

Our Ref: EA/PC56975
Your Ref: 12/0007/LRB

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Argyll & Bute Council
Committee Services
Local Review Body
Kilmory
LOCHGILPHEAD
PA31 8RT
By Email & Post

7 September 2012

Dear Sir/Madam,

**LOCAL REVIEW BODY REF: 12/0007/LRB
ERECTION OF DWELLINGHOUSE ON LAND NORTH WEST OF ARDARE, COLINTRAIVE**

I wish to take this opportunity to write on behalf of Mr. Nicholas Staunton in response to the further written submissions lodged by Argyll & Bute's Planning Department in relation to the appeal against the refusal of planning permission for the erection of a dwellinghouse on land northwest of Ardare, Colintraive.

We acknowledge that the planning officer's response was received in our offices on 3rd September 2012. We intend to address each point as identified in the letter date 30th August 2012.

Advice from Planning Department

We acknowledge that the Council has accepted that advice given throughout pre-application discussions and throughout the planning application process may have been misleading. We still question their need for tree and ecological surveys in order to assist in determining whether the principle of development is acceptable at Colintraive.

We do not believe that it was necessary to request additional information to determine that the principle of development, in terms of extension of settlement boundaries.

This matter has been raised in our original submission to the Local Review Body.

Extension of Established Settlement Boundary

Local Plan policy LP HOU 1 recognises that in terms of housing in the designated "Countryside Around Settlements", development that is considered small-scale and on infill sites is favoured. Therefore, in that respect the proposal is in accordance with local plan policy.

Within the wider area of Colintrave, there are existing residential properties that are not covered by the designated settlement zones of the adopted local plan. In addition, it should be stressed that local plan policy allows for limited development within the designated Countryside Around Settlement areas.

It is considered that the approval of development on land northwest of Ardare does not necessarily lead to the extension of the settlement boundary. As stated, the current local plan does not include all existing properties in Colintrave within the designated settlement zones. In that respect, there is no requirement for any proposed development to be seen as an extension to the existing settlement zones, but rather a small-scale infill development within the wider countryside around the settlement of Colintrave, in accordance with planning policy.

The development would not lead to further expansion or ribbon development along the coastline, and as an infill site should be recognised as a suitable opportunity for small-scale housing development.

Our original statement lodged in association with the appeal to the Local Review Body covers this matter.

Tree Preservation Order 7/92

We acknowledge the provision of the map identifying the wider designation of the Tree Preservation Order of Milton Wood. We note that this designation covers a large area along the coastline, starting at the application site to the north, and extending southwards towards Mill House.

The Tree Preservation Order covers a much wider area where there is a mix of development and woodland. In that respect, the TPO includes existing housing plots and developed sites along the coastline. It is considered that the wooded area provides a sensitive and attractive setting within which residential properties are sensitively situated.

It is acknowledged that the development will require the loss of 9 trees from the site, but the proposal promotes the replanting of 12 new trees within the application site, over compensating for the loss of trees on site and - as stated by Argyll & Bute Council's Service Officer for Grounds and Horticulture - assisting in the longevity of wood cover. It is believed that the site can accommodate the proposed development and improve tree cover with minimal impact on the wider setting of the woodland at Milton Wood.

In that respect, there is no reason to assume that the sensitive development of the site would lead to the loss of the distinctive wooded appearance of the site, and therefore the wider National Scenic Area, as states in the Council's reason for refusal.

Based on the overall size of the TPO, and the proposed tree works promoted as part of the development; we do not believe that the proposed development would have a significant impact on the wider Tree Preservation Order.

Conclusion

In conclusion, we believe that the case set out in our original statement lodged to the Local Review Body is still valid as this proposal progresses towards determination.

We note the comments received from the Planning Department in response to the request for additional information; however, none of the information received outweighs the supporting case as provided on behalf of the applicant.

We trust that this is acceptable. Please note that we intend to attend the proposed site visit for this appeal, and look forward to receiving details of the visit once planned.

If you require anything further, please do not hesitate to contact us.

Yours sincerely

A handwritten signature in black ink that reads "E Anderson". The signature is written in a cursive style with a large initial 'E'.

Elaine Anderson MRTPI
Senior Planner

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Enc
Cc: Client