



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
17 January 2018

RECONVENED MEETING OF ARGYLL AND BUTE LOCAL REVIEW BODY

The **ARGYLL AND BUTE LOCAL REVIEW BODY** will reconvene in the **CAFE, KILMELFORD VILLAGE STORE, KILMELFORD** on **WEDNESDAY, 24 JANUARY 2018** at **11:00 AM**, which you are requested to attend.

Douglas Hendry
Executive Director of Customer Services

BUSINESS

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF INTEREST (IF ANY)**
- 3. CONSIDER NOTICE OF REVIEW REQUEST: 17/0007/LRB - LAND WEST OF FIRE STATION, KILMELFORD**
 - (a) Further written submissions from Planning Authority (Pages 3 - 8)
 - (b) Comments from Applicant (Pages 9 - 14)

ARGYLL AND BUTE LOCAL REVIEW BODY

Councillor Rory Colville (Chair)
Councillor Richard Trail

Councillor Audrey Forrest

Contact: Hazel MacInnes Tel: 01546 604269

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FURTHER INFORMATION

FOR

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

17/0007/LRB

**Amendment of Condition 2 of Planning Permission 17/01092/PP
granted on 18/07/17 (requirement for existing boundary walls to be
set back by 2 metres)**

**Erection of dwellinghouse, detached garage, installation of sewage
treatment plant and retrospective formation of vehicular
access/access gates and boundary wall**

07/12/17

FURTHER INFORMATION REQUESTED FROM PLANNING AUTHORITY RELATIVE TO 17/0007/LRB

Confirmation of the Planning Authority's opinion on siting the service bay across the road from the access to the site.

In principle the Planning Authority and Roads Authority has no objection to the siting of a service bay on the opposite side of the road from the application site, however, there are some issues that would require to be resolved before any formal agreement could be progressed which include the following:

- Identifying the extent of Council owned and controlled land (refer to attached e-mail from Gordon Dalglish) which may require land record searches and/or surveys;
- Although a portion of the land belongs to the Council it may rest with a Department other than Roads and Amenity which would need to be clarified;
- The existing bay, even if suitable, may require to be extended as it is not directly opposite the application site;
- A check may be required to confirm that there is no current lease holding on the land giving control of the bay to the leaseholder;
- Any costs arising from any of the above would require to be borne by the applicant.

Furthermore, the land opposite the access into the site is outwith the boundary of the application site and therefore its provision as a service bay could not be controlled by the condition imposed on the planning permission. It should also be noted that the boundary wall, in its current position, obstructs the visibility splays for the access and the Roads Authority has indicated that, even if the service bay was provided on the opposite side of the road, the boundary wall would still require to be set back by at least 1 metre and reduced in height to achieve the necessary visibility splays.

It would therefore be necessary for a planning application to be submitted to vary the wording of Condition 2 of Planning Permission 17/01092/PP to set the boundary wall back by 1 metre and reduce its height and submit a further Planning Application for the proposed service bay on the opposite side of the road.

From: Dagleish, Gordon
Sent: 28 November 2017 11:27
To: Watson, Stuart <stuart.watson@argyll-bute.gov.uk>
Subject: RE: 17/0007/LRB - LAND WEST OF FIRE STATION, KILMELFORD [OFFICIAL]

Good morning

I thank you for your e-mail message, dated 23rd November 2017, and apologise for not reverting to you sooner. I required to attend to another matter at the latter end of last week.

Although the Village Hall Trustees for the Community of Kilmelford acquired 0.432 acre of ground, in 1954, you may be aware that Strathclyde Regional Council subsequently purchased 183 square metres of those subjects, in 1985.

I attach hereto a scanned copy of the title plan relative to the Statutory Conveyance in favour of Strathclyde Regional Council, for your information.

I assume that you will be able to assess whether or not the land to which your enquiry relates forms part of the plot of ground acquired by Strathclyde Regional Council. I would need to obtain a copy of the Ordnance Survey Map for the area in order to assess if the plot of ground was used for road widening and now is included within the surfaced area of the public road.

Please advise me if you require any additional information at this time or you require me to plot the subjects acquired by Strathclyde Regional Council on to a current edition of the Ordnance Survey map for the area at the Village Hall.

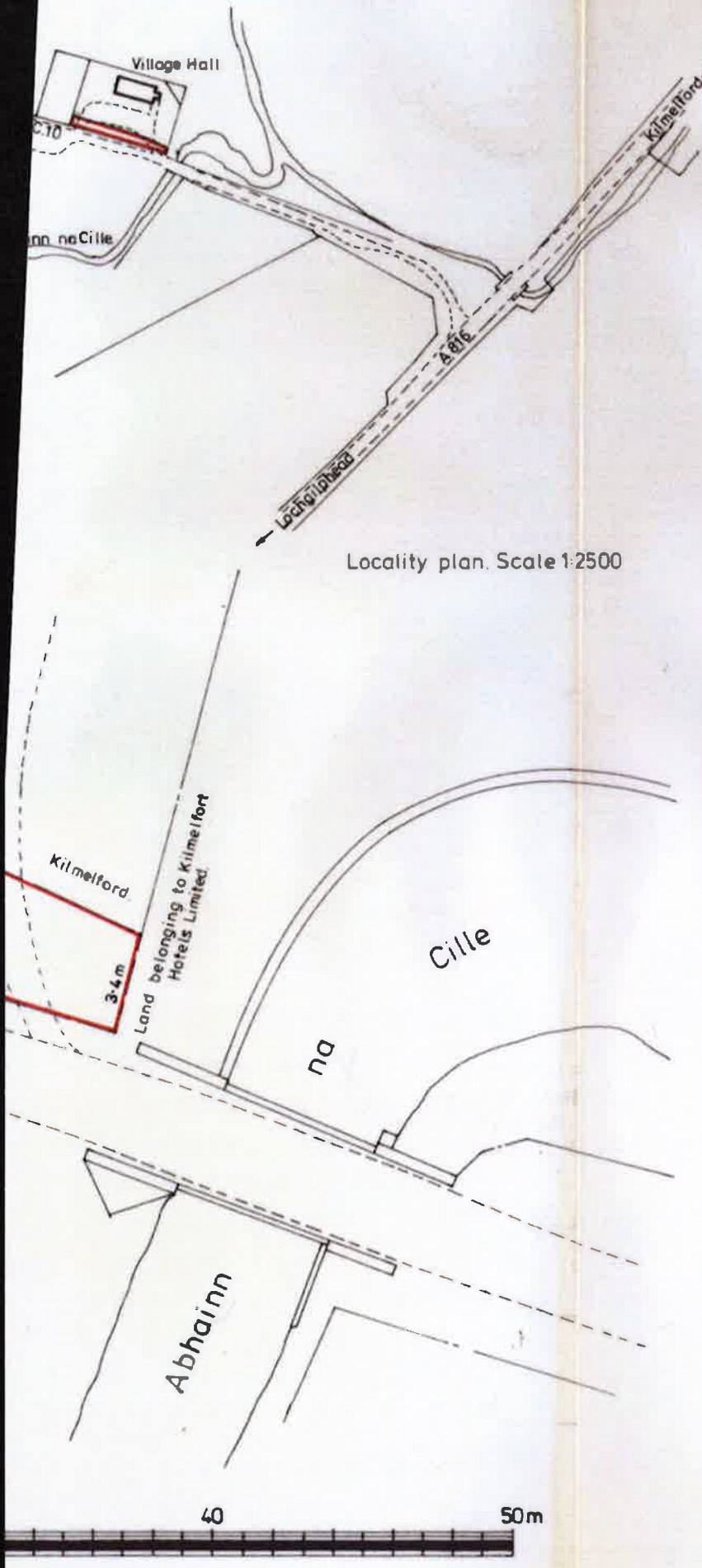
Gordon Dagleish
Senior Solicitor – Commercial
Argyll and Bute Council
Governance and Law
Legal Services
Kilmory
Lochgilphead
Argyll
PA31 8RT
Tel: 01546 604164
Fax: 01546 604435

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Remarks

STRATHCLYDE REGIONAL COUNCIL
 20 INDIA STREET, GLASGOW G2 4PF
 O.S. LICENCE No. LA0754EX
 Reproduced from the Ordnance Survey Map
 Based upon
 with the sanction of the controller of H.M.
 Stationery Office Crown Copyright reserved

No	Revision	By	Date
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**Strathclyde
 Estates
 Department**

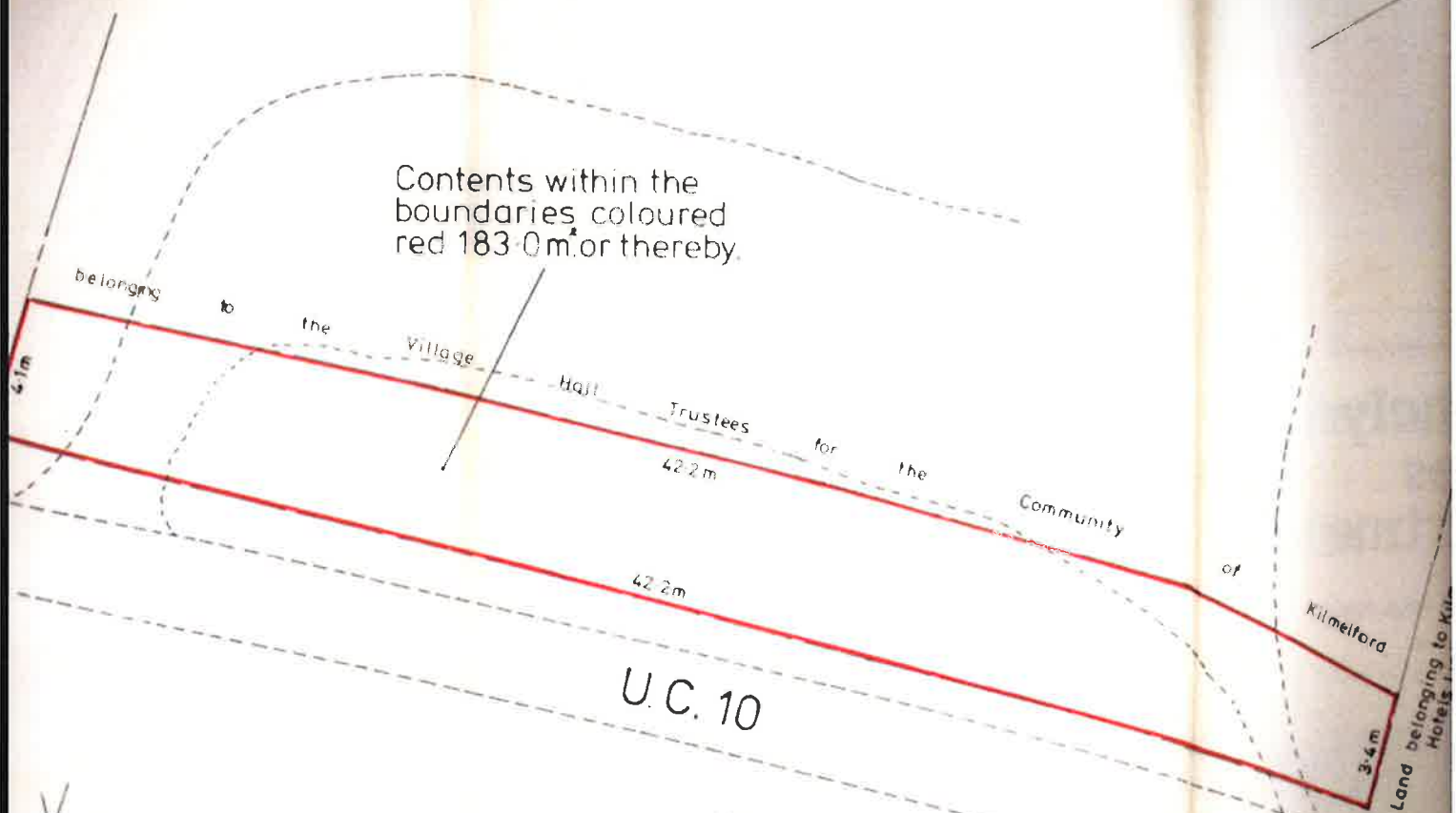
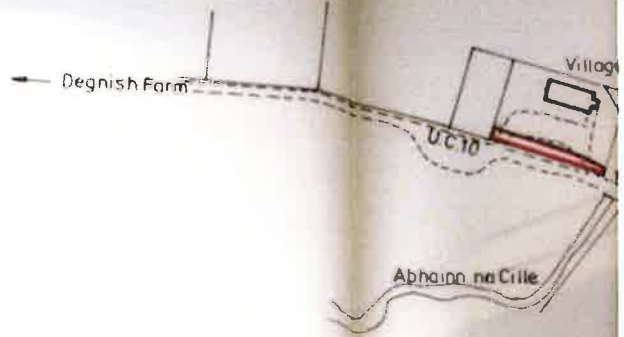
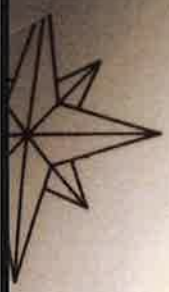
N G Macfarlane FRICS FRVA FBIM
 Head of Estates

**Technical +
 Special Services Division**

Project: U.C. No.10 Kilmelford -
 Degnish Farm Road.
 Loch na Cille Bridge replacement

Title: Land to be acquired from the
 Village Hall Trustees for the
 Community of Kilmelford

S/C		OS Ref.	NM 844 1253
Drawn	AJM	Division	Argyll & Bute
Date	4.11.83	District	Argyll & Bute
Checked	<i>[Signature]</i>	Parish	Kilninver & Kilmelford
Issued	<i>[Signature]</i>		
Drawing No.		Revision	
T 3608			



X This is the plan referred to in the Conveyance by the Village Hall Trustees for the Community of Kilmelford in favour of the Strathclyde Regional Council X

Alan D. H. Macleod

Robert J. Campbell

[Signature] H.C.C.

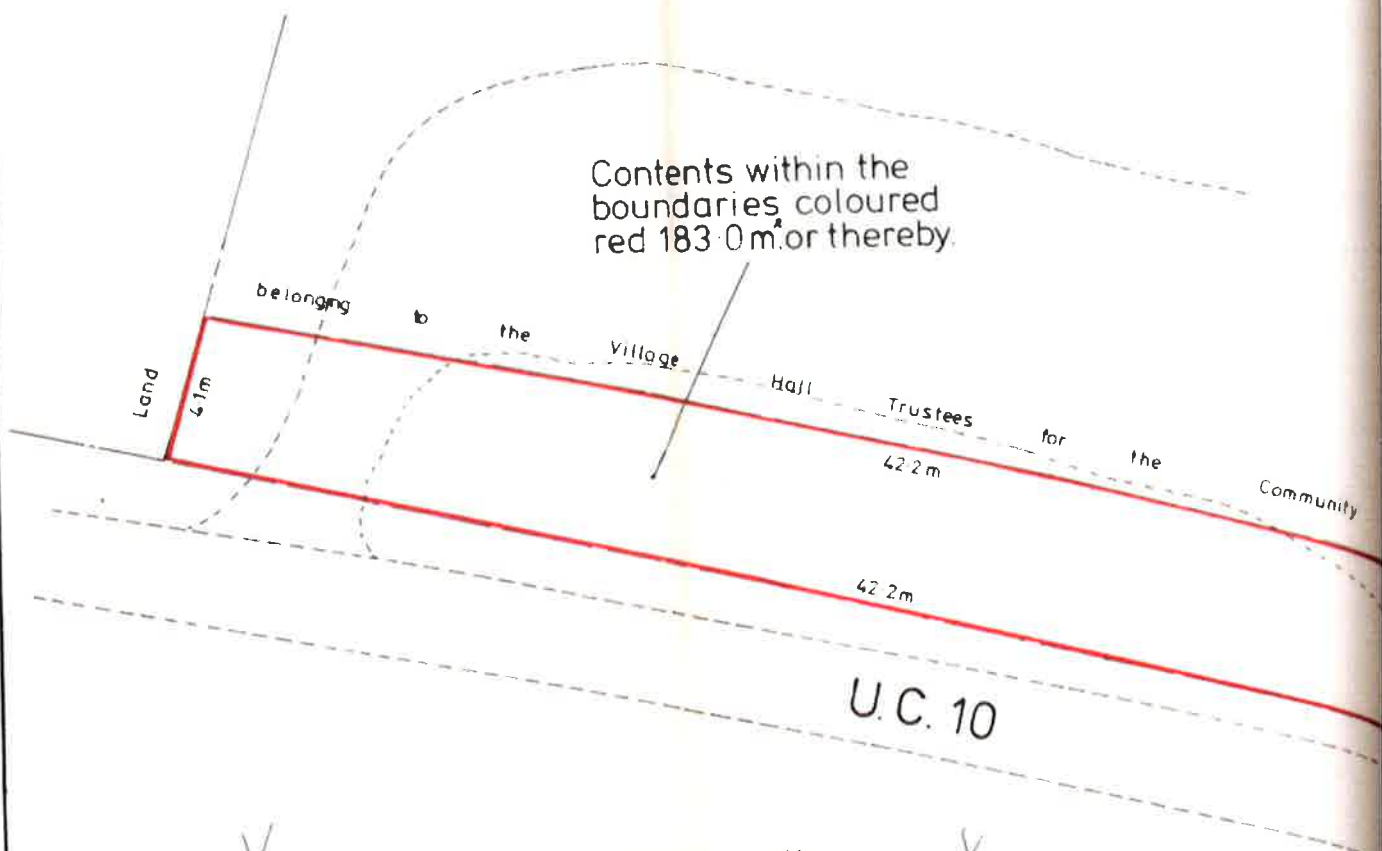


COLENA

WHEEL-



← Degrish Farm



X This is the plan referred to in the Conveyance by the Village Hall Trustees for the Community of Kilmelford in favour of the Strathclyde Regional Council X

Alan J. H. Macleod

Alma J. Campbell

[Signature] HCG



Scale 1:200

AR 1821

A K M c I L V R I D E
ARCHITECTURAL ILLUSTRATION

Further Information Submission per Review Ref; 17/0007/LRB

Land West of Fire Station, Kilmelford, Argyll and Bute.

To All Parties with an Interest,

Further to the first review report of the LRB, as the Applicants Agent, would note the following :

We are dismayed at the suggestion that a service bay should now be considered on the opposite side of the carriageway from the Applicants site. We have no idea where this suggestion came from.

My client has sought the Review of the need for a service bay appended to his site entrance by the utilization of the EXISTING and ADJACENT Service Bay adjacent to his Site (in front of the Fire Station) as detailed on plans submitted earlier and again with this submission.

This Service Bay is the subject of the review and has been discussed on various occasions with the Roads Dept and indeed the extent of which was the subject of My enquiry to Mr Stewart Watson for clarifications which was not responded to.

It is difficult not to feel that a lot of Valuable Public Resource is being misspent on this unhappy procedure, and that such could have been avoided had consistent communications been in place during the standard Planning Application Consultation Period. However we welcome the site visit by concerned parties to clarify the Councils View.

The Main point of the review is that there is a generous service bay effectively appended to the site For Clarity , my client is not and has never been minded to sponsor a service bay on the opposite side of the road. in front of the fire station, which would facilitate my clients site and the needs of service providers perfectly well.

Secondarily is the debilitating area required from this already constrained site by a further service bay, a few meters along the road from the existing one.

With regard to the concern raised about visibility, attention is drawn to the need for the existing ground level within the Application Site to raise the Existing Ground Level some 150-200mm, this to compensate for an elevated Ground Floor Datum required in terms of future Flood Risk. All contained and detailed within the Planning Approval. Ref 17/01092. This will bring the effective height of the wall to less than the statutory requirement, and so offer no restriction to clear site lines.

Further to ongoing discussions with The Planning Department it should be noted that they do not have any objection to the aesthetic of the Wall as detailed within the "Approved" Set of Plans.

They have confirmed that there has been no objection from the Community Council to the aesthetic of the wall. (there was an enquiry pertaining to procedure when the Wall was built in advance of the Application being Submitted.)

That they have no procedural objection to my clients intention to reduce the corner of wall to present the intended configuration for the pending, and greatly appreciated, Site Visit.

There will also be posts on site to illustrate the intended repositioning of the Access gates allowing for a cars length between carriageway and gate.

It is hoped that there will be an opportunity for the Roads Dept to clarify what is meant by "Setting the Wall back by 1000mm", from existing position or from the road "edge".

Thank you for your consideration,

Regards



Andrew K McIlvrde

Agent for the Application.

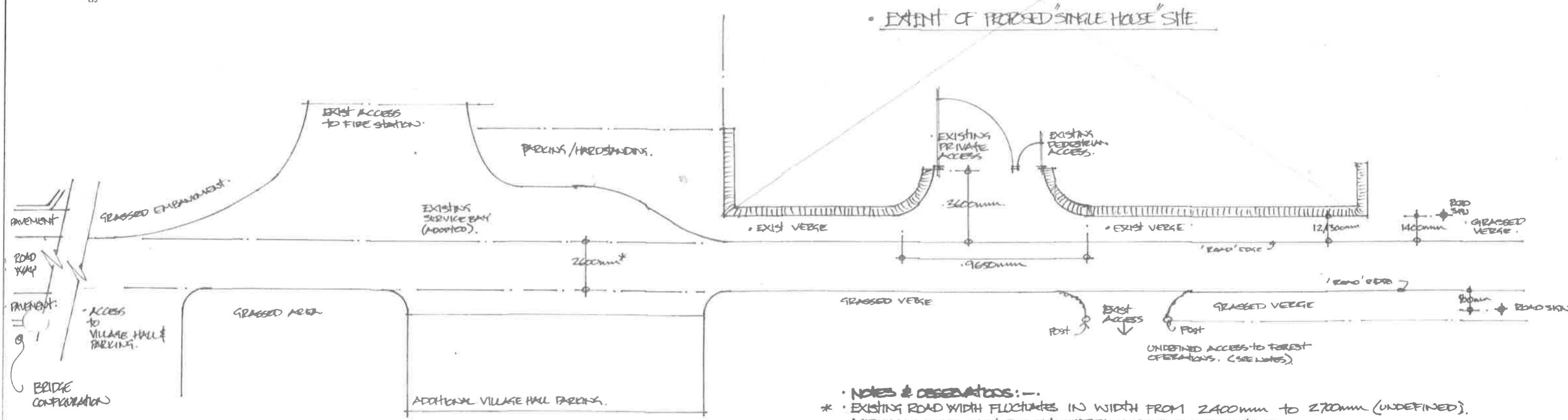
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Comparative Plan showing wall alignment as exist and proposed. Highlighting "Existing Service Bay" AR/239/B/08.

Site and Proximity Plan showing effective special requirement of an Additional Service Bay. AR/239/B/02 rev B.

*note email from Fiona Scott forwarded electronically.
thanks.*

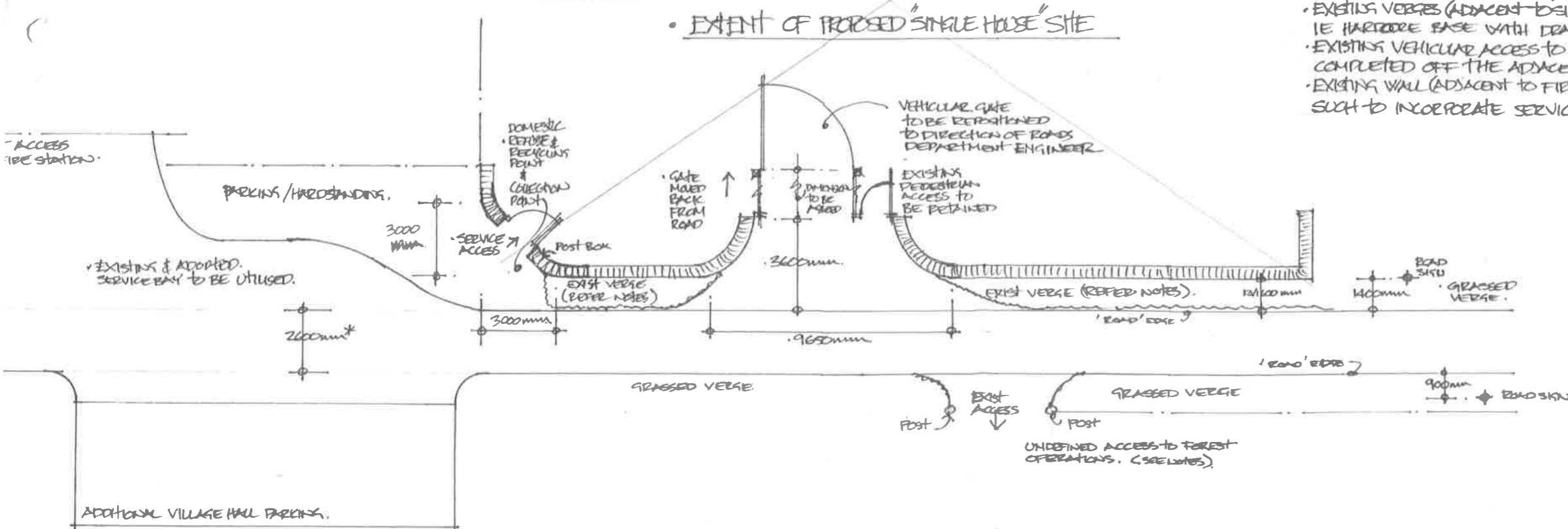
The Studio @ Lunga Mill, Ardfern, Argyll, PA31 8uu
077961 84004 akmcilvrde@yahoo.co.uk



Extent of Road Configuration as Existing +

- NOTES & OBSERVATIONS:-**
- * EXISTING ROAD WIDTH FLUCTUATES IN WIDTH FROM 2400mm TO 2700mm (UNDEFINED), MEASURED OVER MOST RECENT WEARING COURSE APPLICATION.
 - EXISTING VERGE CONSISTS GENERALLY OF A TAPPED SURFACE (AS PER % AREA OF SITE) THIS IS A RESULT OF THE SITES PREVIOUS USE AS A ROAD DEPT DUMP (OR SIMILAR).
 - ADJACENT BRIDGE CONFIGURATION INCLUDES 2x 1400mm "PAVEMENT" ZONES CONTAINED & DEFINED WITHIN "AEMCO" BARRIERS & FENCES.
 - UNCONSTRICTED ACCESS (OPPOSITE SITE ACCESS) HAS NO DEFINED SET OUT THO UTILISED BY HEAVY VEHICLES.

PROPOSED WALL REALIGNMENT



- NOTES TO PROPOSALS:-**
- EXISTING VERGES (ADJACENT TO SITE BOUNDARY WALL) TO BE CONSTRUCTED I.E. HARDWARE BASE WITH DRAINAGE CHANNEL WITHIN ALL TO BE TAPPED.
 - EXISTING VEHICULAR ACCESS TO BE SET BACK TO ALLOW VEHICLES TO PARK COMPLETED OFF THE ADJACENT ROAD (ROAD ENGINEER TO ADVISE DIMENSION).
 - EXISTING WALL (ADJACENT TO FIRE STATION) TO BE 'SOFTENED' & ANGLED AS SHOWN SUCH TO INCORPORATE SERVICE ACCESS TO SITE INC. POST & REFUSE COLLECTION.

REV	DESCRIPTION	DATE
	PROPOSED DWELLING FOR WILLIE BEATTIE @ KILMELFORD, ARGYLL -	
DRAWING		
PRIVATE ACCESS & PROPOSED WALL REALIGNMENT -		
DRAWN BY	SCALE	
ARME	1:200	
DATE	CHECKED	
JUNE 17		
DRAWING NO	REV	
AR/239/B/08		

27.60m

10.00m

28.00m

13.30m
Page 12

• EXISTING TREE LINE & SITE CONTOUR / GROUND MAKE UP PREVENT PROPOSED DWELLING MOVING ANY FURTHER AWAY FROM ROAD.

• EXTENT OF PROPOSED DWELLING (SEE DETAIL REFER SEP. DRAWG.)

• EXTENT OF PROPOSED GARAGE (SEE DETAIL REFER SEP. DRAWG.)

+ FFL D/B E 150mm ABOVE FFL TO FRONT (ROADSIDE)

• EXTENT OF TIMBER PALLISADE FENCE (1800mm HIGH) TAKEN AROUND PROPOSED PERIMETER. SEE SITE PLAN 5.90m.

• EXTENT OF TIMBER PALLISADE FENCE (1800mm HIGH)

• EXTENT OF PROPOSED STONE DYKE (1000mm HIGH)

• EXTENT OF 'STANDARD' ACCESS SD 08/004 a.

• EXTENT OF TIMBER PALLISADE FENCE (1800mm HIGH)

• FOR ADDITIONAL BOUNDARY WALL RECONFIGURATIONS REFER SEP. DRAWINGS.

• EXTENT OF 'EXISTING' STONE DYKE

• CUTFALL TO RIVER

• FOR COMMUNICATIONS REFER TO SEP. DRAWG.

• SEWAGE TREATMENT PLANT (KLAARSTEER BUDSAFE PG OR EQUAL)

• SITE BOUNDARY

• EXTENT OF LAND CUT WITH OWNERSHIP (HATCHED)

• EXISTING POOL & WIRE FENCE TO BOUNDARY TO REMAIN

• EXISTING FEE STATION

• EXISTING GROUND LEVELS TO BE RECONTOURED

DEPENDANT ON SPECIALIST REPORT

• EXTENT OF GATE RECONFIGURATION

• ORIGINAL POSITION

• ADDITIONAL PEDESTRIAN ACCESS

• EXTENT OF WALL RECONFIGURATION

• EXTENT OF 'EXISTING' STONE DYKE

B ROADS DEPT STD ACCESS SHOWN DOTTED. DWELLING ENLARGED.
A WALL ANCHORED SCHE 17

DESCRIPTION	DATE

PROPOSED DWELLING FOR KILLIE BEATTIE @ ILMELFORD, ARGYLL.

WING

SITE & PROXIMITY PLAN

NO. BY RUMIE	SCALE 1:100
DATE APRIL '17	CHECKED
NO. NO. R/239/B/02	REV K.B.

MacInnes, Hazel

Sent: 18 December 2017 09:38
To: fiona.scott@argyll.gov.uk
Subject: LRB 17/0007/LRB, Kilmelford.

Dear Fiona,

Planning application and LRB ref 17/0007/LRB

Thanks for meeting with me on a week passed.

Further to our meeting and my earlier discussion with Tim, I would note our discussions pertaining to the following:

That the Planning department had and have no objection to the General aesthetic or form of the Subject wall per se. We understand that as part of the consultation procedure that it is only the Roads dept who have logged objection which is subject to the Review, which you are bound to reflect in the Approved Planning Permission.

That there was no objection from the Community Council ,or indeed any other member of the public, with regard to any aspect of the wall construction. That the Planning Dept have no objection to my clients intention to remove the area (corner) of Wall adjacent to the existing Service Bay, reflecting the Amended and Approved Drawing AR/ 239/ B/ 02 rev B. As discussed it is my clients intention to assist in the demonstration of the extent of the revised and regularised configuration as discussed throughout the Planning Procedure and to illustrate the relationship of the site with the intended use of the existing Service bay.

We also discussed the spurious introduction of the Service Bay Proposal to be located on the opposite side of the Road. I can confirm that neither myself nor the Applicant has ever expressed nor heard a suggestion that this was a possibility for use as an alternative to the service bay requirement in question.

With regard to the height of the Wall I noted the Applicants approved intention to raise the height of the ground within his site by some 150- 200 mm. This to mitigate against the height of the intended Ground Floor Level dictated to us by the Flood Risk Assessment of the site.

The Wall will therefore at no point be greater than 1000mm above FGL within the site and so not interrupt statutory visibility splays.

As a further observation, while we do require permission to form Access to the Application Site technically within Planning Permission it is my opinion that permission is not specifically required for a wall less than 1000mm in that position?.

Thanks Again Fiona,
We shall look forward to meeting you on site in due course.

All the best,

Andy

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