

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:	21/00349/PPP
Planning Hierarchy:	Local Application
Applicant:	Rosneath Farms Ltd
Proposal:	Site for the erection of dwellinghouse
Site Address:	Plot 7, Land to the rear of Lochewe And Ardlanish, Kilcreggan, Helensburgh, Argyll And Bute

SUPPLEMENTARY REPORT NO. 1

1.0 INTRODUCTION

The purpose of this report is to make Members aware of additional representations that have been received on 13th February 2023 in relation to the main report on the agenda.

The applicant's agent has submitted a short supporting statement in response to this issue.

2.0 ADDITIONAL REPRESENTATIONS

Members are advised that two additional objections have been received subsequent to the publication of the Agenda.

As such, an addendum is required to Section (F) – Representations, in the main report.

“A total of 14 representations have been received.

Twelve of these object to the proposed development and two are classified as representations.”

The additional two objections are set out below; -

- Roger Mitchell – No address provided – Objection
- Jean Mitchell – No address provided – Objection.

A summary of the issues raised is as follows:

- Fire risk to the proposed development and existing houses on the basis that the proposed access is not wide enough for a Fire Pump Appliance to gain access; and, low pressure in the water pipes at the only two Fire hydrants in the area.

Comment: - Fire safety has been raised by previous contributors and this is reported in the main report. However, clarification of the Officers' response may be helpful. It is noted that the Area Roads Engineer has not raised any objections with regard to the private access driveway subject to planning conditions. Council Building Standards has advised that the minimum requirement for fire vehicle access, with regard to Building Regulations, is 3.7 metres width between kerbs and 3.5 metres at gateways in order to provide access for fire vehicles to within 45 metres of the front entrance to the proposed dwellinghouse. The agent has confirmed that a topographic survey shows the very narrowest point of the drive as 6.2 metres. On this basis, as set out in the main report, Officers do not consider that access for fire vehicles is a constraint to the approval of planning permission in principle.

- Existing houses already experience low water pressure during the day during peak hours of usage.

Comment: - This issue has been fully assessed in the main report. No further comment is appropriate.

- Gravel is regularly taken from the beach in Meikle Bay in front of Mr Calderwood's farm which he uses to make the beds for the tracks and roads on his Farm causing coastal erosion of the banks of the Clyde Estuary.

Comment: - This is not a material planning consideration that can be afforded any weight in relation to the assessment of the current application. This allegation may be investigated as potential unauthorised development as a procedurally separate matter from this assessment.

- The landowner has sited a large manure pile (only one field down from this site) that leaches effluent down over the lower field to the beach and back into the Clyde estuary.

Comment: - This issue is not material to the assessment of the current application for planning permission in principle for the erection of a house on the application site. Concerns regarding potential pollution of waters from agricultural operations on adjacent land should be taken up the Scottish Environment Protection Agency (SEPA).

- Concern regarding a future application for the Council to adopt the present service road running down from the B833 to 'Portkil' hamlet. It is getting broken up with pot holes due to all the heavy contractors' vehicles. No one will pay for the up keep of the road should the council take it over on the basis of an agreement that access is free for all residence living south of the B833.

Comment: - Access to the site via the existing public/private road regime has been assessed in full within the main report. Potential requests for the private road to be adopted by the Roads Authority in the future is not material to the assessment of the current application. No details are given with regard to the agreement referred to by the contributors. It is likely that this refers to a private agreement with the landowner however, as advised, this is not material to the current application.

3.0 SUPPORTING STATEMENT

The applicant's agent has submitted a brief supporting statement in response to issues of fire safety, as reproduced below:

"A topographic survey shows that the very narrowest point of the drive is 6.2 metres. The minimum width of access required for a fire engine is 3.7 metres. The final design proposals will be fully compliant with the technical standards with regard to distance, axle load, access, reversing of vehicles etc. and will obviously be addressed during the building warrant application."

4.0 ASSESSMENT

The late objections do not raise any new material planning considerations over and above those set out, and fully assessed within the main report.

It is noted that several other issues are raised relating to beach erosion and potential pollution from agricultural operations. These issues, where material to planning, may be investigated separately from this application however they are not material to the current assessment.

As such the material planning considerations raised in these two representations do not warrant a departure from the recommendation in the main report.

5.0 RECOMMENDATION

- 1) Planning Permission in Principle be approved subject to planning conditions as set out in the main report.
- 2) The supplementary report be noted.

Author of Report: Norman Shewan

Date: 14th February 2023

Reviewing Officer: Howard Young

Date: 14th February 2023

Fergus Murray
Head of Development and Economic Growth