

AGF/19-118-020

30 May 2022

Argyll & Bute Council
Planning, Housing & Regulatory Services
The Helensburgh and Lomond Civic Centre
38 East Clyde Street
Helensburgh
G84 7PG

FAO Lynsey Innes

Dear Madam,

**PROPOSED DWELLING HOUSE, ARTARMAN ROAD, RHU
LOCAL REVIEW REF: 22/0001/LRB**

Thank you for your recent e-mail regarding the above and the request for additional information. Having received the planners response we advise that the proposal shown on drawing L(9)10 will remain unaltered and is outlined in Section 4 of our supporting statement. The reduction to a 2m distance will have limited effect to the visibility splay.

With regards to the Roads Department & Planning response we would comment as follows:

Relevance of Designing Streets – It is both our & our road consultants view that the Roads department's response is incorrect where they have stated this document does not apply as it is not applicable where it is a vehicle thoroughfare. Page 4 of DS clearly states that '*All thoroughfares within urban settings and rural boundaries should normally be treated as streets. Reference should no longer be made to road hierarchies based on terminology such as local distributor/local access roads.*'

Designing Streets is a fundamental document which tries to move Authorities away from a rigid application of their standards regardless of context to one which promotes good design and derives from an intelligent response to location. As per Section 4.00 of our submitted supporting statement by ECS Transport Planning, DS is 100% relevant to this location and it is disappointing that A&B have yet to revise their 2008 roads guidance to align with this document which was issued in 2010.

Vegetation within Sightlines - As Artarman Road was adopted by A&B Council without the provision for suitable pedestrian access then the relevance of Designing Streets is even more important to ensure pedestrian safety on what is actually a shared surface access. Psychology & Perception play a large part in influencing driver behavior – DS page 35 clearly states:

Visibility along the street edge - Vehicle exits at the back edge of the footway mean that emerging drivers will have to take account of people on the footway. The absence of wide visibility splays at private driveways will encourage drivers to emerge more cautiously.

Road Safety

The roads department have confirmed that there are no records of any accidents in Artarman Road. We don't feel that the addition of 1 new dwellinghouse will lead to an intensification of use. DS states

Concerns around risk and liability frequently lead to the rigid application of standards that can stifle design-led, contextual approaches. Roads authorities have often applied a very cautious approach in order to avoid potential liability in the event of damage or injury. This over-cautious approach is ill-advised, and restricts innovation and responses to local context. Recent case law has established that drivers are primarily responsible for their own safety and although road authorities have a general duty under Section 39 of the Road Traffic Act 1988 to promote safety, this does not create a duty of care.

It is obvious to any road user that Artarman Road is one of the quietest roads in Rhu and as we have previously highlighted the risk of meeting another car on this road is low. The proposal is for a domestic driveway access to a single dwelling where we have demonstrated that the proposed reduced visibility splays accord with good practice and exceed local new build large scale housing development driveway designs.

We have raised the following items previously and as they do not appear to have been considered we would re-iterate the following:

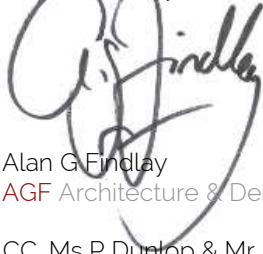
1. The precedent of a similar access has already been approved in the adjacent Torwood Hill Road (20/01190/PP). The application of roads & Planning guidance should be consistent and therefore we see no valid reason that the principles applied at Torwood hill Road are not applied on this application also. We appreciate that each application is viewed independently, however the standards & variance from them must be applied in a consistent manner.
2. Despite numerous requests neither Planning nor Roads Department can explain the variance of their design guidance between a single house driveway and a new estate house driveway. This is a concerning item given the fact that their sole reason for refusal of this variation is based on the grounds of 'safety'. It is clear to anyone that this proposal which allows entry & exit in a forward gear onto a street with 3 houses beyond the access is far 'safer' than the new consented estate developments where you reverse out of your drive onto the main access road with numerous traffic movements.

Finally we would note our concern that a new LRB committee should either be fully conversant with the location of this site or if not then undertake a site visit, as it was obvious that this was of benefit to the last board to allow a greater understanding of the context of the site and the extremely quiet nature of Artarman Road and the proposal being put forward for consideration.

Having taken into account all aspects of our submission we would hope that the LRB will be able to support this variation.

Please let me know if you require any additional information.

Yours sincerely,



Alan G Findlay
AGF Architecture & Design

CC. Ms P Dunlop & Mr A Murray