

Your details (mandatory)

Please indicate in what capacity you are making this submission:

- as an individual (and representing your own views)
- as a representative of a private or commercial organisation (and representing the views of that organisation)
- as a representative of a public organisation (and representing the views of that organisation)
- as an agent (and making comments on behalf of other individuals that you represent or third parties)
- other

Please complete the following contact information:

Name

Email

Telephone

Address

Organisation name

Client's name

Is this the first time you have made a written representation on the Proposed Plan? (mandatory)

- Yes No

If you have previously submitted a site to be considered for development when the council was initially seeking Expressions of Interest (EOI), or commented on the *Local Development Plan* at the *Main Issues Report (MIR)* stage, or made a previous submission to the *Proposed Plan* please provide the reference given to you at that time if known.

EOI & MIR reference number can be found on any email or written communication we may have previously sent you.

Enter EOI (Expression of Interest) reference here

Enter MIRQ (*Main Issues Report*) reference here

Once form has been completed please sign and date (mandatory)

You do not have to respond to all of the questions set out only those which you feel are of particular relevance to you.

Signature Date

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Proposed Plan reference

Please use this form for sections: Foreword; Background; Context; Role and Purpose of Plan; Vision Statement and Aims; The Spatial Strategy (including Policy Framework); Appendices; Glossary; Proposal Maps; Strategic Environmental Assessment (SEA) Environmental Report; Equalities and Human Rights Impact Assessment (EQHRIA); Strategic Flood Risk Assessment (SFRA); Habitats Regulations Appraisal; Transport Appraisal (TA); and Action Programme.

Section title

Page nos.

Paragraph nos.

Please see attached,

Section title

Page nos.

Paragraph nos.

Please see attached.

West Lothian LDP – Proposed Plan 2015 Consultation

Section Title: Vision Statement and Aims

Page Nos: -

Paragraph Nos: -

Comments:

Gladman supports the overall vision of the LDP; capitalising on West Lothian's strategic location and supporting the CDA's, whilst also acknowledging the designation of the whole of West Lothian in the SDP as an SDA and encouraging development to meet regeneration needs and local objectives, whilst always maintaining an effective five-year supply of housing land. Our support for these CDAs and large expansion areas is conditional on them being genuinely effective and forming a part of an overall strategy, made up of these large sites and complementary smaller sites, with the larger sites unlocking infrastructure capacity for the whole of West Lothian.

Section Title: The Spatial Strategy – Development strategy

Page Nos:

Paragraph Nos:

Comments:

Gladman supports the content of Policy DES1

Gladman objects to the wording and aims of § 5.38, and the overall weight given to the HNDA2 in the Council's approach to its housing growth and target process. Whilst HNDA2 does have weight in the decision making process, it is clear that this weight is very limited. Recent appeal decisions by Ministers (notably in cases PPA-400-2045 and PPA-400-2046) that the HNDA is a policy-writing tool, not a decision-making one; and that in any event the policy which it is written to influence is strategic policy, not local policy. As there exists an adopted SDP with which the WLLDP must comply, the issue of reducing housing numbers to accord with the figures in HNDA2 is clearly a subversion of the intention of Ministers in approving the SDP.

Preparing the ground to reduce the LDP housing target to better accord with HNDA2 does not absolve the Council of its' duty to deliver the housing target set out in the current SDP nor does it excuse the Council from its' section 16 duty to maintain consistency between the LDP and the SDP.

Gladman supports the revision of the HLA format (§ 5.40) to show housing need and demand broken down by tenure type. However, this data should be presented in addition to the current format HLA, not instead of the current PAN2/2010 'requirement vs supply' format. Whilst Gladman supports the overall spatial strategy, we are concerned as to whether or not the approach to growth is entirely consistent with the approach to education infrastructure and wider infrastructure issues.

The Council suggests (at, for example §5.42) that it continues to support and promote development and continues to take a longer term view on growth, but at the same time, strongly states that all development is constrained by education infrastructure which must be addressed by the development industry and that an effective housing supply is only provided for "subject to the delivery of new education capacity".

Gladman objects to the format and content of Figure 5 (Page 22), particularly the inclusion of the third column which shows a housing land supply target for the period from 2009-2024. It is clear from SESplan and its Supplementary Guidance, as well as Ministerial correspondence in relation to that plan that the housing land requirement is to be considered as two separate periods from 2009-2019 and 2019-2024. This has been reinforced recently by the decision of Ministers in appeal reference PPA-230-2129 in which it was held that "the calculation of the housing land supply... [across a single 09-24 period]... was not in accordance with the SDP or the SG and that the council behaved unreasonably". It should also be noted that whilst Figure 3 acknowledges the additional requirements for housing allocations set out by the SESplan Supplementary Guidance, there is no further reference to these additional allocations.

In addition, the Council has shown a 'generosity allowance' in their housing land supply figures of 10%, but has not provided the "robust explanation" required by § 116 of SPP to justify this figure. The Council states in § 5.52 that it seeks to meet the requirements of SPP 2010 (as the SDP was developed to conform to that), but that merely states that the supply must be generous, not what the level of that generosity is to be. It is entirely reasonable to expect that the supply position be justified in line with the new guidance. Whilst we recognise that it is for the SDP to set the housing land supply target,

which, under SPP 2014 should include a robustly justified generosity allowance, we would note that as SPP 2014 now represents the up-to-date policy position of Scottish Ministers, West Lothian should, as other SESplan authorities have done, provide the SPP 2014 generosity allowance in the LDP.

We are also concerned that § 5.52 appears to be contrary to the vision of the Council to enable growth and house building, by ‘preparing to fail’; identifying that new allocations may not deliver until after 2019, highlighting the inability of the Council to maintain a five-year supply in the short-term, and again highlighting how the whole strategy is in the hands of developers delivering infrastructure on other sites. This is despite a mechanism being in place within the SDP for making up any shortfall in housing land supply.

Our assessment of the current West Lothian housing land supply position, which demonstrates that the Council is failing to maintain a five-year effective housing land supply is below. The table also shows the effect of the range of the generosity allowance on the housing land supply position in West Lothian.

Description		Figure	Figure	Figure
West Lothian Housing Land Supply		No generosity applied	with SPP §116 10% generosity	with SPP §116 20% generosity
Housing requirement <i>Source: SESplan SG Housing Land</i> <i>Period: 2009-2019</i>	(a)	11,420	12,562	13,704
Length of plan	(b)	10	10	10
Annual housing requirement	(c)	1142	1256	1370
Completed plan years	(d)	5	5	5
Total housing completions in plan period	(e)	2,428	2,428	2,428
Net residual housing requirement	(f)	8,992	10,134	11,276
Years remaining	(g)	5	5	5
Net revised annual completion rate	(h)	1,798	2,027	2,255
5 year requirement adjusted against delivery	(i)	8992	10134	11276
Effective housing land supply (HLA 2014)	(j)	4791	4791	4791
Number of years supply	(k)	2.66	2.36	2.12
Percentage of 5 year requirement	(l)	53%	47%	42%

Section Title: The Spatial Strategy – Infrastructure issues

Page Nos:

Paragraph Nos:

Comments:

Whilst Gladman supports the over-arching concept set out in the plan and planning policy more broadly that infrastructure is required for development, and that it is appropriate for development to fund infrastructure, we object to the broad principal set out that all infrastructure should be forward-funded by the development industry.

This places an undue burden on the development industry which will see the desire for growth set out in the LDP trapped in a 'vicious circle' whereby development cannot happen for lack of infrastructure, but infrastructure cannot be funded for lack of development. It is therefore the role of the Council to 'take the first step' and proactively seek infrastructure solutions (for education in particular) in order to unlock development. The Council could then seek to recoup this funding from the development industry, in a similar manner as used in Edinburgh for the tram project and in Midlothian for the Borders Railway. Similarly, the Council must seek to ensure that the Core Development Areas, such as Winchburgh, contribute to the planned growth both by delivering units on their sites, and by delivering the infrastructure provided for by the relevant section 75 agreements and 'unlocking' development across West Lothian.

It is neither sustainable, nor consistent with the planning policy vision for Scotland as a whole, the South East of Scotland SDP area or West Lothian to continue to suggest that the entire LDP strategy hinges on one element of infrastructure provision, and then defer implementation of that to a third party. It is inappropriate in the context of planned-for growth in the SDP area to state that the delivery of education infrastructure on one site is the key to 'unlocking' the entire Council area for development, and that the Council will play no part in the delivery of that solution.

Fundamentally, we are concerned that the proposed plan, whilst allocating land for development, in addition to reaffirming the existing allocations and CDAs, is all conditional on infrastructure solutions (the plan states that "an effective supply is identified, subject to the delivery of new education capacity") which the Council does not seek to deliver itself ("a key requirement will be the need for developers to work together to fund and deliver new schools and key infrastructure" and "in the absence of increased funding from the Scottish Government to the Council, the onus of securing education provision the secure new development falls to developers"). The Council, as education authority, does have a statutory obligation to "*secure that there is made for their area adequate and efficient provision of school education*". As such, whilst there is a role for the development industry to play in assisting in solving education infrastructure issues, the Council is under a statutory obligation to educate pupils in their area, and this is not subservient to the planning regime.

Gladman therefore objects to the wording of Policy INF1, as it places the infrastructure burden solely on developers and the lack of flexibility in the wording will stifle development. The wording should be amended to allow more flexible funding options for infrastructure and the Council should examine ways to deliver and then recoup the costs of, infrastructure required to unlock the development required by the LDP strategy.

Section Title: The Spatial Strategy – Affordable Housing

Page Nos:

Paragraph Nos:

Comments:

Gladman supports the move towards a requirement for 25% affordable housing on residential sites within West Lothian. We would suggest that the Council should allow developers of residential sites to deliver the affordable housing on their sites themselves. This would leave the Council free to pursue its' affordable housing scheme on other sites and ultimately lead to higher levels of delivery of affordable housing, and in particular, social-rented housing, which the Council identifies as being in greatest need. The Council should be far more flexible in its approach to genuinely delivering the full range of affordable housing in addition to meeting their own manifesto goals on the social rented side; more private market housing can deliver more affordable housing integrated into individual developments, as affordable housing does not carry nil-value for private developers. The development industry can deliver a range of housing for the affordable sector, with new models being developed; including low cost, shared equity etc. The approach for only social rented by WLC is too narrow and won't deliver sufficient quantity. Council owned land should be used to deliver significant affordable housing and not sold (as several sites have been recently) for profit for private market housing.

Section Title: Action Programme

Page Nos:

Paragraph Nos:

Comments:

Gladman is concerned that the Action Programme, like much of the LDP places too much reliance on the development industry for funding and action, and that many of the actions identified are listed simply as "TBA" or "developer". This means that the Action Programme is little more than a list of projects required, rather than a programme which genuinely serves to implement the vision, aims and strategy of the LDP. The lack of specific timescales means that accurate development forecasting is impossible.

The Council should acknowledge the receipt/impact of s75 monies and increased council tax revenue from new development in terms of recouping cost for infrastructure which the council may have to bear in the short term.

Section Title: LDP Supplementary Guidance (SG) and Planning Guidance (PG)

Page Nos:

Paragraph Nos:

Comments:

Gladman is concerned that much of the guidance, and in particular, that relating to infrastructure is 'to follow', especially when delivery of this is so central to the strategy of the plan. Given the time which has elapsed since the adoption of the SDP with which the LDP conforms, and the time taken to progress the LDP to this point, we would wish to see more detail on the required SG/PG. Given that the purpose of Supplementary Guidance is to deal with the provision of further information or detail in respect of the policies or proposals set out in the plan, we would question whether the amount of supplementary guidance proposed is appropriate, and perhaps suggests that the plan itself is not sufficient.

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- as a representative of a public organisation (and representing the views of that organisation)
- as an agent (and making comments on behalf of other individuals that you represent or third parties)
- other

Please complete the following contact information:

Name	<input type="text" value="Gladman Developments Ltd."/>
Email	<input type="text"/>
Telephone	<input type="text"/>
Address	<input type="text"/>
Organisation name	<input type="text" value="Gladman Developments Ltd."/>
Client's name	<input type="text"/>

Is this the first time you have made a written representation on the Proposed Plan? (mandatory)

- Yes No

If you have previously submitted a site to be considered for development when the council was initially seeking Expressions of Interest (EOI), or commented on the *Local Development Plan* at the *Main Issues Report* (MIR) stage, or made a previous submission to the *Proposed Plan* please provide the reference given to you at that time if known.

EOI & MIR reference number can be found on any email or written communication we may have previously sent you.

Enter EOI (Expression of Interest) reference here	<input type="text"/>
Enter MIRQ (<i>Main Issues Report</i>) reference here	<input type="text" value="E-LV 19"/>

Once form has been completed please sign and date (mandatory)

You do not have to respond to all of the questions set out only those which you feel are of particular relevance to you.

Signature	<input type="text"/>	Date	<input type="text" value="19 November 2015"/>
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Proposed Plan reference

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Section title **Vision Statement: Aims**

Page nos. **Section 5**

Paragraph nos.

Gladman supports the overall vision of the LDP; capitalising on West Lothian's strategic location and supporting the CDA's, whilst also acknowledging the designation of the whole of West Lothian in the SDP as an SDA and encouraging development to meet regeneration needs and local objectives, whilst always maintaining an effective five-year supply of housing land.

Our support for these CDAs and large expansion areas is conditional on them being genuinely effective and forming a part of an overall strategy, made up of these large sites and complementary smaller sites, with the larger sites unlocking infrastructure capacity for the whole of West Lothian.

In terms of economic development and growth, the plan aims to provide an adequate and diverse range of quality employment land... to provide a range and choice for those wishing to invest and to business in West Lothian. Gladman supports this aim.

Paragraph 5.5 SPP Policy 2 sets out the requirements for provision of employment land - 123 hectares - to ensure a range and choice. Figure 2 of the Proposed Plan sets out that of the total employment land available (575 hectares), 206 ha is considered to be immediately available, i.e. marketable. As such the proposed loss of this small site (less than 1 hectare), is unlikely to impact upon the SDP target, and would in fact bring more benefit as an effective housing land provision.

Section title **Proposals Map 3: Livingston**

Page nos.

Paragraph nos. **HOU1**

Appleton Parkway ELV28 - E-LV19 - 5.13 ha of land for Use Classes 4 and 5

Gladman seek to promote a change to the above allocation, to allow for a pocket of residential development, compatible in nature and scale to the neighbourhood developing in this area, per the attached plans.

Planning consent was granted for an office park and industrial units comprising 23 office buildings and five industrial buildings (WLC ref. 0675/FUL/07). A subsequent mixed use consent (0056/P/12) for 6.8 ha of employment and residential use was granted in 2014, with the Council recognizing the need to diversify the use to reflect lack of market demand.

MSC consent 0158/MS/14 is delivering a residential development of up to 87 residential units on the land opposite (LDP ref. H-LV-14) and consent is in place to allow development of a small neighbourhood centre convenience development.

Otherwise, take up of the consented office space has been extremely limited, despite marketing. A full analysis is contained in the attached market report. Thus a housing allocation on the site to allow compatible infill development is sought.

Please use this form for sections: The Spatial Strategy and Development by Settlement

Settlement	Livingston		
Site address / location	Appleton Parkway south east		
Site Ref	H-LV 19	Page nos.	HOU1

Gladman wish to promote the inclusion of land within the above site, as additional housing allocations, in the forthcoming LDP.

Submissions are made by Gladman in respect of the LDP approach to housing land allocation (attached), and as such there is an opportunity for infill sites to make an active contribution to the Housing Land Supply. In the case of this site, there is potential to deliver a notional capacity of some 28 no. flats.

Settlement			
Site address / location			
Site Ref		Page nos.	

Additional comments

Please use this space to add any additional comments which have not been covered elsewhere in this questionnaire.

In addition to this form please refer to:

- Gladman Office marketing report 2015
- Drawing 3010 E-LV 19 - 001 - Site Masterplan (Proposed land use)
 - 003 - Site B (Previously office/ Residential promotion area)

ELIBURN BUSINESS PARK

LIVINGSTON

REVIEW OF OFFICE MARKET 2015

GLADMAN DEVELOPMENTS



Executive Summary

Gladman Developments purchased approximately 20 acres at Eliburn which has been partially developed for Office, Industrial, religious and residential uses. Detailed consent is in place for further office and industrial accommodation. Despite significant investment in speculative development, including the construction of 1732 sqm (18,655 sqft) of industrial starter units in 2014, demand from occupiers has been poor. The requirement to comply with building regulations has increased the initial capital outlay required by occupiers for the purposes of fitting out which has acted as a deterrent. Office space which was constructed in 2007 has remained empty. Therefore Gladman is seeking to promote the remaining pockets of office and industrial land extending to 0.31ha & 0.54ha respectively for residential use.

Background

Gladman Developments purchased the site at Eliburn from Texas Instruments in early 2006. The entire site extended to approximately 20 acres and was master planned to accommodate an industrial & office park with ancillary land uses to support the business occupiers.

An initial first phase of office development extending to 895 sqm (9,627 sq ft) was constructed in 3 pavilions. Foundations were laid for further office buildings and steel erected, however, construction came to a halt in February 2008 and there has been insufficient demand within the market place for works to recommence.

A 3 acre site was sold to the Jehovah Witnesses for the purpose of a church in 2010.

In 2012 Gladman promoted 6.8ha of the site for a mixed use development including residential, retail nursery and industrial uses. The intention was to use the sale of the higher value residential land to cross fund commercial development. Planning consent was granted on 3 March 2014.

The residential land was sold to Barratt in tranches during 2014 & 2015. The construction of the industrial units completed in 2014 and a first phase of housing is currently underway.

In December 2014 0.84 ha of land benefitting from retail & nursery consent was sold to a local developer who is yet to submit a detailed planning application.

Offices

Three office pavilions were constructed in 2008. Gladman occupies 95 sqm (1027 sqft) and to-date, some 8 years after commencing marketing, only a single G2K 205 sqm (2,212 sq ft) and the first floor of the G5K extending to 251 sqm (2,703 sq ft) are occupied. As of November 2015 both occupiers have served notice to terminate their leases at expiry.

Both Jones Lang LaSalle and GVA James Barr were appointed as agents from 2008-2014. A decision was taken last year to appoint two local agents, JA Pollock & Sons and CWP Consulting in the hope of a fresh approach. Both the existing pavilions and Class 4 land has been actively marketed. There has not been a single enquiry for class 4 office development from either owner occupiers or developers.

Full marketing efforts have been employed by both agents and Gladman which includes:

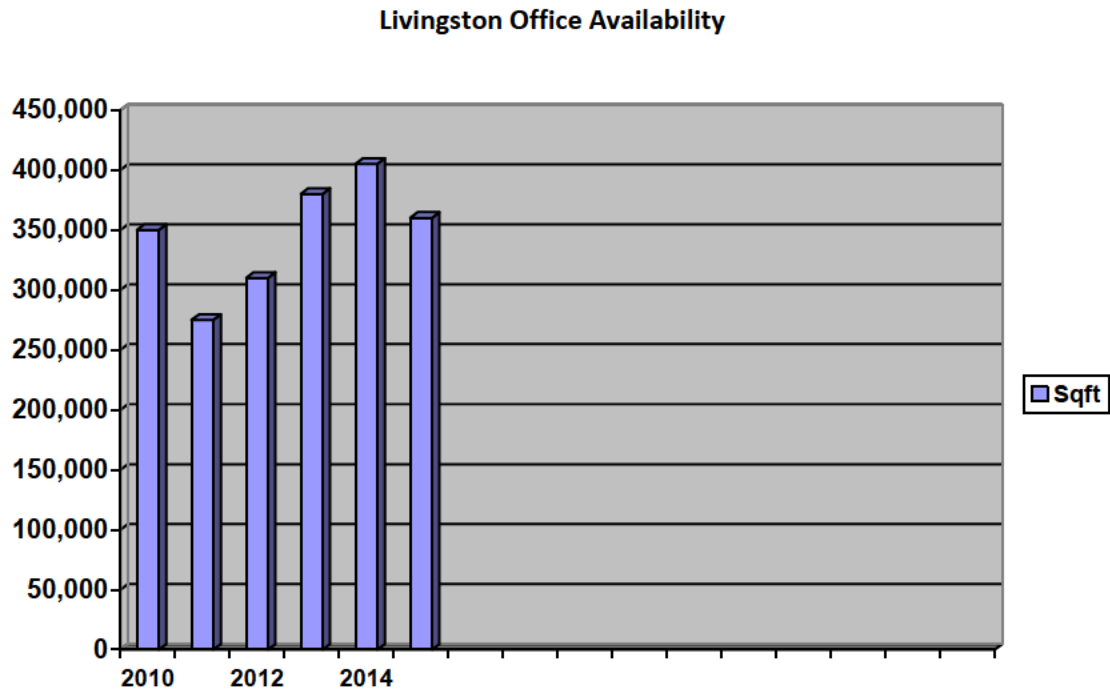
- A number of independent brochures and flyers have been printed which have been circulated by post and email to local and national businesses
- Regular marketing meetings are held with the agents
- Companies have been targeted on a sector and employee number basis
- Hosted business lunches within the suites
- Undertook a marketing incentive where a mini could be won
- Marketing boards are erected on site
- Press releases have been circulated to local and national press announcing lettings as they occur
- Full information can be found on the both the agent's, Novaloca, SPN, Rightmove & Gladman's websites
- Flexible lease terms offered

The existing tenants leased the space at £12.50-£13.50 per sqft in 2008. Gladman were advised that due to the high availability of office space within Livingston a revised quoting rent of £6 per sqft should be adopted representing a 50% reduction in values. Gladman undertook a feasibility study to partition the space and offer space on their "Easy in Easy out" model in an attempt to attract occupiers however the fit out costs significantly outweighed the achievable rents. New particulars were prepared and circulated however there continues to be little occupier interest. 2015 has seen limited interest with no viewings of the vacant space at Eliburn Office Park. Gladman has recently been forced to reduce existing occupiers rents, due to the economic climate, rather than suffer further voids.

Availability of Office Space

There remains a significant supply of office space within Livingston much of which is open plan ranging from 1,000 sq ft upwards. The quality and range of space is of a high standard as the result of a number of new developments over the last ten years.

Approximately 360,000sqft of office space is currently being actively marketed in the town, not counting space currently available in serviced office locations. A symptom of high levels of supply has been a reduction in rental levels which are now vastly reduced. In addition with changes in empty business rates legislation landlords are now exposed to high empty rates costs and are willing to offload space in an attempt to reduce holding costs.



Recent transactional activity demonstrates a reduction of over a 50% in rental values and capital values.

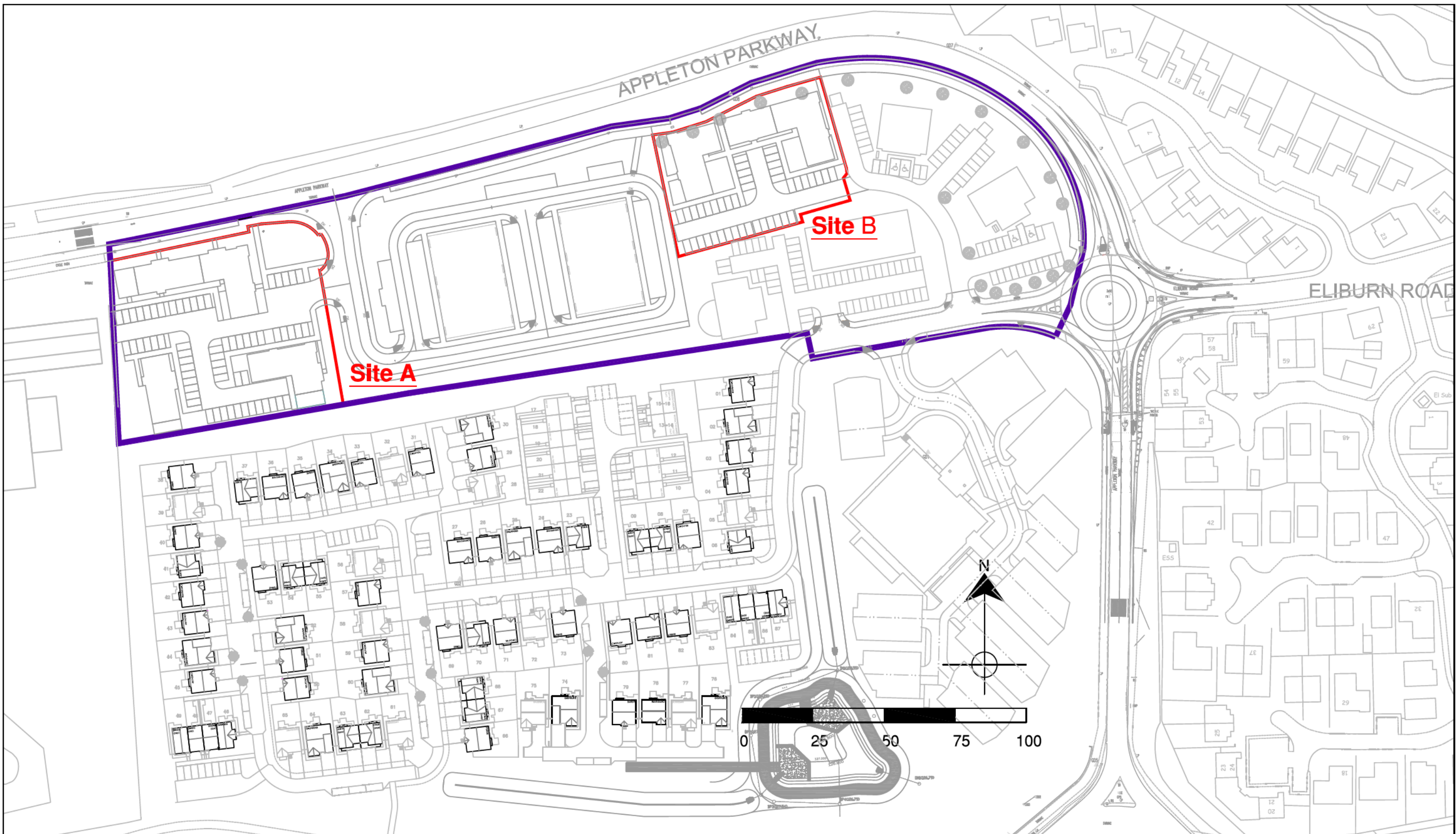
- Building 6 Almondvale Business Park- 4,590 sqft let to Athena Smart Card on a 5 year lease at £9.50 per sqft. 12 months' rent free was provided resulting in a net rent of £7.60 per sqft
- 6 Fleming Road- 10,047 sqft let to Viju on a 5 year lease with a break at 3 at £4.63 per sqft. 6 months' rent free and works were provided by the landlord. The net rent equates to £3.85 per sqft

- Arrochar & Torridon Houses extending to 27,401 sqft Almondvale Boulevard were sold at auction earlier this year (with the benefit of £96,500 rental income on a short term basis) for £685,000 to West Lothian Council. This equates to £24.99 per sqft capital value.
- Leithen House, Almondvale Business Park, extending to 21,660sqft was sold for £800,000 to a private investor. This equates to £38 per sqft
- Rosebank Park, extending to 23,829 sqft, an investment with benefit of £84,400 (until 2021) sold for £251,000 equating to £10.53 per sqft

The office market is still depressed in Livingston with values at approximately 50% of 2007 levels. Although landlords are offering attractive rental packages with a surplus of office stock and limited demand this position seems to set to remain for the foreseeable future, until such times as the rent levels increase to around £14/ £15 per sqft there is no likelihood of economic development. With over a dozen other sites within major employment areas designated for Class 4 development, the likely take up on this site is very remote.

There has been a pattern within the town of sites and existing buildings being removed from a Class 4 designation to accommodate residential development. The location of these two plots within an existing mixed use area offers opportunity for unique development.

With an oversupply of stock, low rents and poor demand it is not surprising there has been no interest in the Class 4 development land.

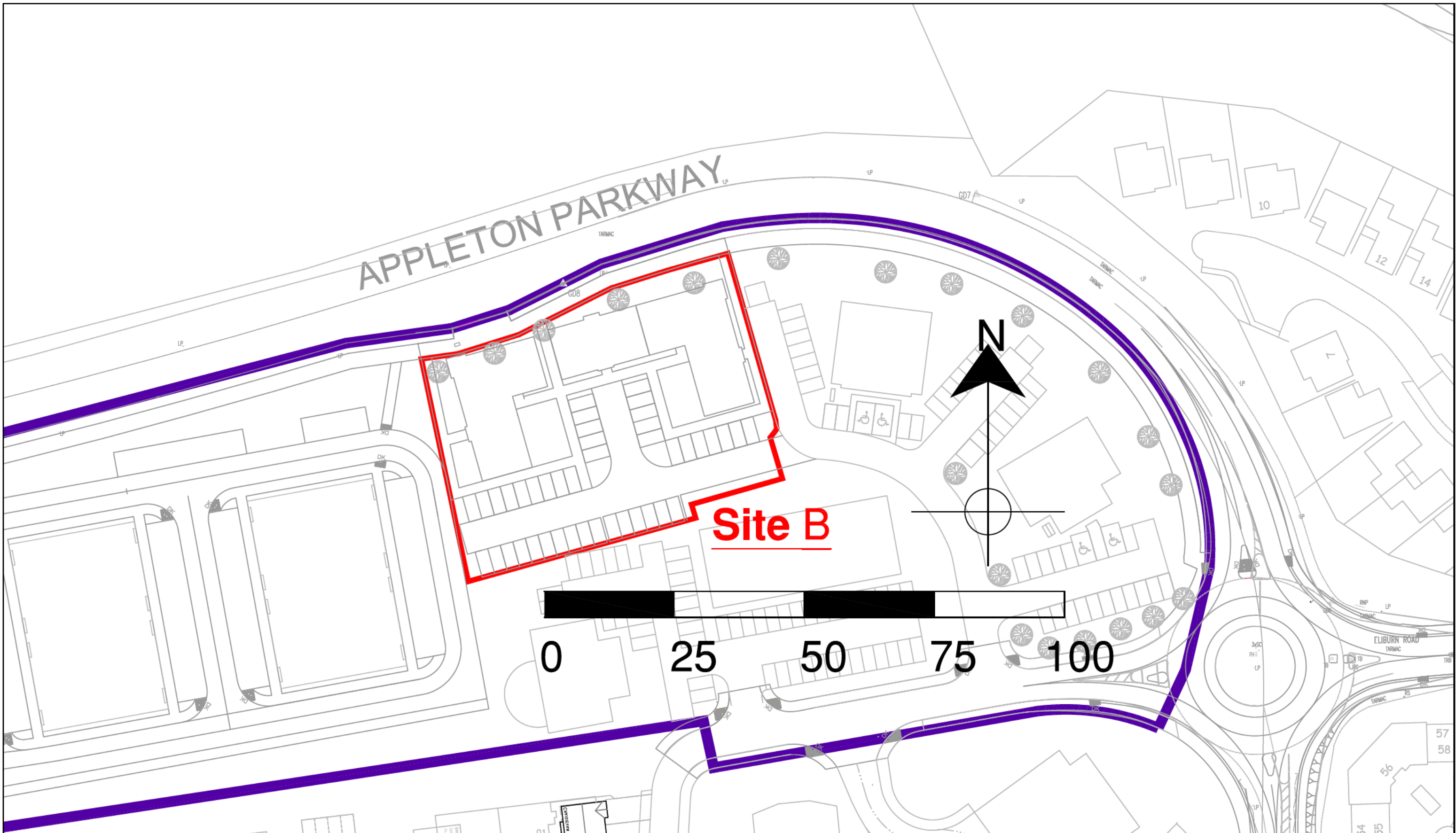



GLADMAN
 2 Elburn Office Park, Elburn
 Livingston, West Lothian
 EH54 6GR
 T: 01506 424920
 F: 01506 424921
 www.gladman.co.uk

Rev	Date	By	Revision notes
*	*	*	*
Status			
Preliminary			

Project	Elburn Mixed Use Development
Title	E-LV19 Proposed Residential

Drawn by AC	Issue date 19.11.15
Scale(s) 1:1250@A3	
Drawing No 3010.ELV19.001	




GLADMAN
 2 Elburn Office Park, Elburn
 Livingston, West Lothian
 EH54 6GR
 T: 01506 424920
 F: 01506 424921
 www.gladman.co.uk

Rev	Date	By	Revislon notes
*	*	*	*
Status			
Preliminary			

Project	Elburn Mixed Use Development
Title	E-LV19 Proposed Residential - Site B

Drawn by AC	Issue date 19.11.15
Scale(s) NTS	
Drawing No 3010.ELV19.003	



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 DURING CONSTRUCTION CARRY A CE MARKING.

REV	DESCRIPTION	DRAWN	CHECKED	DATE

ACCOMMODATION SCHEDULE:

28 FLATS TOTAL (3 STOREY):-
 24 PRIVATE FLATS
 4 AFFORDABLE FLATS (15%)

SITE AREA: .78 ACRES

150% PARKING:-
 42 SPACES FOR 28 FLATS



— SITE BOUNDARY

ema
 architects + masterplanners

42 CHARLOTTE SQUARE
 EDINBURGH
 EH2 4HQ
 E INFO@EMA-ARCHITECTS.CO.UK T 0131 247 1450
 W WWW.EMA-ARCHITECTS.CO.UK

GLADMAN
 RESIDENTIAL DEVELOPMENT
 APPLETON PARKWAY,
 ELIBURN

INDICATIVE SITE LAYOUT
 PHASE 2

SCALE 1:500 / A3	DATE DRAWN 30.10.15 / AMM	NO. 1	SHEET NO. 1 OF 1
DRAWING REFERENCE 15107(SK)002 A			
ISSUE OR ONE DISCUSSION	WORKS IN PROGRESS	DATE OF ISSUE 04.11.15	

Elburn Office Park