

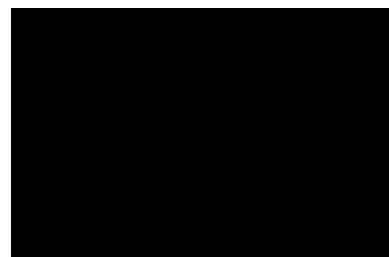
Gardiner Estate

**West Lothian Council Local
Development Plan**

**Proposed Plan
Representation: Springfield West
(EOI-0016)**

November 2015

Ryden LLP



Introduction

1. The Gardiner Estate owns a considerable area of land to the east of Linlithgow, West Lothian. This submission, made on their behalf by Ryden, addresses site reference EOI-0016, land at Springfield West, Linlithgow, south of Blackness Road (A803) only.
2. This site is adjacent to Springfield Road, Linlithgow and extends to 3.1 hectares. It is currently farmland. The site has a significant plateau area to the south, which then slopes down towards Blackness Road, with a sharp incline down an embankment to the north and west of the site. A tree belt and the site's topography screens the elevated area of the site effectively from the road and longer distance views into the site.
3. There is housing development to the site's south and east. A dog-leg from Bonnytoun Terrace clearly shows a previous developer's past intention to develop on to this site. It is a natural extension to the existing housing area at Springfield.
4. A retirement development has been built to the site's west. Linlithgow Loch and farmland extend to the site's north.
5. The site is well connected to the town of Linlithgow, with bus services along the Blackness Road and the site is within walking distance of Linlithgow train station.



Figure 1: Site Location EOI-0016



Figure 2 Embankment along Springfield Road



Figure 3: View from Blackness Road / Springfield Road Junction



Figure 4: View to south west from site plateau



Figure 5: View west showing change in topography

Site Status in Proposed Plan

6. The proposed designation as set out in the Proposed Plan is illustrated below.



Figure 2: Proposed Plan Extract, Linlithgow Settlement Plan: Site EOI-0016

7. The site is currently not within Linlithgow's settlement boundary. It is within the Linlithgow Palace and High Street Conservation Area. The site was previously within an Area of Great Landscape Value, however is now excluded from the Special Landscape Area that has superseded this designation. The site is designated as Land Safeguarded for Open Space.
8. The Gardiner Estate **objects** to the Proposed Plan on the basis of its failure to recognise the suitability of the subject site for housing land.

Proposed Plan Amendments

9. The Gardiner Estate would seek to have the settlement boundary adjusted to include the site within the settlement of Linlithgow.
10. The Proposed Plan should be amended to partially remove the site from the Land Safeguarded for Open Space designation.

11. It would also seek to have part of the site, as illustrated below, designated for housing. This site could provide up to 20 homes within a landscaped setting that would not intrude on views from Linlithgow Loch.
12. There is a sizeable plateau which is well contained from the wider Linlithgow Loch landscape. Any application for the site would include be accompanied by a Landscape and Visual Impact Assessment to ensure a sensitive approach to the building line was taken in relation to its elevated position.
13. The site's gradient and the extent of this plateau area is illustrated in the aerial photo below and Figures 4 and 5, which clearly shows the division between the area of sloping land and that which is level and is under cultivation. The red boundary illustrates the proposed designation for housing land.



14. The Proposed Plan sets out a sequential assessment for housing land. This states that housing land will be released in Linlithgow in the following order of priority:
 - Brownfield sites within the current settlement boundary;
 - Appropriate and suitable greenfield sites within the current settlement boundary; and
 - Greenfield release outside the current settlement boundary, with preference given to sites closest to the town centre, within walking distance of catchment schools and are acceptable in landscape and townscape terms.

15. Furthermore, developers of greenfield sites are required to demonstrate that development of their site is appropriate taking account of the wider policy framework in the LDP and would not prohibit development of a brownfield site within Linlithgow/Linlithgow Bridge.
16. There is no statutory policy basis for this sequential approach. The priority as set out within SESPlan and the Housing Land Supplementary Guidance is to ensure an effective 5 year housing land supply. West Lothian Council must prioritise this above the protection of brownfield sites which could have complex barriers to delivery, that nonetheless prevent homes on effective greenfield sites being delivered.
17. This sequential assessment is not supported by the Strategic Development Plan and reference to this approach, which would prevent effective sites coming forward to ensure housing need and demand is met, should be removed.
18. Springfield West is a greenfield site that is well located in relation to the town centre. Its exclusion from the settlement boundary is anomalous when the building line and settlement pattern of Linlithgow, south of Blackness Road, is considered. View to Linlithgow Loch and view into the site can be currently protected by an embankment and tree belt, and the site's natural topography. This can be further enhanced with additional screening if required. However there is landscape capacity within the site to develop without any unacceptable impact on this sensitive landscape.
19. Subject to supporting information demonstrating how this site can be developed with minimum impact on the landscape setting of Linlithgow, there is no robust reason for its exclusion from this Proposed Plan.
20. The Gardiner Estate seeks the Local Development Plan to be amended to allow its inclusion as the plan progresses towards adoption.

Ryden LLP
19.11.15

21. If the above amendments are made, my client will remove their objection to the Proposed Plan.

RYDEN
19.11.15

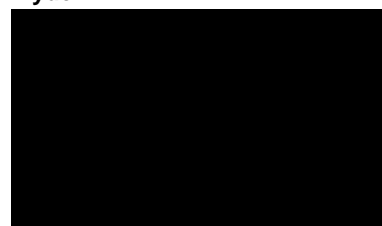
Gardiner Estate

**West Lothian Council Local
Development Plan**

**Proposed Plan
Representation:
Boghall East Site H-LL 3**

November 2015

Ryden LLP



Introduction

1. The Gardiner Estate owns a considerable area of land to the east of Linlithgow, West Lothian. This submission, made on their behalf by Ryden, addresses site reference H-LL 3, Boghall East only.
2. The 3.32 hectare Boghall East site is located to the north-east of Linlithgow town centre. Access to the site is taken from the A903, Blackness Road. The site is flat and triangular in shape and bounded by residential development to the east, south and west. The site is currently in agricultural use with a single mature tree near its northern boundary to which a Tree Protection Order applies.
3. The site is within an established residential area and is within the Linlithgow settlement boundary. It is served by Springfield Primary School. It is in close proximity to a local bus route and is well connected to the Linlithgow Train Station and the M9 via Junction 3.
4. The site is currently being promoted by CALA Homes East. CALA submitted a planning application (Ref: 14/0302/FUL) in April 2014. This proposes the development of 49 homes, including affordable housing. This application was not determined within the statutory period and is now the subject of an appeal to the Directorate of Planning and Environmental Appeals (DPEA) (Ref: PPA-400-2058).



Figure 1: West Lothian Council Proposed Plan extract Linlithgow Settlement Plan Site H-LL 3

Proposed Plan Status

5. The West Lothian Council Main Issues Report (MIR) for the emerging Local Development Plan (LDP) supported the site at Boghall East, Linlithgow as a preferred site for residential development for up to 50 homes. The MIR was issued for public consultation in August 2014. The MIR proposed the removal of the employment designation for Class 4 development on the site which was included in the adopted West Lothian Local Plan.
6. The Proposed Plan, now issued for public consultation, represents the settled view of West Lothian Council. In this, the site is identified as a housing allocation (Ref: H-LL 3). The changes proposed in the Main Issues Report have been maintained.
7. CALA are making their own representation in relation to this site under separate cover. As landowner, the Gardiner Estate wishes to make clear that it supports the allocation of Boghall East for residential development. It also supports CALA's proposals for the site and its position in relation to land at Boghall East.
8. It would therefore echo CALA's position in relation to the Proposed Plan as contained within their representation and **object** to the Proposed Plan until the amendments set out below are made.

Proposed Plan Amendments

9. The Gardiner Estate seeks the following amendments to the Proposed Plan.
 - The proposed re-allocation of Boghall East from the catchment area of Springfield Primary to Low Port Primary school.
 - The text within Appendix Two: Schedule of Housing Sites / Site Delivery Requirements in relation to site H-LL 3 is amended to reflect that many of the constraints identified within this have been resolved through negotiations associated with CALA's previous planning application (Application Ref: 14/0302/FUL).
 - Support for the application of a sequential approach to the release of housing land in Linlithgow in paragraphs 5.64-5.66 should be removed and the need to ensure an effective five year housing land supply should be emphasised instead.

10. It is understood from correspondence with West Lothian Council that the inclusion of the site within the Low Port Primary School catchment area was done in error and that the catchment boundary will be amended. The Gardiner Estate expects this to be addressed as a priority.
11. The text within the Schedule of Housing Sites / Site Delivery Requirements must be updated to ensure the Plan contains an up to date assessment of site delivery requirements. The inclusion of out of date, generic information on possible constraints to delivery is a missed opportunity, when a developer has already invested considerable resources in investigating these issues in detail.
12. The Gardiner Estate does not support the sequential approach that West Lothian Council proposes to use for the release of housing land set out in paragraphs 5.64-5.66 of the Proposed Plan. This approach prioritises support for new development coming forward in Linlithgow/Linlithgow Bridge in the following order:
 - Brownfield sites within the current settlement boundary;
 - Appropriate and suitable greenfield sites within the current settlement boundary; and
 - Greenfield release outside the current settlement boundary, with preference given to sites closest to the town centre, within walking distance of catchment schools and are acceptable in landscape and townscape terms.
13. Furthermore, developers of greenfield sites are required to demonstrate that development of their site is appropriate taking account of the wider policy framework in the LDP and would not prohibit development of a brownfield site within Linlithgow/Linlithgow Bridge.
14. There is no statutory policy basis for this sequential approach. The priority as set out within SESPlan and the Housing Land Supplementary Guidance is to ensure an effective 5 year housing land supply. West Lothian Council must prioritise this above the protection of brownfield sites which could have complex barriers to delivery. The proposed sequential approach to land release would prevent homes on effective greenfield sites being delivered when they are needed.
15. This sequential assessment is not supported by the Strategic Development Plan and reference to this approach, which would

prevent effective sites coming forward to ensure housing need and demand is met, should be removed and text on the need to ensure an effective 5 year housing land supply that reflects the Strategic Development Plan's priorities should replace it.

16. The Gardiner Estate wishes to emphasise that should these amendments be made, it will withdraw its objection to the Proposed Plan.

RYDEN
19.11.15



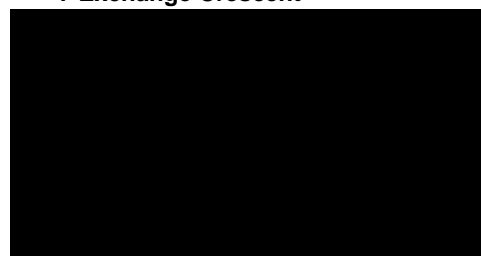
Gardiner Estate

**West Lothian Council Local
Development Plan**

**Proposed Plan
Representation: Land at Burghmuir,
North of Blackness Road (E-LL 2)**

November 2015

**Ryden LLP
7 Exchange Crescent**



Representation – Site E-LL 2

Introduction

1. The Gardiner Estate owns a considerable area of land to the east of Linlithgow, West Lothian. This submission, made on their behalf by Ryden, addresses site reference E-LL 2, Land at Burghmuir, north of Blackness Road only.
2. This site comprises 9.6 hectares of farmland north of the Blackness Road adjacent to the Sun Microsystems site to the north east of Linlithgow and is wholly within the ownership of the Gardiner Estate.
3. The Gardiner Estate requires further clarity regarding the status of this site within the Proposed Plan. There appears to be a drafting error within the Plan, which has created inconsistency in the proposed approach to this site. Until this is resolved, the Gardiner Estate must maintain its **objection** to the Proposed Plan.

Site Status in Proposed Plan

4. The proposed designation as set out in the West Lothian Local Development Plan Proposed Plan is illustrated below.

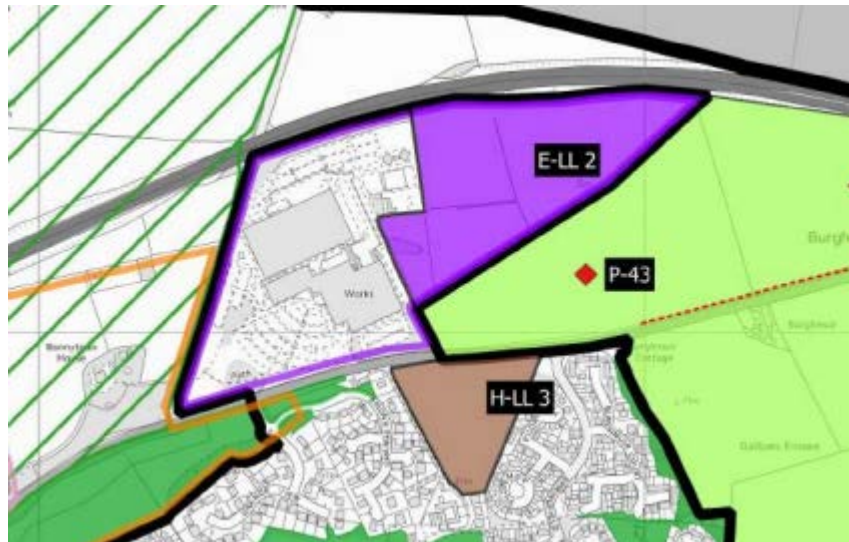


Figure 1: Proposed Plan Extract, Linlithgow Settlement Plan: Site E-LL 2

5. In previous submissions, the Gardiner Estate requested changes to the designation of this site from that contained within the adopted West Lothian Local Plan. These proposed changes can be summarised as:
 - *Remove the site’s restriction for a single user occupier*
 - *Remove the linkage of the site to Sun Microsystems / Oracle and allow Use Classes 5 and 6 on the site.*
 - *Allow mixed use development including housing on the site, should the Wallace Land proposal residential development on the adjoining land at Burghmuir gain support / be granted consent.*

6. The schedule of proposed development within the Settlement Statement includes site E-LL 2. This describes the site as “Land at Burghmuir, north of Blackness Road”. Gardiner Estate welcomes this change to the site description, which removes reference to Oracle / Sun Microsystems.

7. However, the schedule states that use classes permitted within the site are restricted to Class 4. This is contrary to our proposed amendment.

EMPLOYMENT			
LDP Site Ref	Location	Site Size (Ha)	Use classes
E-LL 1	Mill Road Industrial Estate, Linlithgow Bridge	1.31	4,5
E-LL 2	Land at Burghmuir, north of Blackness Road	9.6	4

Figure 2: Extract from Proposed Plan, Linlithgow & Linlithgow Bridge Settlement Statement p.89.

8. This is also contrary to the Proposed Plan’s own Appendix One: Employment Land Allocations. Here, the site is referred to as site E-LI 3 and its address is given as Oracle Expansion Land.

9. According to the Appendix, the use classes permitted on the site are Classes 4 and 5 and it is stated to be a category C site, in which a mix of Class 4 and 5 is considered appropriate.

10. It goes on to state that the single user restriction is removed.

Proposed Plan Amendments

11. Clearly, there is inconsistency within the Proposed Plan's policy framework for this site that needs to be clarified. As a result, my client must maintain an objection to the Proposed Plan until this inconsistency is fixed. As a priority, my client requests the following amendments.
- i. Update the schedule of sites within the Linlithgow and Linlithgow Bridge settlement statement of the Proposed Plan to incorporate the conclusions of Appendix One on Employment Land Allocations. This would result in that schedule stating that the site is suitable for Use Class 4 and 5.
 - ii. Update the schedule of sites within Appendix One: Employment Land Application so that this Appendix refers to the site by its correct reference (E-LL 2) and that the site is referred to by its amended address "Land at Burghmuir, north of Blackness Road".
12. In addition, our client seeks the site be designated as suitable for Class 6 Storage & Distribution Use, subject to suitable access arrangements being provided. Elsewhere in the Proposed Plan, Proposals P44 and P45 propose a westbound slip road on the M9 at Burghmuir and a coach park & ride facility respectively. The connectivity of this area of Linlithgow will change significantly as a result. E-LL 2 will be in an excellent position to support development in that use category.
13. In order for this investment in infrastructure to have economic dividends, storage and distribution uses should be facilitated at this location. This would support the objective of the Proposed Plan in relation to supporting sustainable economic growth. Excluding this use from this area will naturally restrict its potential to contribute to economic growth.
14. If the above amendments are made, my client will remove their objection to the Proposed Plan.

RYDEN
19.11.15