

From: [REDACTED]
To: [wlldp](#)
Subject: Objection to Proposed Changes in West Lothian Council Livingston Development Plan
Date: 22 November 2015 13:54:56

Dear Sirs,

We wish to object to the proposal to change the designation of the land we own in Murieston Valley from White Land to the designation of Open Space as proposed in the new Local Plan.

This is a privately owned area of land which is fully fenced in and it has been designated as White Land in the last few Local Plans. It has been alleged in many letters to the council, that a named local Councillor has advised the residents of the area that this area of land was 'left off' the Local Plan in error and should always have been given the designation of Open Space. I think that if this conversation has taken place (and it is mentioned in several letters from different parties) it tells a lot about the reasons for this proposed change.

It is my understanding that the Local Plan goes through a recognised legal process of proposals and ratifications and that decisions are meant to be made which follow planning policy and the policies outlined by the Scottish Government and the Local Council. Therefore, to state that something has been left off a Local Plan in error is a ridiculous statement for a public official to make. In fact, since it has been designated White Land for several Local Plans it is clearly a statement which has no truth to it. The old Local Plan has several areas which are shown as 'Land Safeguarded as Open Space', some of which have also been defined as 'Areas of Special Landscape Control'. Other areas in addition to the area we own are left as 'White Land'. These Local Plans were adopted formally and tie in with and back up decisions made in West Lothian Council's Open Space Strategy. Therefore, the areas of White Land noted – including the area we own, complied with that Open Plan Strategy. This strategy then naturally fed into the decisions made on which proposals to accept and ratify in the Local Plan.

The Council's Open Space Strategy is designed to comply with the government's Scottish Planning Policy which asks Local Authorities to undertake an audit of their own open space to produce an Open Space Strategy. This policy was complied with when the open space strategy was released in 2005 and reviewed in 2010, **and in that review there was no change in West Lothian's approach.**

However, instead of continuing with this approach which identifies open spaces to safeguard based on their merits and value as open space, the Policy seems to have changed. – This is without a further formal review of the Open Space Policy or any change to the government's policy, or proper process justifying this change in policy.

Now, it seems the Plan looks to safeguard all open spaces in Livingston – regardless of their importance, quality or usefulness as open space and regardless of whether or how they were identified in the Council's own latest Open Space Policy.

We can see no reason why without due process this policy change has been introduced

when the previous policy worked sufficiently well and gave an end-to-end approach to decision making with each tier of decisions dovetailing naturally together in a cohesive and justifiable manner.

If in fact the policy has changed, why is West Lothian Council's Open Space Strategy still published as current on government websites?

I do not think that anyone looking at our land could agree that it has enough importance or value as Open Space to warrant a change from White Land without our consent and against our wishes as the private landowners. In addition, we have not taken any steps to put this land forward as housing or change its use – despite being granted planning permission to build a single dwelling a year ago – and we have no intention of doing so. Since the trees on the land are already protected by a blanket TPO, (despite most of them surveying as fair or poor specimens), the change in the designation would give the land a level of protection which we believe is excessive. The designation of Open Space is there to protect areas identified as worthy from inappropriate development. The TPO and the designation of White Land already provide a safeguard to this area of scrubland on an existing street in a modern housing estate sufficiently well. Therefore, changing the classification of the land to Open Space is excessive, does not comply with areas identified in the Council's own Open Plan Strategy.

We would urge the Council to change the proposals for our land to look instead for areas which are justified as **valued** and **functional** for Open Space and to leave our land with its current designation as changing privately owned land without justification against our wishes would be wrong.

Overall, we believe the change in policy which looks to change all areas in Livingston to designated Open Space without changes to the Open Space Strategy taking place is not the correct decision. It works against Scottish Planning Policy which states that Local Development Plans should encourage the temporary use of unused or underused land as green infrastructure, while making clear that this will not prevent any future development potential which has been identified from being realised. Changing all areas to Open Space would obviously do just that.

We believe that the policy change has been driven to stop small, infill developments like ours – particularly in the Murieston area rather than create and follow the cohesive and structured process which is in place. We believe the current process serves Livingston and West Lothian better. There is a place for well planned infill developments within existing communities and it would be a mistake to take steps which would effectively stop these single house plots and small developments from being possible in the future where they are appropriate.

We believe that the decision to make this change has been an off the cuff one, made because of pressure applied by Local Councils and a small number of local people who are very anti-development and have a strong 'not in my back yard' mentality. We believe that the policies and framework which exist should be respected and

the decision should be changed.

I would appreciate it if you could confirm receipt of this email.

Thank you

Tracey Carson & Lindsay Sneddon

[REDACTED]

[REDACTED]

[REDACTED]