

Argyll and Bute Council

Development and Infrastructure Services

Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 18/01444/PP

Planning Hierarchy: Major Application

Applicant: Avant Homes Scotland

Proposal: Removal of conditions 4 and 5 and variation of condition 7 of planning permission in principle 15/01794/PPP (Site for the erection of residential development with associated access, infrastructure, open space, landscaping and miscellaneous works) - in relation to roads arrangements

Site Address: Land North of Cardross Primary School, Barrs Road, Cardross

DECISION ROUTE

Local Government Scotland Act 1973

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

Removal of conditions 4 and 5 and variation of condition 7 of planning permission in principle 15/01794/PPP (Site for the erection of residential development with associated access, infrastructure, open space, landscaping and miscellaneous works) - in relation to roads arrangements

(ii) Other specified operations

None

(B) RECOMMENDATION:

It is recommended that this section 42 application be refused for the reasons given overleaf subject to a pre determination discretionary Hearing.

(C) HISTORY:

14/02409/PAN - Erection of residential development and landscaping

15/01794/PPP - Site for the erection of residential development with associated access, infrastructure, open space, landscaping and miscellaneous works. Granted subject to conditions 26/1/17

(D) CONSULTATIONS:

Road Network Manager (dated 3/9/18): It is recommended that the application be refused.

Cardross Community Council (dated 21/7/18): The Community Council held an additional meeting in July at the request of several concerned residents. This was attended by 137 members of the public. The following concerns were raised:

- People felt the developers remarks and details with photographs were not considered representative of normal conditions in Barrs Road;
- Considerable anxiety from parents whose children walk to school as sightlines are poor and the traffic would be much heavier than usual;
- The application could not be commented on by the school as the notification was sent during the summer period;

The Community Council is concerned that this application has safety implications for local residents and persons coming to and from the Primary School.

(E) PUBLICITY:

ADVERT TYPE:
Regulation 20 Advert Local Application
EXPIRY DATE: 02.08.2018

(F) REPRESENTATIONS:

At the time of writing 157 objections have been received in relation to this planning application.

In addition a representation has been received from Jackie Baillie MSP (dated 23/7/18). The representation is summarised as follows:

- Barrs Road is being proposed as the new main route to the development since Darleith Road has been found too narrow. As Barrs Road already experiences a high volume of traffic, adding more residential traffic to this route may lead to the road being over congested.
- I have been advised that the Council is only consulting with a limited number of residents and that the consultation is taking place during the holiday period when many people are on holiday and the Community Council is in recess.
- I would be grateful if the Council could agree to extending and widening the consultation so that the maximum number of residents can have their say on the development.

Comment: In accordance with the legislation, the application has been neighbour notified and advertised in the local paper, however, there is no requirement for the applicant to undertake further pre-application consultation (PAC) on s42 applications. It is the policy of the Council to continue to accept and consider representations beyond statutory cut off dates.

The names and addresses of those contributing to the application are contained within Appendix B.

(i) Summary of issues raised

Object to re-routing the access to this development via Barrs Road and Muirend Road as there is already congestion on this route caused by parked vehicles.

Comment: See assessment.

As many of the houses do not have driveways there are large numbers of parked cars on Barrs Road. This is unsuitable as an access as it reduces the width of the road to single track.

Comment: See assessment.

Darleith Road is a straight road to the site and has a superior exit / entry to the main road.

Comment: Subject to road improvements Darleith Road is considered to be acceptable.

Barrs Road would not be suitable for the large volume of construction traffic which would be required for a site of this size.

Comment: An agreed method of construction routing proposal would require to be submitted and approved prior to any works commencing on site.

Barrs Road and Muirend Road are the main routes to the local primary school. The proposed plan would create an unsafe environment for local families and children, specifically on their daily route to school.

Comment: See assessment.

Visibility is poor when turning right from Muirend Road.

Comment: See assessment.

There are a number of pot holes on Barrs Road and the drainage has never been properly fixed which causes severe flooding in the winter.

Comment: This is not a material consideration for this s42 application.

The output from the traffic survey was narrow in scope both in terms of the locations covered and the times of day observed.

Comment: See assessment.

There is flooding down Barrs Road whenever there is heavy rain as there is inadequate drainage.

Comment: This is an operational cyclic maintenance concern and not a material consideration for this s42 application.

The photographs contained within the applicant's supporting statement are not reflective of the normal level of on-street parking on Barrs Road.

Comment: This point is noted.

There is a tight bend on Muirend Road which presents a danger to traffic.

Comment: See assessment.

It is contended that that the proposal would result in a 400% increase in the use of the road. It is considered that this would not be a minimal increase as suggested by the applicant's access appraisal.

Comment: There is no data to support the statement of 400% increase. See assessment for vehicle movements.

The applicant identifies the lengths of Barrs Road, Muirend Road and Ritchie Avenue available for on street parking and then converts this to "available on-street parking spaces based on a nominal vehicle length of 5 metres. This results in an apparent total of 278 parking spaces available on these three roads.

Comment: The access appraisal does not appear to have considered the width of the road and the fact that continuous parking can only be accommodated on a single side therefore the number of spaces are potentially double what may be actually available.

At present the section of Barrs Road between Kirkton Road and the proposed site access does not have a footway on the west side. Does the developer intend to provide one, or will pedestrians moving between the proposed development and the Primary School be expected to cross Barrs Road twice within a length of some 80 metres?

Comment: No details have been submitted.

The cars parked on Barrs Road may not change but the volume of traffic requiring to make “give and take” movements would change, and would significantly increase. This is almost certain to lead to increased driver frustration and potential conflict as identified and acknowledged, in the Road Safety Review.

Comment: See assessment.

The day to day experiences of the local community over many years should be accorded the same, or even greater, weight than two days of parking survey data in a single visit by the Road Safety Review team.

Comment: See assessment.

The proposed plan would create an unsafe environment for local families and children, specifically on their daily route to school.

Comment: See assessment

It would appear that using the Thursday peak flow data to create the 2018 Base for weekdays, especially for the pm peak period, produces a somewhat favourable result from the developer’s perspective.

Comment: The traffic consultant has made an assessment on the suitability of the days and time to capture existing traffic data.

It would appear that the developer is overstating the number of on road car parking spaces and understating potential traffic movement issues in particular in Barrs Road arising from parked vehicles.

Comment: The access appraisal does not appear to have considered the width of the road and the fact that continuous parking can only be accommodated on a single side therefore the number of spaces are potentially double what may be actually available.

Numerous photographs of car parking on Barrs Road have been submitted.

Comment: These have been noted.

The primary school has not got the capacity to cope with this growth in the village.

Comment: This section 42 application is confined to roads issue and therefore school capacity is not a material consideration in this instance.

The volume of traffic will have a negative impact on the residential area due to increased noise and possible parking restrictions.

Comment: See assessment.

This route to the site has already been ruled out during previous discussions.

Comment: See assessment.

The increased volume of traffic would result in additional noise and pollution.

Comment: There be more instances of traffic noise and pollution however this considered to be within acceptable limits.

Muirend Road, Barrs Road and Darleith Road were all built in the middle of the last century. This was at a time when few people had cars and off street parking was not considered necessary. Barrs Road and Barrs Terrace are examples of this. It is suggested that it is unrealistic to connect a major housing development to a main road more than 500 yards away via roads that presently are unfit for purpose and are unlikely to be made so to cater for present and projected increases in road traffic.

Comment: See assessment.

The geometry of Muirend Road is not suitable for additional traffic.

Comment: See assessment.

The A814 is already the busiest road in Argyll and Bute and the additional traffic generated by large scale development will cause increased congestion within Cardross and on the road to Dumbarton and Helensburgh.

Comment: The scale of development would not have a significant impact on the A814.

How would the proposed double yellow lines be enforced?

Comment: Argyll and Bute Council employ traffic officers to enforce existing waiting restrictions.

The proposal may also encourage people coming from Helensburgh to access the proposed development via Darleith Road, Barrs Terrace and Barrs Road. Barrs Terrace is even worse than Barrs Road for parked cars.

Comment: These are existing public roads with a right of public passage.

Do not think that Darleith Road provides an acceptable solution either.

Comment: The planning permission in principle identifies this route as the primary access subject to road improvement to be carried out prior to construction.

Darleith Road provides a more suitable access to the site.

Comment: See assessment.

The proposal may have an adverse effect on carer's visits due to parking restrictions.

Comment: See assessment.

It was made exceptionally clear by the Area Roads Engineer at the public meeting in 2017 that Barrs Road was not an acceptable feeder road to the Kirkton Farm Housing Development.

Comment: See assessment.

Is there sewage / waste water capacity for the site?

Comment: This is not a material consideration for this s42 application.

The site should have a road built to access it.

Comment: A proposal has not been submitted to have a dedicated road to the site therefore this option has not been assessed.

The Reporter approved the allocation of this site on the basis of access via Darleith Road, not Barrs Road.

Comments: See assessment.

The site is not suitable for large scale development via Barrs Road or Darleith Road.

Comment: See assessment.

The commuter parking at Cardross Station will overflow into the surrounding streets.

Comment: This is not a material consideration for this s42 application.

The proposal to use Barrs Road as opposed to Darleith Road does not include any mitigation measures such as new parking spaces.

Comment: See assessment.

Full details of all representations received can be viewed on the Council's website on www.argyll-bute.gov.uk

(G) SUPPORTING INFORMATION

Has the application been the subject of:

- (i) Environmental Statement: No**
- (ii) An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994: No**
- (iii) A design or design/access statement: No**
- (iv) A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc: Yes**
Avant Homes Kirkton Farm, Cardross Access Appraisal June 2018, Modus Transport Solutions Ltd.

Stage 2 Road Safety Review undertaken by Stewart Paton Associates dated March /April 2018.

Supporting statement from Keppie dated 10th August 2018

The applicant's agent has responded to a number of points raised in the letters of objection. These points are summarised below, however, the full document can be viewed on the Council's web site www.argyll-bute.gov.uk

Sight Lines at Junctions

The existing junction have sightlines commensurate with the guidance set out in Designing Streets and the National Roads Development Guide.

Vehicle trips generated by the proposed development

The traffic generation has been assessed using the industry standard TRICS database. The TRICS assessment concluded that with a development of 136 units there would be a total of 23 arrivals and 92 departures during the morning peak period and 79 arrivals and 42 departures during the evening peak period.

Capacity of the local road network and junctions

The traffic impact assessment has clearly demonstrated that the local road network and junction on the A814 has the capacity to accommodate the proposed development.

Impact on traffic flow

An increase of vehicle movements of one vehicle every 40 seconds will result in a minimal increase in vehicle conflicts at certain locations on the road network. There are only a few locations where these conflicts may or may not occur and the probability of opposing vehicles meeting at these points based upon the frequency of traffic and the low number of potential conflict points is therefore deemed to be minimal.

Mitigation

The use of double yellow lines would be to inform drivers who currently park inappropriately and inconsiderately that they should not park on corners. The use of "zig zag" markings and yellow lines could be discussed with Argyll and Bute Council.

The photographs in the MODUS report do not illustrate a typical parking situation

The surveys were deemed to represent a "snap shot" of the parking situation on local streets and subsequent site visits and car video evidence shows that the parking surveys are representative of the typical parking situation in the area. Car video evidence can be made available to the Council if they wish to review this.

Safety Concerns

No footway is provided on the western side, however, a dedicated pedestrian link will be provided within the development to ensure that there is a safe and direct route to the school without the need to enter or cross the existing street network.

Single track road

The length of the “single track road” is very short and generally focused at the northern end of Barrs Road south of the junction with Kirkton Crescent. Based on the predicted traffic generation the probability of two vehicles meeting at conflict points remains very low.

Construction Management and emergency vehicles

A Construction Management Plan will be produced for the development.

Theoretical available parking

The use of theoretical parking capacity has been used appropriately and is not unrealistic for the intended assessment purpose.

Traffic survey findings

It is not considered that these produce a favourable result for the developer.

Road Safety Audit

The information provided has been undertaken by experts in their field with years of experience with similar projects and situations.

Letter from Keppie dated 6/9/18

Keppie, the applicant’s agent has submitted a letter commenting on road’s consultation response. The full version of this letter can be viewed on the Council’s website www.argyll-bute.gov.uk however, the main points of the letter are summarised below:

- There is disappointment at the lack of consideration / assessment which the Council’s Roads Dept. has given the proposals in particular to the Access Appraisal and Road Safety Audit;
- The supporting statement from Keppie submitted with the application and the Access Appraisal provide new data and evidence to support the proposal;
- Little or no consideration and / or assessment has been given to the technical evidence such as car parking surveys;
- There is no acknowledgement of third party land issues, the engineering difficulties or the environmental impacts that would result from implementing the conditioned scheme along Darleith Road;
- Keppie has advised that they wish their concerns to be reflected to committee members that the Council’s Roads Officer’s views regarding the technical assessment have not fully addressed their submission assertion and observations;
- It is unclear how the roads officer is of the view that the proposal adversely impacts on road safety and should be refused as contrary to the LDP when the applicant concludes that there are no road safety issues;
- The proposed deletion and amendments are not inconsistent with the LDP as this is an allocated site and there are no site-specific requirements within the LDP that dictate where access into the site should be taken.

Comment: The detail of the response returned by Roads would suggest that considerable time was taken to review the Access Appraisal and Road Safety

Audit. This also included a review of the proposed development access history from the time of the LDP housing allocation and a re-assessment of the earlier documentation provided in support of the original planning permission in principle.

The third party land and alleged engineering difficulties associated with the off-site road improvements which form part of the previous planning permission in principle do not form part of the assessment of this section 42 application. This merely provides background information on why the developer wishes the amendment. It is the suitability of the alternative proposed access through the existing residential area which is the key consideration in this section 42 planning application.

(H) PLANNING OBLIGATIONS

(i) Is a Section 75 agreement required: No

(I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32: No

(J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application

(i) List of all Development Plan Policy considerations taken into account in assessment of the application.

Argyll and Bute Local Development Plan adopted March 2015

LDP 11 – Improving our Connectivity and Infrastructure

Supplementary Guidance

SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes

SG LDP TRAN 5 – Off-Site Highway Improvements

(ii) List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 3/2013.

(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: No

(L) Has the application been the subject of statutory pre-application consultation (PAC): No. Further PAC is not required for s42 applications.

(M) Has a sustainability check list been submitted: No

(N) Does the Council have an interest in the site: No

(O) Requirement for a hearing (PAN41 or other): Yes

Whilst this application has previously been the subject of a local Hearing in 2017, it is considered that there would be merit in holding a further Hearing. The level of objection on this application is significantly higher than the previous planning permission in principle and it is considered that there would be added value in Members being able to visit the residential streets proposed to access the site and hearing the arguments on both sides in more detail.

(P) Assessment and summary of determining issues and material considerations

A Section 42 application is an application for a new planning permission for a development but with different conditions from those attached to a previous permission for that development. In determining such an application, the planning authority can only consider changes to the conditions on the previous permission. The principle of the development is not under consideration and the original planning permission remains live.

Planning permission in principle was approved for this development following a Hearing on 26th January 2017. The site is identified as a housing allocation for 158 units with the adopted Local Development Plan, however, the applicant in the previous PPP application indicated that approximately 140 units were proposed. It is located to the north of the settlement of Cardross and is bounded by Darleith Road to the west and a private access to the east. This private access is a continuation of Barrs Road.

In this application the applicant has applied for the removal of two conditions and the variation of a third. Conditions 4 and 5 which the applicant wishes to be removed relate to off site road improvements on Darleith Road. Condition 7 which the applicant wishes to be varied relates to the internal road layout of the development.

The applicant has submitted a supporting statement which they consider justifies a layout which would bring all of the vehicular traffic down the east side of the development on routes using Barrs Road, Ritchie Avenue and Muirend Road which has a junction with the main A814.

It has been recognised by officers from the outset that there are significant challenges in accessing this site from the main A814 through the residential area to the site. The proposed route through this area of Cardross to the north of the A814 is unsuitable to provide access to the site in its current condition. The development of the allocation would

introduce a significant level of further traffic which would be detrimental to road safety. Serving the entire vehicular access from Barrs Road, Ritchie Avenue and Muirend Road would introduce further traffic into residential streets which have significant areas of on street parking resulting in reduced carriageway widths where it would not be possible for two cars to pass. Where driveways do exist, these introduce further road safety concerns with vehicles reversing on to the carriageway.

It is therefore recommended that planning permission be refused as the proposal would not comply with Policy LDP 11 which requires an appropriate standard of access to be delivered to serve new developments; Policy LDP SG TRAN 4 because the proposal would be detrimental to road safety and Policy LDP SG TRAN 5 as no off-site road improvements have been proposed to address the issues with these substandard public approach roads.

(Q) Is the proposal consistent with the Development Plan: No

(R) Reasons why planning permission or a Planning Permission in Principle should be granted

Not applicable

(S) Reasoned justification for a departure to the provisions of the Development Plan

Not applicable

(T) Need for notification to Scottish Ministers or Historic Scotland: Not required.

Author of Report: Sandra Davies

Date: 3/9/18

Reviewing Officer: Angus Gilmour

Date: 4/9/18

Angus Gilmour

Head of Planning, Housing and Regulatory Services

GROUNDINGS OF REFUSAL RELATIVE TO APPLICATION REF. NO.18/01444/PP

1. The omission of conditions 4 and 5 and the variation of condition 7 would remove the requirement for specified off-site road improvements to be carried out and a requirement for vehicular traffic to be served by a site access at Darleith Road.

The applicant has advised that instead the access would be provided to the east of the site via Muirend Road and Barrs Road. It is considered that this would be detrimental to road safety in this residential area of Cardross.

The existing road network to the east of the development currently serves the majority of the residences north of the A814 Main Road. These roads have served the village from the first development in the 1930's with incremental development through to the mid 80's with no improvements to the road network. The introduction of over 100 vehicle movements during both morning and evening peak periods through this existing residential area would introduce drivers on these road whose main objective is to drive in and out of the new development. The route through this residential community has a mix of long lines of cars parked on street and single driveways which require reversing on and off the route. This presents obstacles and reductions in road widths which results in driver frustration and the potential for erratic driving which has a detrimental impact on road safety.

In the absence of acceptable mitigation to address these issues it is considered that there would be an unacceptable negative impact on road safety which would be contrary to Policy LDP 11 which requires an appropriate standard of access to be delivered to serve new developments; Policy LDP SG TRAN 4 because the proposal would be detrimental to road safety and Policy LDP SG TRAN 5 as no off-site road improvements have been proposed to address the issues with these substandard public approach roads.

2. Serving the development for the eastern side of the site would introduce further traffic to this side of the village onto substandard public approach roads. The focus of pedestrian movement from the new development into the village is anticipated to be focused on the eastern side due to the location of facilities such as the primary school, the shops and public transport including bus stop and the railway station.

The increase in the level of traffic combined with a lack of continuous footway provision will require pedestrians to cross a number of roads to get to the facilities of the village which will be detrimental to pedestrian safety and contrary to Policy LDP 11 which requires an appropriate standard of access to be delivered to serve new developments; Policy LDP SG TRAN 4 because the proposal would be detrimental to road safety and Policy LDP SG TRAN 5 as no off-site road improvements have been proposed to address the issues with these substandard public approach roads.

NOTE TO APPLICANT

For the purpose of clarity it is advised that this decision notice relates to the details specified on the application form dated 25/6/18 and the refused drawing reference numbers 16/09 AL (0)001

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 18/01444/PP

PLANNING LAND USE AND POLICY ASSESSMENT

A. Introduction

A Section 42 application is an application for a new planning permission for a development but with different conditions from those attached to a previous permission for that development. In determining such an application, the planning authority can only consider changes to the conditions on the previous permission. The principle of the development is not under consideration and the original planning permission remains live.

In this instance the applicant is seeking to remove two conditions which relate to off-site road improvements and vary one condition which limits the level of vehicular traffic using the eastern side of the development as an access. The applicant has advised that it has not been possible to procure the third party land required in order to implement these conditions.

The condition the applicant wishes to have removed are as follows:

4. Unless otherwise agreed in writing by the planning authority in consultation with the Council's Road Network Manager no development shall commence unless and until the following road improvements to Darleith Road have been provided to the satisfaction of the Planning Authority in consultation with the Road Network Manager:
 - (i) The provision of a suitable traffic calming scheme (give and take priority) between Barr's Terrace and Mill Road. This shall also include the provision of a minimum of 10 new off street car parking spaces, as shown on plan TIAVCAR2_SK003 C
 - (ii) Road improvement between Mill Road and the proposed development site entrance as identified on plan TIAVCAR2_SK002 B
 - (iii) The provision of a passing place immediately to the north of the proposed development site entrance in order to accommodate large vehicles passing in opposite directions;
 - (iv) The provision of street lighting to the north of the new access to the development, the exact location to be agreed in consultation with the Council's Road Network Manager;
 - (v) the existing lighting between Mill Road and the existing 30 mph speed restriction limit shall be upgraded.

Reason: In the interests of road safety and to ensure a safe connection from the A814 to the site, suitable traffic calming measures, compensatory parking and a passing place for larger vehicles are required to be implemented before construction work commences on site.

5. Unless otherwise agreed in writing by the planning authority in consultation with the Council's Road Network Manager no dwelling house shall be occupied unless and until the existing 30 miles per hour (mph) speed restriction on Darleith Road has been extended and brought into effect to a location north of the Darleith Road site access, the exact location to be agreed in consultation with the Council's Road Network Manager.

Reason: In the interests of road safety.

The condition the applicant wishes to be varied is as follows:

7. Pursuant to condition 1 - no development shall commence until full details of the internal road layout within the development have been submitted to and approved in writing by the planning authority. The development layout shall ensure that no more than 20 dwelling houses will be served from the east access. i.e. via Barr's Road. All other vehicular traffic will be required to access the development site from Darleith Road. The internal roads shall be constructed in accordance with the principles of Designing Streets.

Reason: In the interests of road safety and good place making.

B. History of the Housing Allocation

The housing allocation for the Kirkton Farm site was first included as a greenbelt release in the current Local Development Plan which was adopted in March 2015.

The allocations schedule, of the Local Development Plan provides a reference no, location, purpose, expected capacity, and in the case of housing allocations, the minimum percentage required as affordable housing. The Local Development Plan does not specify specific conditions or constraints on the development of land identified as allocations.

The LDP is accompanied by an Action Programme where further information of each allocation is provided as illustrated below:

Housing Allocations

H2002	Cardross – Kirkton Farm 1	Housing	158	25%
Action:	Connection with public sewer required			
Additional Information:				
Timescale:	Short to Medium			
Key Partners:	Landowner/developer			
Notes:	Access issue; proximity to village school; Buffer strip recommended (SEPA).			

The Action Programme does therefore highlight that there are access issues in relation to this site.

The applicant's agents have known from the outset that access to the site was an issue. In their submission in support of the Local Development Plan designation which was considered by the Reporters at the Inquiry stage of the plan Keppie stated that

“The vehicular access will be taken from Darleith Road, following earlier representation made against Barrs Road. In consultation with Development and Infrastructure Services for the Helensburgh and Lomond Area, an access strategy has been agreed in principle which meets Council Roads Guidelines for Darleith Road.”

C. Roads Implications Relating to the Proposed Removal and Amendment of Conditions

As this section 42 application relates purely to roads issues the consultation response from the Council's Road Network Manager is critical in providing guidance on road safety issues.

The Road Network Manager has provided a detailed response on which also covers the history of the proposal.

It is advised that this development site has been the subject of much discussion and debate over the years with the first intimation for development submitted to the Roads Area Engineer as early as March 2004. This was followed up with meeting on 11th July 2005 between the Roads officers and the developer's Transportation Consultants.

The developer's current proposal is for 136 dwellings to be served from the existing public road using the primary routes from the A 814 via Muirend Road, Ritchie Avenue and Barrs Road with an amendment to the priority junction at Kilmahew Avenue.

An access appraisal has been prepared by Modus Transport Solutions Ltd and not by the original transport consultants who provided the supporting information for the approved planning permission in principle.

Development on the north side of Cardross at this location has evolved through an incremental increase from the mid 1930's with the last group of dwellings being

developed in the early 80's. The existing roads are single carriageway 5.5 metres wide, with a combination of on street parking and single individual driveways. These have served this area for over 80 years and more recently almost 40 years with no additional improvements. The driveways are in general single width which require residents to either reverse in or reverse out onto the public road.

The significant increase in car ownership over the years has resulted in the demand for on street parking to be even greater, with areas of the road network having long lengths of continuous parked cars. As a consequence the existing carriageway is now being restricted to one lane. This leads to an informal give and take priority over these lengths in particular on Barrs Road which is proposed to be part of the primary route to the new development.

The current planning policy for place making and people movement is guided "Designing Streets" This document recognises and encourages model shift away from motor vehicles and considers pedestrians and cyclists first with greater emphasis on the use of public transport. While it is recognised that Cardross is served by a good train service, the bus services are still limited in availability. Argyll & Bute Council recognise that within the Council's boundaries there is a high dependency on car use and this is reflected with the number of parked cars on the streets within Cardross especially on Barrs Road which is the proposed primary route to the site.

The submitted Access Appraisal dated June 2018 refers to place making and explains that the existing road network has both a place and a movement function. The Council's view does not necessarily disagree with this assessment, however, it is considered that the primary function of these existing streets for the vehicles taking access to the proposed development at the top of the hill would be movement. Whilst the road design layout within the new development would be designed to the principles within designing streets, the primary role for the vehicles moving either uphill or downhill between the A 814 and the development site would be that of movement with negligible or no involvement with a place function.

When considering the proposed amended traffic route and the use of Muirend Road as the primary junction with the A 814, it is agreed that the computer trip generated figures are not a significant concern. When comparing this junction with the junction at Darleith Road again the vehicle trip generation is not a concern, however, the visibility sightlines at Darleith Road are significantly better. Also the presence of double yellow lines on Darleith Road and no vehicle access points from the existing dwellings within the first 50 metres of the A 814 junction allows for a better flow of traffic. There is less likelihood of a delay in traffic movements off the main road. On Muirend Road within the first 50 metres there are a number of properties with single access driveways which require reversing movements along with cars parked on the street. Continuous observations over the years have shown that there are times when visitors wishing to use the adjacent shops on the main road park near the junction which again causes disruption to the flow of traffic. Therefore taking all these factors into consideration with regards the preferred choice for connection onto the main road from this new proposed residential development, the roads officers have taken the view that Darleith Road was safest and the best solution of the two junctions.

With regard to the proposed amended primary traffic routes via Muirend Road, Ritchie Avenue and Barrs Road, this matter was the subject of much consideration through the

planning process. Indeed the proposed access to the site through the existing residential area was highlighted as a concern at the time when the strategic planners were considering Kirkton Farm as a housing allocation. Further detailed assessments were carried out by the local roads officers and the developer's transportation consultants in order to determine if the existing road network could support a route to serve the site. The Council's road officers concluded that provided Darleith Road was to be used as the site access, the proposed site could be supported. Therefore through the process of preparing the main issues report, the final document submitted to Scottish Government and before adoption of the Council's Local Development Plan being approved and subsequently published, Darleith Road was identified as the primary route. The Developer's planning and transportation consultant's supported this strategy and submitted supporting documentation to this effect which assisted the Scottish Government's Reporter to conclude that Kirkton Farm site was a suitable housing allocation site. At this time the other proposed housing allocation site within Cardross was removed from the plan.

Within the Reporter's statement dated 18th November 2014 it is stated that

"In the case of Kirkton Farm, the developers have submitted proposals which demonstrate the access to the site being taken from Darleith Road and have shown a scheme of improvements which the Councils Area Road Engineer has indicated in principle would be appropriate to accommodate the proposed development (see production no PD144/SD170)"

The supporting document submitted by Keppie, Planning consultants who represent the developer states

Section 2 subsection 2.3.

"The site can be accessed with local improvements down Darleith Road, a factor which has been the subject of much discussion with the roads department and the detail is shown in Appendix 2. This aspect will be further explained in Section 4."

Section 4 subsection 4.16.

"The vehicular access will be taken from Darleith Road, following earlier community representation made against Barrs Road. In consultation with Development and Infrastructure Services for Helensburgh & Lomond Area an access strategy has been agreed in principle which meets Council Roads Guidance for Darleith Road. The details of this will be confirmed at the planning application stage and the indicative solution below reflects the latest position"

Sub section 4.17.

Shows a plan of Darleith Road with proposed road improvements.

Sub section 4.18.

"The combined effect of these access proposals will improve the situation on Darleith Road and leave Barrs Road unaffected and only used by pedestrians and cyclists."

This section 42 application allows the opportunity to review the Roads observations submitted in response to the planning permission in principle application and to re-

evaluate the reasons why the primary route using Barrs Road, Ritchie Avenue and Muirend Road was not considered suitable at this time. The points relating to the consideration for the east west routes are included below:

The following assessment for the eastern route included in the Road's observations submitted for the original Planning in Principle Application dated 10th June 2016 stated inter alia:

"The east side would be accessed using Barrs Road and Muirend Road with the supplementary support from Kilmahew Avenue, Kilmahew Drive, Hillside Road and Richie Avenue: At first sight while this would appear to be the obvious traffic route from the site, further examination into the nature, use and lack of opportunity to provided alternative parking provision concludes that this is not the preferred option. In particular Barrs Road has a long length of parked cars on the west side with limited opportunity to give and take. Given that the traffic associated with the new development which has a primary function of movement either to travel uphill to the site or downhill to the main road, this will encourage this increased traffic speeds and attempts to dominate the flow of traffic.

Consideration has also been given to the alternative routes from that of Barrs Road. i.e. the use of Kilmahew Avenue turning onto Kilmahew Drive again turning onto Hillside Road with a further turn onto Muirend Road. This is not a straight forward route and has a number of junctions with the existing road network. Again, given that the primary objective of the driver is to move from the development site to the main road, the potential for conflict is greatly increased from the current position. While I acknowledge that the developer's transport consultants have submitted traffic data to demonstrate that these roads have the capacity to absorb the additional traffic, I am of the view as previously stated this area has grown in size over the years with no improvements to the original road and with the increase in car ownership the demand on the road network has increased significantly.

A further recognition is that the addition of pedestrian and possibly cycle traffic from the site will access the village via the east side. This mix with increasing traffic has the potential lead to a greater risk and a detriment to road safety.

During the earlier process on selecting this area as a housing allocation, the original view from the road officers to the strategic planning section was to only permit all traffic via Darleith Road. With the traffic data submitted by the developer I have intimated my support that a small number of houses within the development (10 to 15 absolute maximum 20) could take access off Barrs Road/ Kimahew Avenue. However, I do not support the developer's proposal to split the site traffic 60/40 % which would result in 54 dwelling houses being served by this eastern route. I am of the view that this is not acceptable from a road safety perspective."

The details conveyed to the members at the public planning hearing held on 24th January 2017 at Geilston Hall, Cardross are also relevant.

"The site is bounded to the west by Darleith Road and to the east by a continuation of Barrs Road which is currently a farm track. The most significant determining issue relating to this application relates to roads matters and in particular the provision of a safe vehicular access route from the A814 through the existing residential area to the

site. Many of the objections relate to road and access concerns. A great deal of discussion has taken place between Council officers and the Applicant's transport consultants on this aspect of the proposal and this has included discussions with the Council's Senior Management including the Head of Roads and Amenity Services and the Head of Planning and Regulatory Services."

"Campbell Divertie then provided background on the thought process, the detailed considerations and the consultations with various members of Cardross to eventually come to the conclusion that Darleith Road would be the best route to serve the majority of the traffic from this site and also provided details on how the design of the road improvements have been developed to create the scheme that is now before Members today.

He advised Members of early discussions which took place in July 2005 regarding a proposal which looked at traffic using both the east and west routes (Barrs Road – Muirend Road and Darleith Road). The initial thoughts were this was a good idea to split the traffic between the two routes. However, when taking a closer look, both Darleith Road and Barrs Road have lengths of continuous parked cars reducing the usable road space to a single lane which requires the good will of drivers to give and take in order to continue their journeys. He referred to the number of houses serving both routes and said that the east side was by far the busiest route serving over 300 houses. These houses have been built over a number years from the mid 1930's through to last houses being built in Kilmahew Avenue in the mid 1980's.

He stated that the roads serving this area have been added to in a progressive manner with no improvements carried out. Many of the houses on the east side are served with single driveways with the residents having to reverse in or out into the road. As car ownership has increased over the years there is now more of this type of manoeuvre and there are always cars parked on these streets.

On the west side, Darleith Road, there are less cars currently using this route. However, like Barrs Road, there is a long length of parked cars on the one side, therefore reducing the road to a single lane, which again relies on the good will of drivers to give and take to continue their journeys. Currently what happens when there are cars travelling in opposite directions, some drivers try to bully their way forward and you have a stand-off situation. Also to allow the oncoming driver the chance to proceed the driver tends to speed up and thereafter the waiting car speeds up to get through before another cars appears. Generally all drivers are in a rush to pass the line of parked cars

When comparing the two routes and their junctions onto the Main road, Muirend Road to the east is more than adequate with good visibility sight lines in both directions and Darleith Road is similar. Muirend Road on occasions has cars parked near the junction as people nip into the local shops, however, the first section of Darleith Road is in general always clear of parked cars because there are no houses with direct frontage onto the road and the shops are some distance away.

Returning to the issue of the long length of parked cars on both Darleith Road and Barrs Road. This is particularly the case in the evenings and weekends

On Darleith Road, midway between Barrs Terrace and Mill Road, it would be possible to restrict car parking on the east side at the mid-point and create a formal passing place. This would reduce the length that drivers have to travel to pass each other which in turn, reduces the speed of the vehicles.

He advised of an opportunity to provide spaces on the opposite side of the road which means the residents still have spaces outside their house. They can look and see their cars and if they are carrying shopping from their car there is no need to walk any further than they do so now.

Looking at the same situation on Barrs Road and the continuous length of parked cars on the west side, there is no land available on the opposite side to provide alternative parking so to try and create a formal passing place or passing places is not possible without the existing residents losing their current spaces in front of their homes with no alternative provision.

Council Roads Officers and local Councillors are aware that parking issues between neighbours can be a very emotive subject and this has led to many neighbourhood disputes with many requests for the council to fix it, this happens regularly. The importance of car parking for our senior members within the community to allow them the opportunity to park close to their homes is very important to their quality of life and that of their carers.

Detailed discussions over many months and years mainly informal with various members and groups of the village, concluded that the initial thought to split the traffic both east and west was not such a good idea.

A further point to consider, is the potential pedestrian movements from the proposed site. This concluded that with most of the shops, the station, the post office all being to the east of the village and with a continuous footway available to the local primary school, the route through the eastern side of the development and continuing on the existing footways to the east side would be the shortest and safest routes and should be supported.

Mr Divertie advised that before this site was included within the Council's Local Development Plan as a designated housing allocation, he and the former Area Road's Engineer had concluded that should this site be taken forward for residential development and to ensure the minimum impact on the existing community of Cardross, the focus on vehicular movements should be predominantly taken from Darleith Road with a small number being permitted down the east side on Barrs Road. This option was subsequently discussed with the Council's strategic planners and the Head of Roads.

This was also recognised by the Reporter who then approved this site as a housing allocation. Therefore what is proposed today is not something that has just been dreamed up between the Applicant and myself."

Both these documents conclude that the primary route to access the site should be Darleith Road and not as the route currently proposed by the applicant.

An additional change to the road network which has occurred after the public hearing and the Council's decision to support the in principle application is that the former Muirholm Hotel located on Barrs Road has been redeveloped and is now a retail outlet.

The Coop opened in October 2017 and this has increased the level of pedestrian and vehicular movements around Barrs Road, Ritchie Avenue and Muirend Road. This has been confirmed by the local community and observations from the local roads officers. It is acknowledged that no traffic surveys have been taken to support this change in traffic movements, however, it is a factor that should be considered in the assessment of this proposal to change the route from the west to the east.

The applicant's access appraisal is critical of the council's lack of hard traffic survey data, however, the roads officers during their assessment of this site have considered this location from the initial enquiry in 2004 and in more detail between 2011 and 2017. They have worked in conjunction with the developer's transportation consultants and have taken on board the views of the local members, the community council, local residents and the assessments of a number of the council's roads officers.

The applicant's access appraisal submission is based on two days traffic survey data carried out in March 2018 and is supported by a road safety review by Stewart Paton Associates. This review was carried out in their offices in New Stevenson supported by the benefit of a one day site visit on 16th February 2018.

The authors of this report are qualified professionals and have presented their view with the recent information gathered. It is not the intention to critique this report in detail, however, the report does recognise a number of the points of concern considered by the Council's officers.

"Informal on street parking is present on the proposed route, this has the effect of providing horizontal shift / traffic calming and speed reduction, however, they recognise that this can lead to occasional queuing and potential driver behaviour."

The report refers to a member of the review team being familiar with similar road layouts on either side of Corstorphine Hill in Edinburgh. Argyll & Bute Council's Roads officers are not familiar with this location in Edinburgh therefore it would be inappropriate to make comment. The Council's assessment has been based on many years of experience observing this road network at this location and over the years attending to the many requests from the local Members, Community Council and residents with regards to local car parking concerns and traffic issues.

Taking account of the above which highlights the observations submitted by roads to the planners and the details submitted to the planning committee at the PPP application hearing, it is confirmed that the Barrs Road route from Kirkton Farm was not a suitable traffic route to support this scale of development.

Darleith Road is confirmed as the best option in the interest of road safety and least impact on the local residents. This route was identified at the early stages of the housing allocation planning process, confirmed by the Scottish Government's reporter and supported by the developer's planning and transportation consultants. The road conditions included within the approved PPP application ensured that the road improvements were in place prior to construction works commencing on the development site. Therefore minimising the impact on the residents and providing a safe access route during the construction phase of the development and supporting the vehicle movements on occupation of the new dwellings.

The applicant's access appraisal has been based upon a development of 136 units and indicates that this would generate over 100 vehicle movements in both the morning and evening peak periods. These figures are accepted and are not in dispute.

The opportunity to review this decision and examine the current circumstances confirms that the early assessments were appropriate and that the proposed routes via Barrs Road, Ritchie Avenue and Muirend Road are not suitable. The opportunity to reconsider the potential options to provide off site road improvements to allow this route to be acceptable to support the development were also investigated.

On Barrs Road in particular in order to over-come the existing long lengths of parked cars on the west side, the provision of a formal passing place or places would be required. However, this would remove existing parking provision with no adjoining areas to provide alternative parking for the existing residents, therefore this is not considered to be acceptable. The applicant's access assessment includes details for on street parking and suggests that there are sufficient alternative areas available. This would require the existing residents to park further from their homes and this is not considered to be acceptable.

The thought of introducing further speed calming measures is a possibility, however, speed humps have gone out of favour and are not supported by the emergency services as they are not able to achieve their response time. This leads road designers to considered horizontal lateral shift. i.e. chicanes or road narrowing. Again due to the existing road layout and the existing driveways it would be doubtful to install these build outs within the recommended spacing. Again this method of traffic calming would have an impact on existing resident parking which has been identified as not being acceptable to the community.

A further consideration is that of pedestrian movement in particular at the location where the new development meets the existing public road/footway network. The focus of the access appraisal has been mainly concentrated on trip generation, traffic movements and car parking. It is well established that most of the village facilities are to the east of the site. It is not unreasonable to anticipate that the occupants of the new dwellings within the development would mainly take pedestrian access from the eastern side of the site onto Barrs Road. The proposal to use Barrs Road as the primary vehicle traffic route creates a conflict with pedestrian movements. This is further complicated by the fact that there is no footway on west side of Barrs Road on the final approach to the development. This adds to the risk that the Darleith Road access solution does not have.

A further consideration is that young children from the new development attending the local primary school would be required to cross Barrs Road twice going to school and twice when returning home, this results in a total of four crossings per day. There is an aspiration for a new dedicated pedestrian access from the development into the school, however, there is no guarantee this can be delivered. This school like all schools has security issues and a further access may not be supported.

D Conclusion

The proposed removal of conditions 4 and 5 and the variation of condition 7 would not be acceptable. The alternative access to the site that has been proposed raises significant road safety concerns which have been highlighted in this report. No

acceptable mitigation to address these concerns has been identified. This application is therefore contrary to Policy LDP 11 which requires an appropriate standard of access to be delivered to serve new developments; Policy LDP SG TRAN 4 because the proposal would be detrimental to road safety and Policy LDP SG TRAN 5 as no off-site road improvements have been proposed to address the issues with these substandard public approach roads.

Appendix B: List of Contributors

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