

Ref: 14/0005/CRB  
Ref: 13/02178/PPR  
land S. of Dugarro, Taynuieb

Dr J. Wilkinson  
Ms G. Mcinally  
Tulich,  
Taynuilt, PA35 1HY  
Argyll, Scotland  
Monday, 9 June 2014

Dear Argyll and Bute Planners;

It has come to our attention that an appeal has been lodged and we would like to ask you to consider our original objections along with our response to this new appeal. Please also find enclosed our original objection to the planning application.

We list our responses in relation to the page numbers of the Applicant Glen Lonan Estates, referred to as GLE in this document.

**Page 1 Paragraph 5: GLE states:**

below. It is interesting to note that whilst the owners of Baressan, which adjoins the site, have objected, the owners of Dugarro, which is referred to in the reasons for refusal (see below), have not.

We think this statement is disingenuous. As you are well aware there are many reasons why people lodge objections, and equally many reasons why they do not. These may include amongst other things friendship to the applicants or intended future tenants.

**Page 9 Paragraph 3 GLE states:**

planting. The Oak, which will be subject of removal, is really only important to anyone walking along the track and, as this is a private road, really only to anyone attending at Baressan. From here the Oak has a degree of interest, but not to the point where it, alone, suggests that development should not proceed.

This is untrue. People use this track regularly, especially children as it is a safe place to walk. By doing so they cut out the blind corner, which does not have a footpath. We certainly encouraged our children to do this, and others do as well. It is also commonly used by dog walkers, as well as providing access to the common grazing. In regard to this tree only being enjoyed by the residents of Baressan, we totally disagree.

**Page 3 Paragraph 5 GLE states:**

building. The fact that the owners of this dwelling have not objected, perhaps suggests that this issue has been overplayed.

We refer you back to comments made above in relation to Page 1 Paragraph 5.

**Page 4 Paragraph 6 GLE states:**

form and natural vegetation. This is why every effort has been made to retain as many of the trees on the application site as possible, and this has been largely achieved, with only one Oak requiring removal, along with other smaller, less important, trees and scrub. There will, of course, be some change in terms of the character of the area, particularly short term as construction takes place, but once the site is allowed to mature, and new planting grows, it is considered that the proposed dwelling will be similar in visual impact terms to those that currently lie east of the road, i.e. It will glimpsed through trees and planting rather than being obvious on a cleared site. It is firmly considered that trees and planting will still predominate, and the overall impact on the character of this part of the settlement will be limited.

We strongly dispute this paragraph. The changes will be permanent term, both in terms of biodiversity, character of the area, and human wellbeing. Will people still be able to access this site? More importantly will children still be able to make dens and play in that area? There is not other area like this up this road; it is very special indeed. For example some of these trees are referred to by the local kids as the "Far Away Tree", the "Pooh Tree", and "My Special Tree". However taking wellbeing aside, there is the flourishing ecosystem that develops within a region that is developing naturally. Once this site is disturbed, it is difficult if not impossible to retain this character and its associated biodiversity. Again there is not other area like this up this road.

**Page 5 Paragraph 1 GLE states:**

this area, but where we disagree is that building a new dwelling on the application site would somehow unacceptably tip the balance towards built form overwhelming the greenery and open spaces. This will not be the case, but, again, is best understood by viewing the site.

Please see above. We do believe that this development will unacceptably tip the balance away from greenery to urban. As previously stated there is no other area like this within this vicinity.

**Page 5 Paragraph 2 GLE states:**

Council is concerned to keep this second Oak, it can condition its retention. The Oak that will be removed is a reasonable specimen, but is really only viewed by those visiting Baressan. It has no real importance beyond that.

This is an appalling statement. To infer that a tree is only of benefit if it is viewed by humans, and of no real importance beyond that, is at best ignorant of our duties towards sustainable development. We truly cannot believe this statement was included in the submission.

**Page 5 Paragraph 3 GLE states:**

Equally, if the Council is concerned to retain the remainder of the trees, it can do so by planning condition. Clearly, this does not mean that, at some point in the future, occupiers of the new dwelling may not need to remove additional trees, but the new property will have a similar relationship to trees as many existing houses in the area, and the owners of these seem able to live close by trees without concern.

We are unsure what this paragraph means. It seems to give the impression that the Council may insist the retaining of these tress as part of the planning process, but the occupier may choose to remove them at a later date. Very strange.

**Page 5 Conclusion GLE states:**

We will not go into a discussion about the conclusion as we feel we have covered the points made already.

**Final comment**

As final comment we would like to clarify the Statement below.

- Neighbour notification was not served on 'Tulich' which has land in close proximity to the site.

*Comment: Neighbour notification was undertaken to all properties within 20 metres of the application site. 'Tulich' is outwith the requisite neighbour notification distance and as such, direct notification was not required. A Regulation 20 Advert for vacant land was published in the Oban Times to allow other interested parties to comment on the proposal.*

We actually own a strip of land running down the side of our access track. This strip finishes very close to the proposed development, within 20 m. As a result we feel we should have been notified.



Dr J Wilkinson

G McInally



## Original statement.

*Dr J. Wilkinson*  
*Ms G. Mcinally*  
**Tulich,**  
**Taynuilt, PA35 1HY**  
**Argyll, Scotland**

24 November 2013

Re: Planning Application Ref: 13/02178/PPP

Dear Argyll Planning,

We are writing to you to express our concerns and objections to the proposed outline planning permission for a dwelling house on the land south of Dugarro.

Our main concern is as follows:

- We were very disappointed not to be notified directly by Argyll Council that this planning application was being lodged. A portion of our land lies very close to this application (within a few metres) and some of our services run underneath it. If due process was followed we believe that we should have received direct notification. As it was we only heard through a chanced upon conversation with some neighbours. We understand that oversights do happen, but at present we find this unacceptable.

The objections to this planning application we would like noted are:

- 1) Dangerous visibility: The visibility from our access track (to/from Tullich) to the Glen Lonan Road is in our belief not up to modern day standards. Because of the success of attracting additional housing/families to Taynuilt the traffic load coming through the village has increased substantially. We regularly have to reverse back in to our access track due to the inability to see oncoming traffic (from both ways). This is further heightened with the 60 mph speed limit being just beyond the access track (some people just do not slow down to 30 mph in the village!). We feel this situation will only be exacerbated with additional cars using the access track.
- 2) The old public road access: From the red line on the planning application it looks as if this includes the region that was originally the public road (what we call the old public road) up Glen Lonan. Whilst we are unsure if this road is still public we do have written within our deeds that our house (Tulich) enjoys an irredeemable servitude right of access to/along this public road. When the weather conditions are particularly bad, i.e. icy conditions, we are forced to avoid the steep nature of our main access

track and make use of the old public road (that passes Baressan). This track lies within the red line boundary.

- 3) Services: We believe our incoming drinking-water and waste-water flows under/through the area encircled by red line on the planning application. If this planning application is approved how does this impact our access to these services should they require maintenance?
- 4) Red squirrels: We take our environmental duties very seriously and as there are red squirrels living in the trees within the planning application, we would like to know what measures are being put in place to protect this habitat for one of our native, endangered species.
- 5) Common Grazing land: We believe that this land forms part of the common grazing that is held in the region. We are unclear if this land has been de-crofted and thus is actually available for building upon. This planning application may be jumping the gun slightly.

We have purposely keep our concerns short, but should you need further information please do not hesitate to contact us immediately. Our phone number is 01866 822157.

Dr J Wilkinson

G McInally