

**MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held BY MICROSOFT
TEAMS
on FRIDAY, 29 APRIL 2022**

Present: Councillor Rory Colville (Chair)
Councillor Kieron Green Councillor Jean Moffat

Attending: Iain Jackson, Governance, Risk and Safety Manager (Adviser)
Lynsey Innis, Senior Committee Assistant (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: VARIATION TO A CONDITION RELATIVE TO PLANNING PERMISSION REFERENCE 21/01603/PP AT LAND SOUTH OF HIGH OAKS, ARTARMAN ROAD, RHU, HELENSBURGH (Pages 5 - 6)

The Chair, Councillor Rory Colville, welcomed everyone to the meeting. He explained that no person present would be entitled to speak other than the Members of the Local Review Body (LRB) and Mr Jackson, who would provide procedural advice if required.

Referring to the further information received, which had been requested at the previous meeting, and to the site inspection held on 30 March 2022 (note of site inspection attached at Appendix A of this Minute), Councillor Colville 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 of the Review.

Councillor Moffat advised that she felt additional information would be required to come to a fair decision. She spoke of the site visit and the indication from the Roads Officer that there are no safety issues on Ardtarman Road that would require the need for traffic calming measures. She asked if the Roads Officer could provide comment on why, if that is the case, they consider that two vehicles approaching the bend to the north of the site, in opposite directions, potentially at 30mph, would appear to be less of a road safety issue than a vehicle exiting the site on to the road from either being stationary at the junction or at a speed which is likely to be less than 10mph.

Councillor Colville advised that he too was of a similar mind and advised that having considered the additional information together with the benefit of the site visit he had given some consideration to the proposed Local Development Plan 2 and suggested that the key was to determine whether material consideration should be given to the Designing Streets and Creating Places guidance.

Councillor Green advised that he felt he had sufficient information to come to a decision.

Councillor Colville read out the following Motion:

Both the current LDP and LDP 2 make reference to Designing streets and the importance of Place. LDP 2 Policy 05 references Design and Place making related documents: Creating Places – A Policy Statement on Architecture for Scotland and Designing Streets.

Designing Streets is national planning policy and its policies should be taken into account by local authorities when determining planning applications and producing guidance. Designing Places and Designing Streets stand together as the two key design policy statements for Scotland. Street design guidance, as set out in this document, can be a material consideration in determining planning applications and appeals. Designing Streets is expected to be used predominantly for the design, construction, adoption and maintenance of new streets, but it is also applicable to existing streets subject to re-design.

The following points are all taken from Designing Streets:

Junctions should be designed to suit context and urban form - standardised forms should not dictate the street pattern

An X distance of 2.4 m should normally be used in most built-up situations, as this represents a reasonable maximum distance between the front of the car and the driver's eye.

A minimum figure of 2 m may be considered in some very lightly-trafficked and slow-speed situations, but using this value will mean that the front of some vehicles will protrude slightly into the running carriageway of the major arm. The ability of drivers and cyclists to see this overhang from a reasonable distance, and to manoeuvre around it without undue difficulty, should be considered.

Whilst appropriate driver sightlines should be maintained, vegetation can be used to limit excessive forward visibility to limit traffic speeds.

Taking the Designing Streets information into consideration the following further information is required:

- 1) The view of what weight can be given to Designing Streets and Creating Places as a material consideration from Planning, Roads
- 2) From the planners the minimum distance that would be acceptable between the new access and the neighbouring property known as Ingleby Green
- 3) To the applicant, applicants agent, and Roads , taking into consideration the planners response to distance between accesses above if using an X distance of 2m what result would result in sightline distance (Y)
- 4) From Roads a comment regarding the advice relating to the removal of vegetation from sightlines in relation to this specific single application “ Whilst appropriate driver sightlines should be maintained, vegetation can be used to limit excessive forward visibility to limit traffic speeds.”

This was seconded by Councillor Moffat.

Councillor Green advised that although he felt he could make a decision at this time, having considered the points raised by both Councillor Colville and Moffat, he was happy to consider the additional information, as this was the consensus view.

Having clarified that the information both Councillor Colville and Councillor Moffat were seeking was to take the form of a written representation, the Adviser provided advice in relation to the process and the timescales involved.

Decision

The Argyll and Bute Local Review Body agreed to:-

1. Request the following further written information from the Applicant, Applicant's Agent, and the Roads and Planning Services:-
 - The view of what weight can be given to Designing Streets and Creating Places as a material consideration (Roads and Planning Services);
 - The minimum distance that would be acceptable between the new access and the neighbouring property known as Ingleby Green (Planning Service);
 - Taking into consideration the Planners response to the distance between accesses above if using an X distance of 2m what result would result in sightline distance(Y) (Applicant, Applicant's Agent and Roads Service);
 - A comment regarding the advice relating to the removal of vegetation from sightlines in relation to this specific single application "Whilst appropriate driver sightlines should be maintained, vegetation can be used to limit excessive forward visibility to limit traffic speeds." (Roads Service); and
 - Confirmation of their position that there are no road safety issues on Ardtarman Road that would require the need for traffic calming measures, eg speed bumps and a comment on why, if that is the case, they consider that two vehicles approaching the bend to the north of the site junction in opposite directions, potentially at 30mph, would appear to be less of a road safety issue than a vehicle exiting the site on to the road from either being stationary at the junction or at a speed which is likely to be less than 10mph. (Roads Service)
2. Adjourn the meeting and to reconvene once this further information had been received and interested parties had been given the opportunity to comment on it.

(Reference: Further information received and comments made, submitted)