

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: 21/02709/PP

Planning Hierarchy: Local Development

Applicant: Mr Graham Wylie

Proposal: Variation of condition numbers 3, 4, 5 and 6 and removal of conditions 7 and 8 relative to planning permission 20/01150/PP (Erection of dwellinghouse). Access arrangements

Site Address: Rhu Lodge, Ferry Road, Rhu, Helensburgh, Argyll and Bute, G84 8NF

SUPPLEMENTARY REPORT NO. 2

1. INTRODUCTION

The attention of Members is drawn to the main Report of Handling dated 8th November 2022 and to supplementary report No.1 dated 22nd November 2022 that is currently before them for consideration in respect of the above application.

This supplementary report has been provided with regards to additional correspondence received by the applicant on the 14th of December 2022 and also in response to the applicant's comments received on the 23rd of November in response to supplementary report No.1.

Firstly, with regards to the additional correspondence received on the 14th of December for which the main points 1 & 2 have been copied in (**in bold**) below;

1. The roads officer twice stated that the minimum width for fire engine access is 3.5 metres. This is misinformation. The required width for fire engine access widths at "pinch points" is 2.75 metres. In the context of Ferry road as with many other private accesses this can be critical and the PPSL members have been misguided here.

In respect of the above Stuart Watson the Assistant Network and Standards Manager has noted; Designing Streets (extract below) makes allowance for a carriageway width to be reduced to 2.75m over short distances, this is not intended to cover the full length of a road. The minimum width is stated as 3.7m and any reduction from this has to be agreed by the Fire Safety Officer.

"Emergency vehicles - The requirements for emergency vehicles are generally dictated by the fire service requirements. All development proposals should be discussed with the relevant Fire Authorities.

The Association of Chief Fire Officers has expanded upon and clarified these requirements as follows:

- *A 3.7 m carriageway (kerb to kerb) is required for operating space at the scene of a fire. Simply to reach a fire, the access route could be reduced to 2.75 m over short distances, provided the pump appliance can get to within 45 m of all points within a dwelling.*
- *If an authority or developer wishes to reduce the running carriageway width to below 3.7 m, they should consult the local Fire Safety Officer.”*

In addition to the above, the National Roads Development guide, under section 3.1.9 (d) Fire Fighting, states:

“Notwithstanding the recommended road widths in these guidelines, all roads should accommodate access and operation of fire tenders. The width of roads and reinforced emergency vehicle paths and their proximity to buildings is detailed in Part E of the Building Standards (Scotland) Regulations. This document specifies a minimum width of 3.7 metres adjacent to low rise dwellings to facilitate the use of pumping appliances (this width is increased to 4.5 metres to permit the use of heavy rescue and firefighting equipment where buildings are 9 metres or more in height). **It should be noted that a basic vehicle path of 3.5 metres width (2.75 metres at pinch points)** is appropriate for access but not operation of the fire tender. ”

2. It was also stated at the meeting that discussions with the roads officer and the applicant had reached a stage where there may be no point in further discussion. Again misinformation. Apart from an initial discussion with the roads officer in July / August 2020 there have been no discussions or site meeting between the roads officer and the applicant to date. I asked the roads officer in November 2020 for a meeting which was declined. Over the last two years despite many attempts to engage with the roads officer there has been no meaningful assistance from the officer.

In respect of the above Stuart Watson the Assistant Network and Standards Manager has noted; Road Officers have not refused to meet - only that there was no merit in meeting before an acceptable submission had been received.

Secondly, with regards to the applicant’s comments received on the 23rd of November 2022 in respect of supplementary report No.1 the following is noted in conjunction with the roads area manager;

The applicant has noted in regards to road width; *Details have been provided to confirm that the full length of the private road between the A 814 and the development site would achieve a 3.5 metre width. Also I have submitted confirmation that at the location where the existing road width requires to be increased, the frontages have given their permission.*

In terms of the above comment from the applicant it is noted that drawings detailing new/ widened sections of carriageway ‘make-up’, in accordance with standard detail section requirements available with SD 08/003 Rev A have not been provided within the drawing package. Furthermore, where the existing carriageway is to be retained, no details have been

provided as to the method of 'proving' the existing formation is suitable for retention in accordance with the aforementioned standard section detail.

The applicant also notes in regards to passing places; *a site visit would confirm that the area of the existing passing places exceeds the width and length of a standard passing place. Although the geometry of these passing places differs from standard detail SD 08/003A they provide the same ability to pass easily and safely and have done so for many years. This is where consideration should be given to the fact that Ferry Road is within Rhu Conservation Area and as such any improvements should be both proportionate and commensurate with any current access issues and take into account the location of the site. Any required improvements should therefore be the minimum necessary to satisfy any identified roads issues.*

In terms of the above comment from the applicant it is confirmed that the geometry of passing places has been considered within the geometry detailed within SD 08/003 Rev A. Therefore, to ensure consistency throughout the area, passing place geometry shall be constructed in accordance with SD 08/003 Rev A. Where this is not apparent within the drawing package provided, the condition has been applied. Whilst consideration should be applied towards the Conservation Area status, so to should it be applied to the road safety of all road users.

Furthermore, the applicant has noted the following in regards to the proposed passing place at the driveway access and proposals to install a grass verge; *I confirm that the proposal to introduce a new grass verge has been proposed from the submission of the application which was validated 16th February 2022. The supporting drawings were included. To date no construction details have been requested, however, prior to any works starting on site this detail would be submitted for approval. It should be noted that the angle the roads officer refers to as being "too acute" is 50% less acute than the junction of Ferry road and the main A814. The proposed passing place final design to be agreed prior to any works starting on site.*

In response to the above the roads officer has noted that until such time that drawings/ details have been provided/ approved by Roads the condition previously set out shall apply.

Lastly the applicants have noted in regards to speed limits; *As previously advised the existing traffic calming measures (speed ramps) plus the proposal of an additional passing place and further traffic calming measures ensures that the traffic speeds are below 20mph. It should not be forgotten that very few vehicles travel along this route, however, these combined traffic calming measures will maintain slow traffic speeds.*

In regards to the above, from a position of road safety, the road has been measured against the lowest regulatory speed of 20mph. With due consideration for the hierarchy of road users, which places pedestrians over vehicles, in addition to there being no footway in this location, the assessment speed of 20mph was considered correct from a position of road safety to all road users.

2. RECOMMENDATION

The additional comments from the applicant have been mentioned for completeness but do not alter the recommendation contained in the main Report of Handling dated 8th November

2022; namely, that the application be **granted** subject to the conditions, reasons and informative notes contained therein.

Author of Report: Emma Jane **Date:** 10th January 2023

Reviewing Officer: Howard Young **Date:** 10th January 2023

Fergus Murray
Head of Development and Economic Growth