

I have received draft conditions from the ABC Roads Department in respect of this case, which as you may recall went to an LRB at Tarbert on 28 September.

On behalf of the applicant, I respectfully object to proposed condition 3, which seeks to impose two things; a layby for a bin lorry, and an improved roads junction. May I deal with these in turn.

The layby for a bin lorry is a condition which, with great respect, is not required. Along the entire length of the Mull of Kintyre, there are numerous houses by the side of the road which do not have such laybys. It is my understanding that the "bin layby" is not a required condition according to the building regulations, and that neither the frequency of the bin lorry service, nor the density of traffic, nor the number of bins to be emptied makes this a requirement.

The junction improvements will require the applicant to encroach on land which he does not own. This fact appears to be recognised by the Roads Department in its "reasons"; but in the applicant's submission, it is not reasonable to impose such conditions for a mere two additional houses, particularly where the applicant is only able to comply within the limits of the land available. Of course, the condition of the entranceway will be improved where the track meets the public road, and within the available lands. We hope that you will understand that the imposition of the proposed conditions is practical only so far as the land is within the applicants control. Any further requirement is likely to result in a protracted disagreement about the realisation of the project for which planning permission has already been given in principle.

Would you please be kind enough to send this email on to Cllr McCuish, the chairman of the LRB?

Best regards

John Campbell



John Campbell QC Oracle Chambers Catcune Steading Gorebridge Midlothian EH23 4RN UK
T: + 44 (0) 1875 825 364 M: +44 (0)7931 776 217 E: johncampbellqc@oraclechambers.com
Skype: johncampbellqc Videophone 81.130.28.66

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