

**MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held in the  
COMMITTEE ROOM 1, KILMORY, LOCHGILPHEAD  
on MONDAY, 27 AUGUST 2018**

**Present:** Councillor David Kinniburgh (Chair)  
Councillor Robin Currie Councillor Donald MacMillan

**Attending:** Charles Reppke, Head of Governance and Law (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: LAND WEST OF LANDFILL SITE,  
GLENGORM ROAD, ISLE OF MULL (REF: 18/0003/LRB)**

The Chair welcomed everyone to the meeting and introductions were made. He referred to the previous meetings of the LRB and requests for further information at these and 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 and this was confirmed.

The Chair confirmed that he had considered all the information received and, having taken advice from Mr Reppke, moved the following Motion:-

**Motion**

To agree:-

1. That condition 3 not be deleted given that this condition was reviewed by an LRB of this Council and amended to the current wording after detailed consideration of the issues and as it is noted that the Applicants assert that the condition has already been complied with.

2. In respect of condition 4 that it be modified to the following:-

Notwithstanding the provisions of Condition 1, the proposed road serving the site from the C47 Glengorm Road shall be a private road maintained at the owner(s) expense which shall be constructed to the following specification prior to the development hereby approved first being brought into use:

a) Section of existing private road serving Municipal Waste Facility from C47 Glengorm

b) Road to top edge of proposed private road:

- 6m wide roadway with a 1m wide grassed verge
- 40mm surface coat
- 130mm combined basecoat and road base
- 280mm Type 1

c) New private road from existing Municipal Waste Facility private road:

- 6m wide roadway with a 1m wide grassed verge
- 100mm tar topcoat
- 350mm Type 1 base course

Reason: In the interests of road safety to ensure the provision of a road commensurate to the scale of development.

The justification for agreeing this amendment to Condition 4 being namely that there is no possible connection to an existing footway to which any section of pavement constructed under this consent might connect to and, given the proposed usage of the units, any pavement constructed within the development would not provide a meaningful road safety improvement.

The road should be a private road [over which the public have a right of access] but maintained by the Applicants and the landowners in perpetuity to a standard as specified above, given that the use will be low level and in a remote rural area. This approach will ensure that the development is constructed in accordance with Policy LDP 10 and supplementary guidance SG LDP TRAN 4 and that this road shall be constructed to the specified standard in accordance with exception 2 in section A of that said guidance, which provides for commensurate improvements to be made to an existing private road provided three tests i, ii, iii, as set out in the guidance are met.

In my opinion those tests have been met having regard to all the information provided to this LRB and so the proposed condition is in my view consistent with the development plan and the exception contained in the supplementary guidance for the reasons set out above.

Councillors Currie and MacMillan both supported this Motion and the Members of the Argyll and Bute LRB resolved accordingly.

### **Decision**

The Argyll and Bute LRB, having considered the merits of the case De Novo, unanimously agreed:-

1. that condition 3 not be deleted given that this condition was reviewed by an LRB of this Council and amended to the current wording after detailed consideration of the issues and as it is noted that the Applicants assert that the condition has already been complied with; and
2. In respect of condition 4 that it be modified to the following:-

Notwithstanding the provisions of Condition 1, the proposed road serving the site from the C47 Glengorm Road shall be a private road maintained at the owner(s) expense which shall be constructed to the following specification prior to the development hereby approved first being brought into use:

- a) Section of existing private road serving Municipal Waste Facility from C47 Glengorm
- b) Road to top edge of proposed private road:
  - 6m wide roadway with a 1m wide grassed verge
  - 40mm surface coat
  - 130mm combined basecoat and road base
  - 280mm Type 1
- c) New private road from existing Municipal Waste Facility private road:
  - 6m wide roadway with a 1m wide grassed verge
  - 100mm tar topcoat
  - 350mm Type 1 base course

Reason: In the interests of road safety to ensure the provision of a road commensurate to the scale of development.

(Reference: Further Information received by Planning and comments on this by the Applicant, submitted)