

Mark Mainland
Myrtledene
Rendall

Planning Department
Orkney Islands Council

14th March 2019

Ref: 18/507/PIP Myrtledene

Dear Sir/Madam,

I am writing in response to your "consultation response from Policy" email dated 01/03/19. Thank you for taking the time to respond and advise.

I understand that there is some confusion as to the status of the section of garden clearly shown by shading on my title deed within the overall title boundary. As I stated in my previous letter dated 27th November 2018 this area was fenced with post and rope boundary, and although not recently mown due to the age of the previous owner was very much part of the garden where daffodils grew and birds and other wildlife often visited. By contrast the unshaded area of the title was surrounded by stock fencing (barbed wire). As I have been undertaking renovations to my property when at home and otherwise working away at sea, I myself have not yet taken the time to tend to the rest of my garden. The family of the previous owner (now deceased) have advised that their mum enjoyed spending time in the garden, but over the years fully tended to less as age took its toll. The hardstanding area closer to the public road was often used for additional parking for visitors and when the weather made access using the track more difficult prior to the installation of the rope fence.

Having looked through the policies (*Orkney Local Development Plan Policy 5 E (v) & Supplementary Guidance: Housing in the Countryside*) regarding definition of curtilage and other guidance, I am satisfied that evidence of non-agricultural fencing, hardstanding area adjacent to the public road along with the clear defined physical differences which are evident between the non shaded and shaded area of the title deed clearly suggest a considerable difference of use which would be classed as domestic in relation to the existing dwelling.

Yours Faithfully

Mark Mainland

See images attached clearly showing rope fence, overgrown hard-standing area, bush in the garden area and stock fence between field and overgrown garden area.

37





Photos

18/507/PIP

22/01/2019

40





42

