

16th August 2018

Local Review Body
Heard of Governance and Review
Argyll and Bute Council
Kilmory
Lochgilphead
Argyll
PA31 8RT

Dear Sirs

18/00003/LRB
PLANNING PERMISSION 17/01613/PP

In response to the rewording of condition 4 submitted by the Planning Department to the LRB on 7th August 2018;

'Notwithstanding the provisions of Conditions 1, the proposed road serving the site from the C47 Glengorm Road shall be a private road maintained at the owner(s) expense'

The LRB should note that Argyll and Bute Council own the section of shared access from the C47, and that a Deed of Servitude to allow access over the servitude area, to the application site (owned by Mull and Iona Community Trust) is being finalised. Clause 1.8 requires the servitude area be made up to a standard in line with planning permission and conditions (17/01613/PP), clause 1.9 within the Deed states that –

'Be obliged, once the Benefited Owner has made up the Servitude Area to the aforesaid standard specified in Clause 1.8 of Part 2 of the Schedule and until such time as the Servitude Area shall have been taken over and adopted by the local Roads Authority as a public road, to contribute a one half share of the cost of maintenance, upkeep and repair of the Servitude Area to that standard, with the owner for the time being of the Burdened Property being responsible for the other one half share of the costs thereof and for instructing the maintenance, upkeep and repairs works thereto.'

Should the condition be amended, we request that it is done so in accordance with the Deed of Servitude. A plan of the servitude area is enclosed for information.

Regarding the specification of the new private road from existing Municipal Waste Facility private road, we request that the 100mm of top coat tar be amended to 60mm base coat tar, with 40mm top coat, this will maintain the total depth of tar, but amended in line with standard road construction practises.

We trust that the Local Review Body have enough information to provide a resolution to this matter at the meeting on 27 August 2018, allowing the project to re-commence following a four month suspension.

Yours sincerely



Mairi Greig
TLIP Project Officer