



Argyll and Bute Council
Comhairle Earra-Ghàidheal Agus Bhòid

Customer Services
Executive Director: Douglas Hendry

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22 November 2018

NOTICE OF MEETING

A meeting of the **ARGYLL AND BUTE LOCAL REVIEW BODY** will be held in the **COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD** on **THURSDAY, 29 NOVEMBER 2018** at **8:45 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: 18/0007/LRB - PLOT 2, LAND NORTH WEST OF ASHLEA, CROFT DRIVE, OBAN**
 - (a) Further written submissions from the Planning Department (Pages 3 - 8)
 - (b) Comments from Applicant (Pages 9 - 10)

ARGYLL AND BUTE LOCAL REVIEW BODY

Councillor Rory Colville (Chair)
Councillor Richard Trail

Councillor Graham Hardie

Contact: Hazel MacInnes Tel: 01546 604269

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**SUGGESTED CONDITIONS RELATIVE TO ARGYLL
AND BUTE COUNCIL LOCAL REVIEW BODY**

18/0007/LRB

(PLANNING APPLICATION 17/03128/PP)

**PLOT 2, LAND NORTH WEST OF ASHLEA,
CROFT DRIVE, OBAN**

CONDITIONS AND REASONS RELATIVE TO APPLICATION REFERENCE 17/03128/PP

GENERAL

1. The development shall be implemented in accordance with the details specified on the application form dated 02/12/17 and the approved drawing reference numbers Plan 1 of 3 to Plan 3 of 3 unless the prior written approval of the planning authority is obtained for other materials/finishes/for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997 (as amended).

Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.

Note to Applicant:

- This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period [See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).]
- In order to comply with Sections 27A(1) of the Town and Country Planning (Scotland) Act 1997, prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start. Failure to comply with this requirement constitutes a breach of planning control under Section 123(1) of the Act.
- In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was completed.
- Please note the advice contained in the attached letter from Scottish Water. You are advised to contact Scottish Water direct to discuss the issues raised.

VEHICULAR AND PEDESTRIAN ACCESS

2. Notwithstanding Condition 1 above and before any development commences on site, full details of the following road and pedestrian access improvements shall be submitted to and approved in writing by the Planning Authority in consultation with the Council as Roads Authority:
 - Croft Drive widened to 5 metres to include a minimum 3 metre wide carriageway plus 1 metre wide verges to both sides and along its full length between its junction with Longsdale Crescent and the development site. The required improvements to include for appropriate means of construction, surfacing and drainage;
 - Croft Drive widened to a minimum of 5.5 metres wide at two specific points – these being, (i) the corner of Croft Drive to the immediate north east of the existing Croft Drive Electricity Substation and, (ii) the section of Croft Drive immediately fronting the existing residential dwellinghouse

'Ash Lea' (or 'Ashlea' as it appears on the approved site plan, drawing number 1764 01 Revision D), in order to secure two additional passing places for vehicles. The required improvements to include for appropriate means of construction, surfacing and drainage.

The required road and pedestrian improvements the subject of this planning condition shall be implemented in full before any other development works commence.

Reason: In the interests of road and pedestrian safety.

Note to Applicant:

- The required road and pedestrian improvements cannot be achieved within the existing road corridor and will require land currently within third party ownership. It is understood that the applicant/developer has indicated that an agreement from any and all affected land owners can be secured.

PARKING PROVISION

3. Notwithstanding the provisions of Condition 1, no development shall commence until full details of the layout and surfacing of a parking and turning area to accommodate 2 vehicles within the application site have been submitted to and approved in writing by the Planning Authority in consultation with the Council's Roads Engineers. The duly approved scheme shall be implemented in full prior to the development first being occupied and shall thereafter be maintained clear of obstruction for the parking and manoeuvring of vehicles.

Reason: In the interest of road safety.

SUSTAINABLE URBAN DRAINAGE SYSTEM

4. Notwithstanding the provisions of Condition 1, the development shall incorporate a surface water drainage system which is consistent with the principles of Sustainable urban Drainage Systems (SuDS) compliant with the guidance set out in CIRIA's SuDS Manual C753. The requisite surface water drainage shall be operational prior to the development being brought into use and shall be maintained as such thereafter.

Reason: To ensure the provision of an adequate surface water drainage system and to prevent flooding.

Note to Applicant:

- Further advice on SuDS can be found in SEPA's Standing Advice for Small Scale Development – www.sepa.org.uk

DESIGN AND FINISHES

5. Notwithstanding the effect of Condition 1, no development shall commence until full details of the materials to be used in the construction of the dwellinghouse hereby approved have been submitted to and approved in writing by the Planning Authority. The development shall thereafter be completed using the approved materials or such alternatives as may be agreed in writing with the Planning Authority.

Reason: In order to integrate the development into its surroundings and no such detail having been submitted with the application.

RETAINING WALL

6. Notwithstanding the effect of Condition 1, no development shall commence until full details, in plan form, of the proposed retaining wall have been submitted to and approved in writing by the Planning Authority. The development shall thereafter be completed in accordance with the approved details unless otherwise agreed in writing with the Planning Authority.

Reason: In order to ensure that the size and visual appearance of the proposed retaining wall is acceptable and no such detail having been submitted with the application.

LANDSCAPING

7. No development shall commence until a scheme of boundary treatment, surface treatment and landscaping has been submitted to and approved in writing by the Planning Authority. The scheme shall include details of:
- i) Location, design and materials of proposed walls, fences and gates;
 - ii) Surface treatment of proposed means of access and hardstanding areas;
 - iii) Any proposed re-contouring of the site by means of existing and proposed ground levels.
 - iv) Proposed hard and soft landscape works.

The development shall not be occupied until such time as the boundary treatment, surface treatment and any re-contouring works have been completed in accordance with the duly approved scheme.

All of the hard and soft landscaping works shall be carried out in accordance with the approved scheme during the first planting season following the commencement of the development, unless otherwise agreed in writing by the Planning Authority.

Reason: To assist with the integration of the proposal with its surroundings in the interest of amenity.

PERMITTED DEVELOPMENT RIGHTS

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), (or any Order revoking and re-enacting that Order(s) with or without modifications), nothing in Article 2(4) of or the Schedule to that Order, shall operate so as to permit, within the area subject of this permission, any development referred to in Part 1, Classes 1A, 1B, 1D, 2B, 3A, 3B, 3C, 3D and 3E of the aforementioned Schedule, as summarised below:

PART 1: DEVELOPMENT WITHIN THE CURTILAGE OF A DWELLINGHOUSE

Class 1A: Any enlargement of a dwellinghouse by way of a single storey ground floor extension, including any alteration to the roof required for the purpose of the enlargement.

Class 1B: Any enlargement of a dwellinghouse by way of a ground floor extension consisting of more than one storey, including any alteration to the roof required for the purpose of the enlargement.

Class 1D: Any enlargement of a dwellinghouse by way of an addition or alteration to its roof.

Class 2B: Any improvement, addition or other alteration to the external appearance of a dwellinghouse that is not an enlargement.

Class 3A: The provision within the curtilage of a dwellinghouse of a building for any purpose incidental to the enjoyment of that dwellinghouse or the alteration, maintenance or improvement of such a building.

Class 3B: The carrying out of any building, engineering, installation or other operation within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse.

Class 3C: The provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of that dwellinghouse or the replacement in whole or in part of such a surface.

Class 3D: The erection, construction, maintenance, improvement or alteration of any deck or other raised platform within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of that dwellinghouse.

Class 3E: The erection, construction, maintenance, improvement or alteration of any gate, fence, wall or other means of enclosure any part of which would be within or would bound the curtilage of a dwellinghouse.

No such development shall be carried out at any time within this Part and these Classes without the express grant of planning permission.

Reason: To protect the sensitive area and the setting of the proposed dwellinghouse, in the interest of visual amenity and public health, from unsympathetic siting and design of developments normally carried out without planning permission; these normally being permitted under Article 2(4) of the Town and Country Planning (General Permitted Development) (Scotland) Order

1992 (as amended).

From: [E.MACASKILL](#)
To: [Williams, Tim](#); [localreviewprocess](#); [Bain, Peter \(Planning\)](#); [MacInnes, Hazel](#);
[planningconsultations@scottishwater.co.uk](#); [roadsconsoli](#)
Subject: Review 18/0007/LRB
Date: 08 November 2018 15:13:31

I have received the suggested conditions for Review reference 18/0007/LRB for Planning Application 17/03128/PP and I wish to make the following comments :-

The neighbouring property is Ashlea and Condition 2 refers to a passing place opposite that property. A much better location for the passing place would be opposite the entrance to the site under Review as it would remove the bend in the road. If the passing place was opposite Ashlea the bend would remain.

The ground for that passing place is not in the control of the applicant as it forms part of a garden area. The owner is however willing to allow the formation of a passing place as that will greatly improve the visibility along the Croft Drive Road.

Allan Macaskill.

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