

**BALLOCHYLE**

**BY DUNOON**

**ARGYLL**

**PA23 8RD**

Local Review Body

Review reference number: **10/0005/LRB**

Planning Application Reference: **09/01308/PP**

**Additional comments to planning conditions**

**11<sup>th</sup> Sept 2010**

To whom it may concern,

Please find comments and concerns to some of the conditions applied to the planning application in question.

**2 – Ownership Boundary**

The ownership boundary is questionable in the applicants own submissions. If you refer to page 27, plan A3 you will note varying outline boundaries to pages 147 A1 & 149 A3. As noted in the conditions if this is the only source to drainage the boundaries do need to be clarified. The mature line of Beech trees noted on page 134 to provide screening for the proposed dwelling house are within my boundary.

**3&4 - Footprint & Landfill**

As noted by the planning department the applicant had incorrectly pegged out the footprint of the proposed application, misguiding the councillors & flood expert on their site visit. The true footprint of the application will bring the boundary of the house into the flood plain. It would also seem apparent that the majority of the true footprint would need to be raised in order to bring the site up to the recommended floor level of 13.6mtrs. (For reference please find a copy of correspondence from SEPA.)

**6 – Private Water Supply**

The water supply is a concern at the forefront for all water users on the estate. There is currently no available water for an additional property on the existing water supply, this can't be relied on as a 'back up' source should the applicant's proposal of a bore hole not be passed. How can a planning application be approved without prior confirmation of a water supply?

**7 – Parking**

On the point of parking I would like to know how the additional 2 cars propose on getting to the dwelling house. The road into the estate is a private road, shared by 2 parties. I do not believe that either party have been contacted in order to request a servitude right for 2 additional cars in connection with a new build. Presumably this would need to be sanctioned prior to planning approval?

Thank you in advance for considering my comments to the conditions outlined,

Yours sincerely,



Kirsteen Manuel

Cc: Ffiona Boyd, Ross McLaughlin, Senior Roads Engineer, Area Roads Manager, Area Environmental Health Manager, David Fadpipe, Scottish Environmental Protection Agency, Tom Pierson

Our Ref: MBB/DS  
Your Ref: Letter 24.04.06

If telephoning ask for:  
Marc Becker

27 April 2006

Mrs Kirsteen Manuel  
Ballochyle  
By Dannon  
ARGYLL  
PA23 8RD

Dear Mrs Manuel

### **FLOOD RISK – FIELD ADJACENT TO LITTLE EACHAIG RIVER**

I refer to your letter dated the 24 April 2006 regarding flood risk at the above location (214369 682163).

I can confirm SEPA hold indicative flood risk maps which indicate that the area is at risk of flooding from the '100 year' flood (the event with a 1% risk of occurrence in any one year). However, I understand you have evidence that the site has flooded in recent years, and SEPA also hold records of flooding of the area during the late 90's. This information, in conjunction with data from our gauging station (just upstream of the field), would lead me to suggest that the field is likely to flood as frequently as perhaps once every five years on average.

In relation to your query as to the possibility of the site being used for development purposes, SEPA would advise that the field is in an area at very high flood risk, and development at this location (other than for the few exceptions provided for in Scottish Planning Policy Guidelines 7 (SPP7) – Planning and Flooding) would likely be contrary to SPP7. Therefore, if SEPA were consulted on residential development at this location, we would likely object to any such proposal.

The advice contained in this letter is supplied to you by SEPA under the Environmental Information Regulations 1992 in response to your request of information under these regulations. This information is the information relating to your request held by SEPA as at the date hereof under section 25(1) of the Environment Act 1995.

I trust this information is of use, and should you require any further advice or clarification please get back in touch with me.

Yours sincerely



Marc Becker  
Senior Hydrologist (Flood Risk)

## Kelly, Hazel

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**From:** Philip Bolam [pbolam@gmail.com]  
**Sent:** 11 September 2010 15:28  
**To:** Kelly, Hazel  
**Cc:** torytours@hotmail.com  
**Subject:** Planning Application

Attention Charles Reppke:  
Head of Governance and Law:  
Local Review Body Ref: 10/005/LRB

Planning Application Reference: 09/01308/PP

Land at Southwest of Cottage Number 3, Ballochyle Farm, PA23 8RD

Dear Mr. Reppke,

Cottage Number 3, Ballochyle Farm.

The owners have moved and the cottage is up for sale with Remax, Dunoon at a price of £330,000, which perhaps suggests the planning application is for a speculative development.

Yours sincerely,

Mrs. Kirsteen Manuel.

Argyll & Bute Council  
Development & Infrastructure Services  
Milton House  
Milton Avenue  
Dunoon  
Argyll  
PA23 7DU

1 Ballochyle Estate  
Sandbank  
Dunoon  
Argyll  
PA23 8RD

Tel/Fax: 01369 701 173

Date: 14th September 2010

Dear Sirs

**Refusal of Planning Permission Ref. 09/01308/PP for the Erection of a Dwellinghouse, Formation of Car Parking, Installation of Septic Tank and Creation of Private Water Supply at Land South West of Cottage 3 Ballochyle Farm, Sandbank, Dunoon, Argyll, PA23 8RD.**

I refer to your letter of 30th August which included the Suggested Planning Conditions put forward by the local Planning Officer in relation to the Planning Application on Ballochyle Estate by Mrs Ffiona Boyd. As a resident of Ballochyle Estate and a neighbour of Mr and Mrs Boyd I have the following comments to make concerning the Conditions that were set out in your letter.

**Suggested Planning Conditions**

4. It is stated under this section that the proposed dwellinghouse would measure 25.4 metres long. It appears that what has been pegged out on the ground by the applicant is inaccurate and a building of 25.4 metres would project further out onto the Little Eachaig flood plain. To make the building safe from future flooding even more infill than was originally planned for would have to be used and I think that not only would that be inappropriate in this setting but a building of this length as a house for one family would also be out of keeping with the other dwellinghouses on the estate.

The position of the proposed dwellinghouse, as it has been pegged out by the applicant, brings it very close to the existing track, which is available for access for all Ballochyle Estate residents as stated in all our titles. If the position of the house is pushed further back from the road it is pushed closer to the floodplain which would then make it necessary to install more infill to support the house above the floodplain. A great deal of infill would have to be imported to create a raised site for such a long house and this would result in a very unnatural feature in what is a very rural setting.

If the house location is as pegged by the applicant then it would interfere with the access track. I am concerned that the access rights of estate residents would be compromised by the building of this house.

If planning permission is granted then when the site or the house are eventually sold future owners would not be happy with a situation where their house lies on one side of the track and their parking on the other and all estate residents have right of access through their curtilidge. In this respect the site is inappropriate.

With regard to the issue of a house being proposed for a site so close to a known floodplain I would like to make the following comment. I feel that the work carried out by SEPA in the Little Eachaig River during 2009 to stabilise the river banks, namely the installation of gabion walls close to where the weir was located, has had the effect of increasing the likelihood of flooding in the fields close to where the dwellinghouse is proposed. When the river burst its banks and flooded through the fields and caused extensive damage to what was Tilhill Forestry's office (now the SNH office) in October 1998 and again in 2002 there were no gabion walls at the weir site and the river was able to spread out over both banks at this point, rising dangerously close to the bungalow on the east side of the river. If the same flooding event occurred now the walls would contain the river at this point and have the effect of raising the river level upstream and increasing the likelihood of the river bursting its banks and flooding through the fields.

I hope that these points will be given due consideration when the application is being considered for approval.

Yours Sincerely



Tom Pierson

cc

Local Review Body, Argyll & Bute Council

Ffiona Boyd, C/O Line Architecture

Ross McLaughlin, Development & Infrastructure, Argyll & Bute Council

Senior Roads Engineer, Argyll & Bute Council

Area Roads Engineer, Argyll & Bute Council

Area Environmental Health Manager, Argyll & Bute Council

S N H, C/O David Fadpipe(Flood Risk), Planning Unit, East Kilbride

S N H, Planning Unit, Aberdeen

Kirsteen Manual, Ballochyle House