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W.L.C.  
2015 GROUP SUPPORT

20 NOV 2015

WL / LDP APP / 0282

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17<sup>th</sup> November 2015

Dear Sir

## Proposed West Lothian Local Development Plan – Representations Linlithgow Settlement Boundary

**Gardens at Nos 1 & 2 St Michaels Lane, Blackness Road, Linlithgow**

I write on behalf of [REDACTED] and refer to my previous letter of 6<sup>th</sup> September 2012 [copy attached] on this matter.

My clients were most disappointed to discover that despite my previous letter and the Change of Use Consent [1037/FUL/04] to convert Woodland to Garden Ground approved by West Lothian Council on 7<sup>th</sup> April 2005 that their garden and that of their neighbours has not been included within the Settlement Boundary for Linlithgow.

Mr & Mrs Nicol and their neighbours have developed their garden ground with the full support of the Planning Authority including consent for a Garden Shed & Summerhouse in 2006 [Application No 0550/H/06] and their neighbour secured consent for a garage to store motor vehicles, all consistent with the land's use as a domestic garden related to their residential properties. This makes the land's location outside the Settlement Boundary all the more anomalous.

At the consultation during the preparation of the Main Issues Report I attended a Drop-in Consultation Session in the Burgh Halls where the 2 Planners present advised me this was a minor alteration to the boundary which would be addressed during the preparation of the Proposed Local Development Plan.

On becoming aware of the non-alteration of the boundary I attended the Drop-in Consultation on 2<sup>nd</sup> November 2015 in the Burgh Halls and discussed the matter with Jenny Sheerin She has now advised me in an e Mail that the alteration of the Linlithgow Settlement Boundary is unlikely as "the areas around the loch within the SSSI boundary act as a vital buffer zone to the open water". This is in conflict with written recommendations made by Scottish Natural Heritage when they supplied

their comments on previous planning consultations and with the fact that West Lothian Council has approved the use of this land as garden ground.

## SCOTTISH NATURAL HERITAGE

In correspondence to West Lothian Council

[1] Letter dated 23<sup>rd</sup> September 2004 to Kevin Treadwell written by Ian SJ Bray Area Officer [West Lothian].

SNH state " SNH raises no objection to this development [this refers to application 1037/FUL/04] being carried out in accordance with the terms of the application and submitted plans."

They further go on to state " the area of land within the SSSI boundary covered by this application site is improved grassland and woodland. The habitat does not support any features for which the site has been notified as an SSSI. In addition there is a suitable buffer between this area and the loch"

[2] Letter dated 16<sup>th</sup> March 2015 to Steven McLaren from Malcolm Fraser [Operations Officer Forth]

SNH state "We have no objection to the proposal [this refers to application 0167/FUL/12]"

This comment was related to the development of the site.

In conclusion SNH have demonstrated they had no objections to the development of this site for uses regularly located within the Settlement Boundary.

## CONCLUSION

Mr & Mrs Nicol have been supported by West Lothian Council since 7<sup>th</sup> April 2005 with 2 planning consents on the area of land they own and their neighbours have been also supported with 2 planning consents for activities associated with their residential properties on St Michaels Lane.

The concept of a Settlement Boundary is regularly used to identify the clear boundary of a settlement for the country / rural area surrounding the settlement. This is a long established planning tool however I am unaware after 40 years of professional practice where a house and its approved garden are not located within the settlement boundary.

By altering the settlement boundary it will recognise the corporate decision made by the Council in 2005 – it is regular practice for Authorities to homologate decisions

have been made during the life time of a previous Local Plan or Local Development Plan with alterations to the next Local Development Plan.

## RECOMMENDATION

It is recommended in the strongest terms that West Lothian Council alter the Linlithgow Settlement Boundary to reflect the change of use to garden ground approved by the Council in 2005.

Thereby including the garden ground of numbers 1&2 St Michaels Lane, Linlithgow within the Settlement Boundary of Linlithgow on the West Lothian Local Development Plan

  
John Duff Planning

17<sup>th</sup> November 2015

Cc – Mr & Mrs D. Nicol

Enc – Site Plan

WL/LDP/PP/0282

Location Plan  
1/500

