

Development and Infrastructure Services

Director: Sandy Mactaggart

Milton House, Milton Avenue, Dunoon, PA23 7DU

Tel: (01369) 708606 or 708607

Fax: (01369) 708609

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Our Ref: SG/10/02077/PP
Contact: Steven Gove
Direct Line: (01369) 708603

DOC JB 23

James Houston
Architect
2 Schoolwynd
Kilbirnie
Ayrshire
KA25 7AY

Dear Sir

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
ERECTION OF DWELLINGHOUSE, LAND ADJACENT TO ARDARE, COLINTRAIVE**

I refer to the application (ref: 10/02077/PP) recently submitted in respect of the above.

As discussed in pre-application discussion, the site is within the Kyles of Bute National Scenic Area and is designated as 'Countryside Around Settlement' in the Argyll and Bute Local Plan 2009. Policy LP HOU 1 presumes in favour of residential development within such a designation providing that the development is small in scale (i.e. less than five units) and would be located on infill, rounding-off, change of use or redevelopment sites. There are further provisos in that the development should not result in undesirable forms of settlement coalescence, the extension of the established settlement boundary or ribbon development.

The site that you have identified is located between two residential properties (*Milton Wood* and *Ardare*) and is presently woodland. In principle, it could be argued that the site represents an infill development between two existing residential properties.

You may have noted on the Council's website that two representations have been received from: Ian and Ruth Warnock, Ardare, Colintraive (e-mail dated 9th February 2011) and G Greg Morris, Milton Wood, Colintraive (letter dated 10th February 2011). I have attached a copy of these two representations and I would be grateful for any comments that you may have on the contents therein.

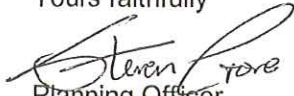
As a result of these objections, I have sought the views of the Council's Local Biodiversity Officer (LBO). It has transpired that there is a Tree Preservation Order on the site (ref: 07/92) which was conferred on 7th November 1992. The LBO has undertaken a survey of the site and, whilst no strong evidence was found of Otter, Red Squirrel or Pine Marten, there is anecdotal evidence of these species together with bats. She has significant concerns regarding the loss of trees that are covered by a Tree Preservation Order. Given the loss of important trees and an unacceptable impact on European Protected Species and species of local interest, she is recommending that the proposal is contrary to Policies LP ENV 2 (Development Impact on

Biodiversity) and LP ENV 7 (Development Impact on Trees/Woodland) of the Argyll and Bute Local Plan 2009.

The purpose of this letter is to advise you of the representations that have been received together with the views of the Local Biodiversity Officer. On the basis of the information currently to hand, the Department would be recommending refusal of the proposal; however, if you have any comments on the above, please provide them by 4th April 2011. The Department will then proceed to determination thereafter.

Please do not hesitate to contact me should you wish to discuss any of the foregoing.

Yours faithfully



Planning Officer
Bute and Cowal
Development Management