


© Crown copyright and database right 2016. All rights reserved. Ordnance Survey Licence number 100023368



# Location Plan

Author: ABC  
 Date: October 3, 2017  
 Scale: 1:2,500







Local Review Body Reference 17/0005/LRB

Planning Reference 17/00493/PPP

Site for the Erection of Croft House, Land North of 1 Kilvaree, Connel, By Oban, PA37 1RN.

Following the request for further information by the Local Review Body, Roads responses are as follows;

Item (i). The length of road to be surfaced is from the junction with the existing public road, to a point 10m south of the site access, a distance of approximately 850m.

Item (ii). This will improve the access for all householders who use this farm track for access to their properties.

Item (iii). Roads do not have this information.

Item (iv). Roads do not have this information.

This page is intentionally left blank

REQUEST FOR FURTHER INFORMATION FOR REVIEW REFERENCE  
17/0005/LRB, MR JAMES ADAM, LAND NORTH OF 1 KILVAREE,  
CONNEL, BY OBAN, PA37 1RN

- i) This information should be provided by the Roads Authority.
  
- ii) The other properties are almost all crofts and have right of access along the road from the UC19 public road or from the other access to the South before the dwellinghouse called "Westwinds".
  
- iii) The other properties carry out some maintenance on the road e.g. filling in potholes and surfacing with plainings.
  
- iv) The roadway is owned by James Adam and Dunstaffnage Estate.

This page is intentionally left blank

COMMENTS ON THE FURTHER INFORMATION SUBMITTED FOR THE LOCAL REVIEW BODY REFERENCE 17/0005/LRB, SITE FOR THE ERECTION OF A CROFT HOUSE ON LAND NORTH of 1 KILVAREE, CONNEL, BY OBAN PA37 1RN.

PLANNING and ROADS AUTHORITY

I support the revised submission from the Planning Department which states that the Planning Service would have sought to negotiate more appropriate and commensurate works to reflect the development of a single dwellinghouse.

The road is not going to be adopted by the Local Authority and it is clear that Roads have specified improvements which step beyond the reasonable requirements of commensurate improvements by specifying a standard which is equivalent in nature to an adoption standard road.

The Local Authority will not be responsible for the maintenance of this road. The Roads Engineer states that the distance is approximately 850 metres and this could cost over £50,000. This clearly is not proportionate for the erection of one additional croft house and I urge the Review Panel to alter this Condition.

This page is intentionally left blank