

# **Application for Proposed Dwellinghouse, Letrualt Farm Lane, Rhu.**

## **Supporting Access Statement Addendum**

This Access Statement and accompanying plan, ref 0961-EX-210 Road Plan, add to the previously submitted Access Statement and support the planning application reference 20/02264/PP for a single dwelling on a plot of land at Letrualt Farm Lane, Rhu, submitted by Mrs G Black. There is some repetition with the previous statement however these points are worth reiterating. The addendum has been prepared following a detailed walkover, allowing the attached plan to be prepared.

### **Statement with regards to Existing Access**

Letrualt Farm Lane is a privately maintained single track road connecting to the A814 Helensburgh / Garelochhead public road. The road is approximately 225 metres in length from the A814 to Letrualt Farmhouse. It currently serves seven properties. The first three properties are located within the first 35 metres from the A814, the middle section of the access serves three residential dwellings, with Letrualt Farmhouse located at the end point.

The existing public road connection is located on the outside of the road curve. At this location, the speed limit on the A814 is 50 mph. As the junction is located on the outside of the curve, visibility sightlines far exceed the 160 metres required within the Council's road design guide for a 60 mph national speed limit road. The width over the first 10 metres of access is policy compliant, reducing only at the 10m mark to 5.20 metres, this allows two vehicles to pass without delaying vehicle movements on the public road. The full length of the road, from the A814 junction to Letrualt Farmhouse is surfaced in bituminous material, with one short section of concrete, and with no loose granular material spilling onto the public road. The middle section wall to wall width is greater than the required 3.7m and includes traffic calming speed humps which ensures slow traffic speeds. The three existing driveway entrances serve as passing places; the available space at the entrance to Tulach Ard, Ardwell and Waterside is particularly generous. At the end point (north) there is currently an informal turning area.

The Council's Amenity Service vehicle (bin lorry) travels the full length of the road as part of its weekly refuse collection rota and utilises the informal turning area. On several occasions over the years, it has been necessary for a fire engine and ambulances to attend at the farmhouse. Therefore, the current access has safely served all vehicular movements, including emergency vehicles, for this small group of houses.

### **Planning Policy**

The proposal is for a single residential dwelling on the east side of the road to the south of the existing farmhouse. The Council's current Local Development Plan along with the supporting supplementary guidance was adopted in 2016. In particular, SG LDP TRAN 4 – New and Existing, Public and Private Access Regimes applies to this development.

SG LDP TRAN 4 is divided into two sections, section A relates to developments being served by a public road and private access regimes. Section B defines construction standards. Section A states that '*developments shall be served by a public road*'; it then lists exceptions to that requirement. Sub-section A(1) relates to new private accesses being acceptable in cases where the development is a single house, where it will serve a housing development not exceeding 5 dwelling houses, or where the access will serve no more than 20 units in a housing court development. Sub-section A(2) relates

to 'further development that utilises an existing private access or private road.' The current application therefore falls within A(2), rather than A(1), as no new road is proposed.

Under Section A(2), further development is acceptable where

*(i) the access is capable of commensurate improvements considered by the Roads Authority to be appropriate to the scale and nature of the proposed new development and that takes into account the current access issues.*

*(ii) (the applicants can) Secure ownership of the private road or access to allow for commensurate improvements to be made to the satisfaction of the Planning Authority; OR,*

*(iii) Demonstrate that an appropriate agreement has been concluded with the existing owner to allow for commensurate improvements to be made to the satisfaction of the Planning Authority.*

The key points here are that 'commensurate improvements' may be required and that these should only be 'appropriate to the scale and nature of the proposed new development.' Moreover, the 'improvements' should address 'current access issues (informed by an assessment of usage).'

The applicant discussed the proposed development with the planning authority via pre-application consultation in 2017, reference 17/02746/PREAPP. The Council's response highlighted only the greenbelt issue (the random green belt boundary cuts through the site). It stated however that if justification could be provided for a dwelling, then 'we may be able to support the application.' At this time, the proposed development was also discussed with the Council's Road's Officer and no objections were raised or issues identified beyond access sight lines at the site egress.

The applicants made representation to the LDP review process with regards to the Green Belt boundary. As the emerging LDP realigns the boundary to bring the application site into the settlement boundary, it is argued that justification for the additional dwelling has been provided.

However, it is necessary to consider under A(2) the commensurate improvements that would be appropriate to the scale of development. This raises the question as to what further improvements could be introduced that would support the additional dwelling and give further benefit to all road users. The current SG LDP Tran 4 identifies the following items as possible areas for improvement - adequate visibility sightlines at the junction with the public road, access gradients, geometry, passing places, boundary definition and turning capacities.

As stated within the existing access assessment, above, the connection with the public road has adequate visibility sightlines in both directions, and the width over the first 10 metres is capable of allowing two vehicles to pass safely. This section of the access is part of the public road verge. The applicant however is prepared to increase this width to 5.5 metres, where there is any current deficiency, should the Roads' Officer consider this necessary. As this is part of the public road network there are no land ownership issues and the work could be completed under the Roads Scotland Act (Road opening permit).

The mid-section currently has traffic calming measures and the existing driveway entrances provide the opportunity for vehicles travelling in opposite directions to pass each other. Opposite the driveway supporting the dwelling house known as 'Tor Beag' the applicant is in control of the land and proposes to increase the width of the road to provide an enhanced passing place.

Adjacent to Letrualt Farmhouse, at access termination point, the current informal turning area could be formalised, thereby securing a permanent turning facility. This would benefit all residents living

on Letrualt Farm Lane, albeit the vehicles accessing the bottom three dwellings only need to use the first 35m or so of the road.

### **Roads Consultation Response**

The Roads' Officer is recommending refusal of the application on the basis that the road already serves more than 5 dwellings and cannot serve any additional development without it being brought up to an adoptable standard, which the officer argues cannot be achieved.

We would counter that this proposal should be assessed in line with the Council's current policies and that this application is for a single dwelling off an existing private access and not the construction of a new private access. I understand that the Head of Roads is currently reviewing the Council's Road Development Guide and that this review may include a proposal to restrict future development on existing private access locations (including introducing a limit of 5 houses, thereafter an adopted road is required). At present however, these changes are only proposals for consideration, they have not been approved by Argyll and Bute Council and they should not therefore be a material consideration for the determination of this application. The applicant proposes improvements to the existing private access which are considered commensurate with the level of development and would provide improvements that all users would gain benefit from and which accord with Local Development Plan Policies.

Reference is again made to policy LDP 9: Development Setting, Layout and Design, which states that street design must take account of the principles set out in LDP 9. The policy says that *'development shall be sited and positioned so as to pay regard to the context within which it is located.'* If the context of development reflects a quiet rural lane that serves a small number of houses, it is incompatible with Policy LDP9 to insist on an urban form of adoptable road to serve the development on the basis for one additional house.

SG TRAN 4 also states that it provides further detail to LDP Policy LDP 11 – Improving our Connectivity and Infrastructure. LDP 11 states that *'Argyll and Bute Council will support all development proposals that seek to maintain and improve our internal and external connectivity and make best use of our existing infrastructure by ensuring that:*

- *rights of way and public access are safeguarded*
- *public access within the development is delivered, as appropriate, ensuring that any special mobility and safety requirements are addressed;*
- *consideration is given to the promotion of access to adjoining areas, in particular to the foreshore, core path network and green network;*
- *integration of the development with existing and potential public transport is taken fully into account;*
- *the proposed development is accessible by a range of modes of transport, including walking, cycling, public transport and car;*
- *an appropriate standard of access is delivered to serve new developments, including off-site highway improvements where appropriate;*
- *maximum and minimum car parking standards are applied;*
- *the location and design of new infrastructure is appropriate;*
- *standards for drainage, sewage, waste water and water supply are applied;*
- *new telecommunication proposals are encouraged where they comply with the criteria established in SG LDP TEL 1;*

There is nothing within Policy LDP 11 that the proposed development conflicts with, specifically with relation to site access and utilising the existing access road. The main criterion of relevance here is that the development should *'ensure an appropriate standard of access is delivered to serve new development.'* It is argued that the existing access road has capacity in its current form to accommodate an additional dwelling and that this will be enhanced by the additional passing space in the application site and formalising the road end turning area.

In conclusion, we would argue that the development for an additional single dwelling taking access onto Letrualt Farm Lane, is an acceptable development, and one that can be determined as being consistent with current adopted LDP and Council Planning Policies. This application has been in the public domain for several months and to date there have been no objections raised relating to access concerns by either existing residents on Letrualt Farm Lane, who have the benefit of using the road daily, or by the local community council, who in fact have expressed support for the application. Also, there have been no concerns raised from the Council's Amenity Service vehicle (bin lorry) or concerns from the local fire service.

The attached plan shows the site entrance configuration at the A814 junction, clearly this is compliant with standards, although it can be widened if required. An additional passing place can be added within the application site as indicated, and the existing informal turning area under the applicant's control can be formalised and surfaced with bituminous material. These are the only changes considered commensurate with the scale of development proposed.

In the circumstances, we would seek support from the Planning Authority and the Roads Authority to this small development, particularly as the proposal can be assessed as being in accordance with current adopted Local Development Plan policy. If, as seems to be the case, the Roads Officer is making a recommendation on a potential future policy change, which has not been approved by the Council, rather than approved and adopted policy, we would consider that to be a flawed approach and one that should be reconsidered.

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