

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. 5

1. INTRODUCTION

The attention of Members is drawn to the main Report of Handling dated 8th November 2022 and to supplementary reports; No.1 dated 22nd November 2022, No. 2 dated 10th January 2023, No. 3 dated 16th January 2023 and No. 4 dated 8th February 2023 that are currently before them for consideration in respect of the above application.

Committee Members postponed the determination of the application in order for the roads department to respond to the submission of further drawings from the applicants which were received on the 6th of February 2023.

Below is a list of all revised and additional drawings that have been provided along with a commentary (in conjunction with the roads area manager) in response to these drawings.

19 / 20 / R2 A - Proposed passing place improvements Rev A; This drawing has not been altered therefore, the previous comments remain.

19 / 20 / R4 D - Proposed traffic calming improvements Rev D; This drawing has been altered to include an additional speed hump to the East of the driveway access, bringing the total of proposed speed humps up to three. In terms of our previous comments on the earlier drawing, these still stand. The presence of such features does not permit us to determine the operational speed of the road to less than 20mph. This drawing also notes that the new passing place is to be 5500mm wide, please see the comment below in regards to the revised driveway plan in relation to this.

19 / 20 / R5 D - Combined traffic calming measures Rev D; Comment same as above.

19 / 20 / R7 D - Ferry Road proposed improvements Rev D; This drawing has been altered to include an additional speed hump to the East of the driveway access as well as a note in regards to the proposed new road construction being type C. Please see comment below in regards to the re-alignment, new road construction and passing place details required.

19 / 20 / R9 D - Ferry Road extent of re-surfacing Rev D; This drawing has been altered to include an additional speed hump to the East of the driveway access as well as a note in regards to the proposed new road construction being type C. In regards to the note that indicates new road construction is to be type C - this has not been requested by the roads department, we would require further information in terms of the proposed extents and details to support this. Lastly in regards to the comments provided on the previous revision – these comments have not been addressed and still stand. These comments are; *This drawing shows the extent of the proposed re-surfacing works, the proposed grass verge to sections and indicates the proposed and existing passing places. As below if the applicant wishes to install a grass verge then full details of the proposed re-alignment are required (this drawing does not adequately show this as we require details showing the full extent of re-alignment, dimensions along the full length, method of illumination for the re-alignment etc.). Furthermore, the existing and proposed 100m intervisible passing places between the driveway access and the public road are not adequately detailed. This drawing also fails to detail the second passing place that is required between the driveway access and the main road – the passing place indicated at the junction of the public road does not meet standard detail SD 08/003 A as it is a junction . All passing places must be no more than 100m apart and intervisible for all road users. All passing places must be constructed in accordance with the minimum requirements as set out in standard detail SD 08/003 A. This drawing also notes the new passing place is to be 5500mm wide - please see the comment below in regards to the revised driveway plan in relation to this.*

19 / 20 / R10 B - Driveway plan Rev B; This drawing has been altered to address our previous comments in regards to the 2.4m visibility set back and the location of the water prevention measures. These alterations successfully address these comments and I can confirm the visibility splays and method of preventing water from flowing onto the carriageway are acceptable. However, this drawing does not address other comments from the earlier revision. These outstanding comments are; this drawing fails to detail the full extent of the proposed road re-alignment required to install the grass verge along the boundary wall. If the applicant wishes to install a grass verge then details of the full roads re-alignment must be included. These details should include illumination of the carriageway (i.e. bollards). Lastly this revised drawing now includes a 3.5m dimension across the carriageway East of the application site. As this location is bounded by a high stone wall to the North this dimension would not be acceptable or in accordance with roads guidance or original condition; this dimension would need to be a minimum of 3.7m where bounded by a wall.

22034_006 B - ECS drawing Rev B; This drawing has been updated to show the correct visibility splay set back. In addition to this the drawing has also been altered to show a 3.5m dimension to the carriageway to the East of the application site in lieu of the 4m dimension which was previously noted – as above; as this location is bounded by a high stone wall to the North this dimension would not be acceptable or in accordance with roads guidance or original condition; this dimension would need to be a minimum of 3.7m where bounded by a wall. Furthermore, the passing place detail as shown has been updated to reflect SD 08/003 A. As

per our comments on the previous revision; The detail showing the 100m intervisible passing place is incorrect as the suggested passing place at the access to the Rosslea is not in line with standard detail SD 08/003 A – this suggested passing place is also not considered to be intervisible for all road users as those exiting the Rosslea will not be able to see traffic from the right. This drawing also indicates localised widening of 7m at the access to the adjacent property however, this is not adequately detailed as no lengths of the widening are stipulated. Lastly this drawing fails to demonstrate the requirement for 100m intervisible passing places between the driveway access and the public road.

In addition to the above drawings two additional drawings have been provided. These are;

19/20/R11 – Passing Place (A814 Junction); This drawing indicates a 4.5m wide x 10m long box to indicate an existing ‘passing place’ at the A814 junction. The roads officer has commented on this drawing and has noted that this is a junction with the public road and is not a passing place. All passing places should be detailed as per standard detail SD 08/003 A and be intervisible. The minimum width of a passing place is 5.5m and not the 4.5m as detailed.

19/20/R12 – Passing Place (Hotel Split); This drawing indicates a 5.5m wide x 10m long box to indicate an existing ‘passing place’ at the junction of the hotel access. The roads officer has commented on this drawing and has noted that this is an informal junction with the hotel access and is not a passing place. All passing places should be detailed as per the standard detail SD 08/003 A and be intervisible. The 5.5m dimension as detailed should not protrude into the junction of the hotel access. This passing place should not restrict the junction of the hotel. Furthermore, this drawing details the existing road width to the West of the hotel access as 2.75m – this is not in line with the required minimum width of 3.5m where not restricted by walls.

In addition to the revised set of drawings the applicants have proposed three new roads conditions to substitute the current roads conditions. In terms of the suggested substitute conditions these would not be acceptable as the drawings submitted and referred to within these conditions are not in line with roads guidance for the reasons detailed above. Roads have also commented; *in the interest of road safety, Roads will not accept less than the requirements previously conditioned within the report of handling before Members.* This report of handling also details within appendix A the reasons why the roads conditions should remain unchanged and why certain conditions should be varied.

Further to this; subsequent to the last continuation please note that NPF 4 has been adopted. Therefore, it is necessary to apply the relevant policies of NPF 4 to the development proposed. National Planning Framework 4 (NPF4) is the national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments and national planning policy. It replaces NPF3 and Scottish Planning Policy. There are a range of policies within NPF4 that cover all developments, however, please note that the principle of development has been established under the previous consent (ref: 20/01150/PP). As such this application solely relates to; the variation / omission of roads conditions relative to planning permission 20/01150/PP and as such we have only addressed the policies of NPF 4 relating to this aspect. In this instance the relevant key policy would be policy 13(G); Sustainable Transport which notes; *where it has been demonstrated that existing infrastructure does not have the capacity*

to accommodate a development without adverse impacts on safety or unacceptable impacts on operational performance, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network should be met by the developer. This policy is strongly aligned with current LDP policies LDP 11 and SG LDP TRAN 4. Based on this NPF 4 supports the current policy assessment and as such the current recommendation stands.

2. RECOMMENDATION

The additional revised drawings submitted by the applicant have been considered and commented on 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:** 14th March 2023

Reviewing Officer: Howard Young **Date:** 14th March 2023

Fergus Murray
Head of Development and Economic Growth