



Argyll and Bute Council
Comhairle Earra-Ghàidheal Agus Bhòid

Customer Services
Executive Director: Douglas Hendry

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25 October 2017

RECONVENED MEETING OF LOCAL REVIEW BODY

WEDNESDAY 1 NOVEMBER 2017

AT 2.30 PM IN THE MAIN HALL, APPIN VILLAGE HALL, APPIN

I refer to the above and enclose herewith further written submissions requested by the Local Review Body at their meeting on 12 September 2017.

Douglas Hendry
Executive Director of Customer Services

BUSINESS

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF INTEREST**
- 3. CONSIDER NOTICE OF REVIEW REQUEST: ERECTION OF CROFT HOUSE: CROFT 1, LETTERSHUNA, APPIN, PA38 4BN (REF: 17/0004/LRB)**
 - (a) Further information requested
 - i) Planning Authority (Pages 3 – 4)
 - ii) Applicant (Pages 5 – 6)
 - iii) Roads Authority (7 – 8)
 - (b) Comments received from Applicant on further information received (Pages 9 - 10)

ARGYLL AND BUTE LOCAL REVIEW BODY

Councillor David Kinniburgh (Chair) Councillor Roderick McCuish
Councillor Sandy Taylor

Contact: Fiona McCallum Tel: 01546 604392

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**REQUEST FOR FURTHER INFORMATION RELATIVE TO 17/0004/LRB -
Amendment to condition 5 part (i) of planning permission ref 17/00079/PPP
(Requirement for surfacing of existing private access in hot bituminous
material, minimum depth 100mm, to a point 12.5m south west of the vehicular
entrance to Railway Cottages), Site for the erection of dwellinghouse,
Lettershuna Croft 1, Appin.**

In response to the recent request for further information in respect of the above the Planning Authority wishes to make the following response:

1. Post determination discussions have been ongoing between the Planning Service and Roads and Amenity Services. Roads and Amenity Services have reconsidered the previously requested commensurate improvements and have taken Potential Development Area PDA 5/151 into consideration. These post determination discussions arose as a result of a request from the appellant's agent to review condition 5. The following commensurate improvements are required:

- Resurfacing to the first access, approximately 80m
- Resurfacing should be 100mm total depth of tar laid in 2 layers (base coat and wearing coat)
- Turning head to be installed at the end of the surfacing, same construction

Roads and Amenity Services have also commented that an estimate of works £10-12K, this is less than previously estimated as is no longer to adoptable standard.

2. The Planning Service agrees with the commensurate improvements requested above. It is for Roads and Amenity Services to advise on the required roads access standards and an agreement is not required to be reached with the applicant in order to achieve these standards.

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Fwd 170004LRB Agent
From: E MACASKILL <emacaskill@btinternet.com>
Sent: 26 September 2017 11:42
To: local reviewprocess
Subject: Fwd: 17/0004/LRB

-----Original message-----

From : emacaskill@btinternet.com
Date : 26/09/2017 - 09:48 (GMTDT)
To : Fiona.McCallum@argyll-bute.gov.uk, brian.rattray@argyll-bute.gov.uk,
Peter.Bain@argyll-bute.gov.uk
Subject : 17/0004/LRB

Dear Ms McCallum,

With reference to the request for further information from the Review Panel dealing with the

review of the Planning decision pertaining to 17/00079/PPP, erection of a croft house at

Lettershuna, Appin, PA38 4BN, I wish to supply the following information :-

1) The types of vehicles which will use the private access are cars to the existing houses, Lorry to the Council Depot and a car to the croft. The pony trekking will be operated from the nearby existing Lettershuna Riding Centre and customers will arrive there in vehicles to

commence pony treks. The horses/ponies around 4 or 5 will be grazed on the croft. When

required they will be walked back to the Riding Centre along the existing path.

2) The Planning Department have agreed that the road to the croft should be a private road and the applicant agrees with that decision. The improvements asked for by the Roads Department

are equivalent in nature to an adoption standard and are far too onerous for the addition of a single house.

Please confirm that you have received this email.

Yours sincerely,
Allan Macaskill.

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Local Review Body Reference 17/0004/LRB

Planning Application Reference 17/00079/PPP

Erection of Croft House: Croft 1, Lettershuna, Appin, PA38 4BN

Request for further information

Point 1. A turning head has been requested at Railway Cottages as the far end of the access road at the bottom of the hill becomes muddy in wet weather. This will provide a safe turning point for vehicles (e.g. refuse vehicles) that do not require to go to the end of the private access road.

Point 2. As the far end of the private access road is muddy in wet weather, there are times when this part of the road will be unsuitable for refuse vehicles, and it may not be possible to pick up a bin at Lettershuna Croft. A bin store should be provided at a suitable turning point.

Point 3. The planning permission does not specify that passing places are required. The applicant may, with the approval of Roads, surface either a two-lane road, or a single track road with passing places.

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**COMMENTS ON THE FURTHER INFORMATION PROVIDED FOR LOCAL REVIEW
BODY REF: 17/0004/LRB ERECTION OF CROFT HOUSE, LETTERSHUNA, APPIN,
PA38 4BN**

PLANNING AUTHORITY

1. I was disappointed to receive the statement about further information as no new information has been supplied. Reference is still made to PDA 5/151 when the Acting Development Manager stated in an email dated 22 September 2017 "I would agree that as matters that would require planning permissions in their own right are not directly relevant in respect of considering the suitability of the existing access to serve the proposed single dwelling house". That PDA is not relevant to this application.
2. The second point states that it is for Roads and Amenity Services to advise on the required roads access standards. In the response to 17/0005/LRB the Planning Authority states that they would have sought to negotiate more appropriate and commensurate works reflecting the development of a single dwelling house.

That also applies to 17/0004/LRB as the Acting Development Manager when referring to application Reference 17/00079/PPP stated that he would agree 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.

ROADS AUTHORITY

The above statement at No.2 applies as the improvements requested are not proportionate for the erection of a single croft house.

The Council lorry travels to the end of the road going to the Depot before the croft and the refuse vehicles can reach that area where there are currently a row of bins.

The Condition is over-onerous to the scale of development being proposed and the likely intensification of use of the access associated with a single dwelling. Scottish Government Circular 4/1998 refers to

“reasonableness” and the justification for a bitmac surface on a road not the responsibility of the Local Authority is clearly far too onerous and unnecessary.