



# West Lothian Council

## THE WEST LOTHIAN LOCAL DEVELOPMENT PLAN (LDP)

### CONSULTATION RESPONSE PORTAL

#### Have Your Say on the Proposed Plan

#### Introduction

West Lothian Council has published its Proposed Plan together with supporting documents including an Environmental Report (SEA), Habitats Regulation Appraisal, Strategic Flood Risk Assessment and Equalities & Human Rights Impact Assessment. These can be viewed on the West Lothian Council website at [www.westlothian.gov.uk/proposedplan](http://www.westlothian.gov.uk/proposedplan).

If you wish to make representations on the Proposed Plan or associated documents you are encouraged to use this online consultation portal. It's quick and easy and will help us to process representations more efficiently, reducing the overall cost and environmental impact of the exercise.

You do not need to complete this questionnaire in a single visit. Just simply put your Survey Reference Number (CODE) in the top right corner of the screen to allow you to continue with your submission at a later date.

If you need assistance with completing or submitting your representation online please call the Customer Service Centre (CSC) on 01506 280000. Please advise the Customer Service Centre that your enquiry relates specifically to the Local Development Plan and ask for it to be logged and directed to the Development Plan and Environment Team. Someone will contact you. Alternatively you can email us at [wlldp@westlothian.gov.uk](mailto:wlldp@westlothian.gov.uk) We will endeavour to respond as quickly as possible but in any event within 3 working days of receiving your enquiry.

It is important that all representations are submitted no later than midnight on Sunday 22 November 2015. Representations received after that time will not be considered.

Your comments should be concise, having regard to paragraph 84 of Scottish Government Circular 6/2013: Development Planning which states that representations should be no more than 2,000 words plus any limited supporting productions.

#### Data Protection Statement

*Please be aware that when you make representations on the Proposed Plan through the consultation portal (and/or in a conventional written format) personal information provided as part of a representation cannot be treated as confidential. Representations require to be made available online and for public inspection at the council's office (this would include your name but would exclude any information which would be subject to the Data Protection Act 1998 i.e. signature, postal address, telephone number, email).*

*We are also required to pass these details to the Scottish Government's Directorate of Planning and Environmental Appeals (DPEA). This is because they may at a later date wish to invite you to an Examination in Public of the Proposed Plan to discuss your representation.*

*Before using the consultation portal you should also note that any information posted may be subject to disclosure under the Freedom of Information (Scotland) Act 2002. West Lothian Council will not be liable for any loss or damage arising from or in connection with the disclosure of any information including the disclosure of user generated content.*

## 1. GENERAL INFORMATION

### Your Details

Please indicate in what capacity you are making this submission: \*

Please note that this is a mandatory field

- 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: \*

Please note that this is a mandatory field

Title

First Name

Surname

Email Address

Telephone

Postal Address

Organization Name

Client's Name

Is this the first time you have made a written representation on the Proposed Plan? \*

Please note that this is a mandatory field

- 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

Please enter your survey reference number in the text box below. \*

Survey Reference Number (CODE) can be found in the top right corner of this screen  
Survey Reference Number (CODE) will allow you to save your responses and return to finish the survey later

Please keep a note of your Survey Reference Number (CODE) for future reference

Please note that this is a mandatory field

## 2. FOREWORD (page 4)

This introduction by the Leader of the Council establishes the role of the LDP and how it will help deliver the council's core objectives.

Do you wish to make a comment?

- yes
- no

Please use the text box below for comments.

Your comments should be concise and limited to no more than 2,000 words. You should fully explain the issues you wish to be considered when the Proposed Plan is presented to Scottish Ministers for Examination. Please indicate whether you are seeking a change to the Proposed Plan (i.e. your representation is an objection) or if your representation supports the Proposed Plan as written.

## 3. BACKGROUND (page 6, paragraphs 1.1-1.5)

Provides a brief historical context to the economic development of West Lothian which helps explain how settlements established and have developed.

Do you wish to make a comment?

- yes
- no

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#### 4. CONTEXT (page 7, paragraphs 2.1-2.2)

Provides wider context for the LDP in geographic terms and explains how the LDP fits with the Strategic Development Plan (SDP1).

Do you wish to make a comment?

- yes
- no

Please use the text box below for comments.

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#### 5. ROLE AND PURPOSE OF PLAN (page 7, paragraphs 3.1-3.5)

Establishes the role and purpose of the LDP in terms of its being a material consideration in the determination of any planning applications for development in West Lothian and, when adopted by the Council, will replace the West Lothian Local Plan. It also sets out what documents the plan must comply with i.e. the Planning Act (Scotland) 2006 and what documents will accompany the plan i.e. the Action Programme etc.

Do you wish to make a comment?

- yes
- no

Please use the text box below for comments.

Your comments should be concise and limited to no more than 2,000 words. You should fully explain the issues you wish to be considered when the Proposed Plan is presented to Scottish Ministers for Examination. Please indicate whether you are seeking a change to the Proposed Plan (i.e. your representation is an objection) or if your representation supports the Proposed Plan as written.

#### 6. VISION STATEMENT AND AIMS (page 8, paragraphs 4.1-4.3)

Establishes the vision for the LDP in terms of outcomes desired over the plan period and identifies the key aims of the plan by individual subject areas i.e. Economic Development & Growth, Community Regeneration, Sustainable Housing Locations, Infrastructure Requirements and Delivery, Town Centres and Retailing, the Natural and Historic Environment, Climate Change and Renewable Energy and Waste and Minerals.

Do you wish to make a comment?

- yes
- no

If you wish to make comments please begin by selecting the relevant sub-section(s) of Vision Statement and Aims from the list below.

- Economic Development and Growth (page 8)
- Community Regeneration (page 8)
- Sustainable Housing Locations (page 9)
- Infrastructure Requirements and Delivery (page 9)
- Town Centres and Retailing (page 9)
- The Natural and Historic Environment (page 9)
- Climate Change and Renewable Energy (page 9)
- Waste and Minerals (page 9)

Please use the text box below for comments.

Your comments should be concise and limited to no more than 2,000 words. You should fully explain the issues you wish to be considered when the Proposed Plan is presented to Scottish Ministers for Examination. Please indicate whether you are seeking a change to the Proposed Plan (i.e. your representation is an objection) or if your representation supports the Proposed Plan as written.

Economic Development and Growth (page 8)	<input type="checkbox"/>
Community Regeneration (page 8)	<input type="checkbox"/>
Sustainable Housing Locations (page 9)	<input type="checkbox"/>
Infrastructure Requirements and Delivery (page 9)	<input type="checkbox"/>
Town Centres and Retailing (page 9)	<input type="checkbox"/>
The Natural and Historic Environment (page 9)	<input type="checkbox"/>
Climate Change and Renewable Energy (page 9)	<input type="checkbox"/>
Waste and Minerals (page 9)	<input type="checkbox"/>

**7. THE SPATIAL STRATEGY (INCLUDING POLICY FRAMEWORK) (page 10, paragraphs 5.1-5.10)**

In the context of the Strategic Development Plan (SDP), the LDP identifies West Lothian as being one of thirteen Strategic Development Areas where development will be focused in sustainable locations where infrastructure is either available or can be provided and in locations where there are no environmental constraints.

Do you wish to make a comment?

- yes
- no

If you wish to make comments please begin by selecting the relevant sub-section(s) of the Spatial Strategy from the list below.







- Economic Development and Growth (page 12, paragraphs 5.11-5.22 )
- Flexibility within traditional industrial estates (page 14, paragraphs 5.24-5.25)
- Enterprise Areas (page 17, paragraphs 5.24-5.25)
- Local business opportunities, small business start-ups and working from home (page 17, paragraph 5.26)
- Tourism (page 17, paragraphs 5.27-5.28)
- Promoting community regeneration (page 19, paragraphs 5.29-5.35)
- Housing land requirements for the LDP (page 20, paragraphs 5.36-5.49)
- Effective Housing Land and Generous Supply (page 23, paragraphs 5.50-5.53)
- New Housing Sites and Design (page 24, paragraphs 5.4-5.56)
- Strategic Allocations (including previously identified Core Development Area Allocations) (page 25, paragraphs 5.57-5.61)
- Whitburn/Charette (page 26, paragraph 5.62)
- Linlithgow and Linlithgow Bridge (page 26-27)
- Deans South, Livingston; Area for Comprehensive Re-development (page 27, paragraph 5.68)
- Affordable Housing (page 27, paragraphs 5.69-5.74)
- Accommodation for Gypsies, Travellers and Travelling Show People (page 29, paragraph 5.75)
- Residential Care and Supported Accommodation (page 29, paragraphs 5.76-5.77)
- Infrastructure Requirements and Delivery (page 30, paragraphs 5.78-5.84)
- Providing for Community Needs (page 32, paragraphs 5.85-5.88)
- Education (page 32, paragraphs 5.89-5.92)
- Healthcare Provision (page 33, paragraphs 5.93-5.96)
- Sports Facilities (page 33, paragraphs 5.97-5.101)
- Green Infrastructure and Green Networks (page 34, paragraphs 5.102-5.105)
- Water and Drainage (page 34, paragraphs 5.106-5.107)
- Travel in and around West Lothian (page 34, paragraphs 5.108-5.112)
- Roads (page 35, paragraph 5.113)
- A71 Corridor (page 35, paragraphs 5.114-5.115)
- A801 Corridor (page 35, paragraphs 5.116-5.117)
- A89/A8 (page 35, paragraphs 5.118-5.126)
- Rail (page 37, paragraphs 5.127-5.130)
- Walking and Cycling (page 37, paragraphs 5.131-5.132)
- Town Centres and Retailing (page 39, paragraphs 5.133-5.138)
- Landscape Character and Local Landscape Designations (page 41, paragraphs 5.139-5.143)
- Countryside Belts (page 42, paragraph 5.144)
- Development in the Countryside (page 42, paragraphs 5.145-5.147)
- Lowland Crofting (page 44, paragraphs 5.148-5.152)
- Green Networks, Local Biodiversity Sites and Geodiversity Sites (page 45, paragraphs 5.153-5.155)
- Forestry (page 46, paragraphs 5.156-5.163)
- Union Canal (p.49 paragraphs 5.164-5.165)
- Pentland Hills Regional Park (page 49, paragraphs 5.164-5.165)
- Country Parks (page 50, paragraph 5.169)
- Allotments/Community Growing (page 51, paragraphs 5.170-5.171)
- Temporary/Advance Greening (page 51, paragraphs 5.172-5.174)
- Biodiversity (page 52, paragraphs 5.175-5.180)
- Geodiversity (page 53, paragraph 5.181)
- West Lothian Open Space Strategy (page 53, paragraphs 5.182-5.184)
- Historic and Cultural Environment (page 54, paragraphs 5.185-5.187)
- Conservation Areas (page 55, paragraphs 5.185-5.188)



- Former Bangour Village Hospital, Dechmont (page 56, paragraph 5.189)
- Conservation Area at Abercorn/Hopetoun Estate (page 56, paragraph 5.190)
- Other Areas of Built Heritage and Townscape Value (page 57, paragraphs 5.191-5.199)
- Listed Buildings (page 58, paragraphs 5.185-5.187)
- Historic Gardens and Designed Landscapes (page 59, paragraphs 5.200-5.201)
- Historic Battlefields (page 60, paragraph 5.202)
- Archaeology (page 60, paragraph 5.203)
- Scheduled Monuments (page 60, paragraphs 5.204-5.206)
- Public Art (page 61, paragraphs 5.207-5.208)
- Climate Change Measures (page 62, paragraphs 5.209-5.214)
- Low Carbon Development and Renewable Energy (page 63, paragraphs 5.215-5.221)
- Wind Farms and Wind Turbines (page 65, paragraphs 5.222-5.225)
- Energy and Heat Networks (page 66, paragraphs 5.226-5.229)
- Off-gas Grid Areas and Renewable Heat Requirement for New-build Housing (page 67, paragraphs 5.230-5.232)
- The Water Environment and Flood Risk Management (page 67, paragraphs 5.233-5.239)
- Air Quality and Noise (page 70, paragraphs 5.240-5.242)
- Edinburgh Airport (page 71, paragraph 5.243)
- Noise (page 71, paragraph 5.244)
- Contaminated Land (page 71, paragraphs 5.245-5.246)
- Vacant and Derelict Land (page 72, paragraphs 5.249-5.250)
- Minerals and Waste (page 73, paragraphs 5.251-5.256)
- Site Restoration (page 75, paragraphs 5.257-5.238)
- Unconventional Gas Extraction including Hydraulic Fracking (page 75, paragraph 5.259)
- Waste (page 76, paragraph 5.260)

Please use the text box below for your comments.

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Economic Development and Growth (page 12, paragraphs 5.11-5.22)

The representation seeks a change to the Proposed Plan with respect to land at No.1 Simpson Parkway. The site is identified in the Proposed Plan Map 3 Livingston within an Existing Employment Area and development options managed by Policy EMP1 'Safeguarding and Developing Existing Employment Land'. The representation also sets out St Francis Group's view on the over-supply of existing employment land (and questions the need therefore for new additional identified employment land) and the restrictions placed on some properties and planning permissions within Employment Areas such as Kirkton Campus. In the current market, coupled with the Proposed Plan's employment safeguarding policies, this has made it extremely challenging for owners to find new uses for vacant or under-utilised business premises and the subsequent retention and growth of jobs in the district. There is also discussion in the above context, about possible re-development options for the property where it is considered feasible to revise and regenerate the property to deliver employment-generating uses compatible with the Employment Area. We also discuss a flexible approach to planning place, given the wide availability of a number of underused, vacant or undeveloped sites within the Kirkton Campus.

Promoting community regeneration (page 19, paragraphs 5.29-5.35)

The housing component is planned to offer a supporting facilitating role, rather than lead a redevelopment scheme. There are benefits that can be realised through delivery of housing - receipts to provide site clearance, place making and developer contributions towards key Council services such as education, affordable housing and open space.

Effective Housing Land and Generous Supply (page 23, paragraphs 5.50-5.53)

The site should be considered for housing to meet the needs of SPP which requires a generous supply of housing land

## 8. DEVELOPMENT PROPOSAL BY SETTLEMENT (page 79)

Provides details of development proposals which are supported by the LDP in each town and village across West Lothian and assigns each one a unique reference for ease of identification.

Do you wish to make a comment?

- yes
- no

If you wish to make comments please begin by selecting the relevant Settlement(s) from the list below.

- Addiewell & Loganlea (page 79)
- Armadale (page 80)
- Bathgate (page 81)
- Blackburn (page 82)
- Blackridge (page 83)
- Breich (page 83)
- Bridgehouse & Bridgecastle (page 83)
- Bridgend (page 83)
- Broxburn (page 84)
- Burnside (page 84)
- Dechmont & Bangour (page 85)
- East Calder (page 85)
- East Whitburn (page 86)
- Ecclesmachan (page 86)
- Fauldhouse (page 86)
- Greenrigg (page 86)
- Kirknewton (page 87)
- Landward area (page 87)
- Linlithgow & Linlithgow Bridge (page 89)
- Livingston (page 90)
- Longridge (page 93)
- Mid Calder (page 93)
- Hewton and Woodend (page 93)
- Philpstoun/East & West Philpstoun/Old Philpstoun (page 93)
- Polbeth (page 93)
- Pumpherstoun (page 93)
- Seafield (page 93)
- Stoneyburn/Bents (page 94)
- Threemiletown (page 94)
- Torphichen (page 94)
- Uphall (page 94)
- Uphall Station (page 94)
- West Calder & Harburn (page 95)
- Westfield (page 95)
- Whitburn (page 96)
- Wilkieston (page 97)
- Winchburgh (page 97)

Please enter site reference(s)/proposals reference (as appropriate) and location/site address below.

Site Reference/ Location / Site Address can be found in the relevant Settlement Statement

	site reference	location/ site address
Livingston (page 90)		Kirkton Campus

Please use the text box below for comments.

Your comments should be concise and limited to no more than 2,000 words. You should fully explain the issues you wish to be considered when the Proposed Plan is presented to Scottish Ministers for Examination. Please indicate whether you are seeking a change to the Proposed Plan (i.e. your representation is an objection) or if your representation supports the Proposed Plan as written.

Comment

Livingston  
(page 90)

Located within the Kirkton Campus, a predominately business part of south east Livingston, Ilo 1 Simpson Parkway is a modern detached Headquarters building comprising production/warehouse facility with two-storey offices at the front with car parking. It sits within a total gross area of 4 Hectares (11 acres) The property sits fronting the main road through Kirkton Campus set within its own mature landscape. The red line boundary attached shows its location in this context (Appendix 1). The property was originally developed and constructed in the late 1980's as part of the Livingston Development Corporation masterplan to attract and secure inward investment for high tech, global companies. In this case, Apollo Computer (UK) secured planning consent for the erection of a 'purpose built factory' in May 1987. See Appendix 2. We understand this was a 'special consent' issued under the Town and Country Planning (Scotland) (New Town of Livingston) Special Development Order 1962 and 1979. This would have provided deemed consent for proposed developments occurring inside the Development Order boundary - in this case, a purpose-built factory. Site History: The site has a wider planning history, mainly for minor alterations and extensions relating to the facility. The most significant change however was a change of use from Class 4 Business Use to Meat Processing Plant, by planning permission LIVE/0473/FUL/14 dated July 2014. Condition 1 of this consent seeks to restrict further changes of use. If the company ceases trading or vacates the property, the use shall revert to class 4. We understand this is a legacy related issue and places a significant restriction on the free alteration of the use of the property without first securing the relevant planning permissions. This is a particularly challenging aspect of the property's planning history and is likely to play strongly on any future development aspirations for the landowner or any future interested occupier to the potential detriment of future economic development in West Lothian. Property Matters: The property comprises 120,000 sq ft (11,000 sq m) of business space, with around 200 car parking spaces. It can be sub-divided. It is currently vacant and has been marketed by professional agents for lease or purchase on behalf of the landowners for over five years without success. There have been limited firm enquiries and few sustained notes of interest. The owners have attracted a potential new business to the property, which ties with the successful planning consent issued in 2014 for a meat processing plant, however to date, the premises remains unoccupied and vacant. The challenges facing the landowners in attracting a suitable occupier or purchaser is in part due to the restrictive planning characteristics of the property as part of its legacy as a purpose built single user facility. The 2014 meat processing consent is evidence of some market interest, but limited by the planning restrictions placed on the consent itself. Availability of Employment Area Property within Kirkton Campus: Ilo 1 Simpson Parkway is one of a large number of properties currently being marketed for lease or sale within the business sector in West Lothian, specifically in the Kirkton Campus area. In addition, we have identified there remains a large number of development sites, without buildings or uses, for sale on the market all located within the Local Plan Employment Area. Furthermore we are concerned that new allocations for Employment Use have been identified by the Council in the Proposed Plan for locations elsewhere in Livingston, also within the Kirkton Campus and further afield around the district. It is difficult to understand the reasons why the Council should do this, given the evident over-supply of property and sites in the immediate surroundings. Appendix 3 provides a snap shot of the current availability as at 15th November 2015 researched from the commercial property website (IlovaLoca: at <http://www.novaloca.com/property-search-results>).

**9. APPENDICES (page 99)**

A number of appendices are included at the end of the LDP which provides additional detail on specific elements of the Proposed Plan.

Do you wish to make a comment?

- yes
- no

If you wish to make comments please begin by selecting the relevant Appendix(es) of the Proposed Plan from the list below.

- Appendix 1 - Employment Land Allocations (page 99)
- Appendix 2 - Schedule of Housing Sites / Site Delivery Requirements (page 119)
- Appendix 3 - Schedule of Land Ownership (page 259)
- Appendix 4 - LDP Supplementary Guidance (SG) and Planning Guidance (PG) (page 265)
- Appendix 5 - List of Policies (page 273)
- Appendix 6 - List of Proposals (page 275)

Please use the text box below for your comments.

Your comments should be concise and limited to no more than 2,000 words. You should fully explain the issues you wish to be considered when the Proposed Plan is presented to Scottish Ministers for Examination. Please indicate whether you are seeking a change to the Proposed Plan (i.e. your representation is an objection) or if your representation supports the Proposed Plan as written.

Appendix 1 -  
Employment Land  
Allocations (page 99)

There is evidently an over supply of employment land. The representation lodged shows there is an over supply in the Kirkton Campus area and the quality and planning restrictions make the re-allocation of employment sites in the replacement plan difficult to understand.

**10. GLOSSARY (page 280)**

An explanation of unfamiliar terms or expressions used in the LDP is provided to assist understanding of the document.

Do you wish to make a comment?

- yes
- no

Please use the text box below for comments.

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**11. PROPOSALS MAPS**

The LDP comprises a series of five maps which define settlement boundaries and illustrate land use zonings.

Do you wish to make a comment?

- yes
- no

If you wish to make comments please begin by selecting the relevant Proposals Maps from the list below.

- Proposals Map 1 - West Lothian
- Proposals Map 2 - Linlithgow & Broxburn Area
- Proposals Map 3 - Livingston Area
- Proposals Map 4 - Bathgate Area
- Proposals Map 5 - Villages

Please use the text box below for your comments.

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Proposals Map 3 - Livingston Area

The Kirkton Campus is defined within an Existing Employment Area. The 1 Simpson Parkway site is not specifically allocated, however it is shown within the area. The representation lodged argues that the preferred allocations all in the vicinity of the site are over supplied and will have a significant challenge to deliver in the life of the plan.

## 12. ACCOMPANYING DOCUMENTS

Alongside the LDP is a suite of documents which are required by statute as part of the preparation and supporting evidence for the LDP.

Do you wish to make a comment?

- yes
- no

If you wish to make comments please begin by selecting the relevant Accompanying Documents from the list below.

- Strategic Environmental Assessment (SEA) Environmental Report.
- Equalities & Human Rights Impact Assessment (EQHRIA).
- Strategic Flood Risk Assessment (SFRA).
- Habitats Regulations Appraisal.
- Transport Appraisal (TA).
- Action Programme.

Please use the text box below for your comments.

Your comments should be concise and limited to no more than 2,000 words. You should fully explain the issues you wish to be considered when the Proposed Plan is presented to Scottish Ministers for Examination. Please indicate whether you are seeking a change to the Proposed Plan (i.e. your representation is an objection) or if your representation supports the Proposed Plan as written.

Strategic Environmental Assessment (SEA) Environmental Report.

Equalities & Human Rights Impact Assessment (EQHRIA).

Strategic Flood Risk Assessment (SFRA).

Habitats Regulations Appraisal.

Transport Appraisal (TA).

Action Programme.

## 13. ADDITIONAL COMMENTS

Do you wish to submit any additional comments on the LDP?

- yes
- no

**Please use the text box below for your additional comments on the LDP.**

Your comments should be concise and limited to no more than 2,000 words. You should fully explain the issues you wish to be considered when the Proposed Plan is presented to Scottish Ministers for Examination. Please indicate whether you are seeking a change to the Proposed Plan (i.e. your representation is an objection) or if your representation supports the Proposed Plan as written.

St Francis Group Ltd

No. 1 Simpson Parkway, Kirkton Campus, Livingston EH54 7BH

West Lothian Council Proposed Plan Consultation November 2015

Located within the Kirkton Campus, a predominately business part of south east Livingston, No 1 Simpson Parkway is a modern detached Headquarters building comprising production/warehouse facility with two-storey offices at the front with car parking. It sits within a total gross area of 4 Hectares (11 acres) The property sits fronting the main road through Kirkton Campus set within its own mature landscape. The red line boundary attached shows its location in this context (Appendix 1).

The property was originally developed and constructed in the late 1980's as part of the Livingston Development Corporation masterplan to attract and secure inward investment for high tech, global companies. In this case, Apollo Computer (UK) secured planning consent for the erection of a 'purpose built factory' in May 1987. See Appendix 2. We understand this was a 'special consent' issued under the Town and Country Planning (Scotland) (New Town of Livingston) Special Development Order 1962 and 1979. This would have provided deemed consent for proposed developments occurring inside the Development Order boundary - in this case, a purpose-built factory.

Site History

The site has a wider planning history, mainly for minor alterations and extensions relating to the facility. The most significant change however was a change of use from Class 4 Business Use to Meat Processing Plant, by planning permission LIVE/0473/FUL/14 dated July 2014. Condition 1 of this consent seeks to restrict further changes of use. If the company ceases trading or vacates the property, the use shall revert to class 4. We understand this is a legacy related issue and places a significant restriction on the free alteration of the use of the property without first securing the relevant planning permissions. This is a particularly challenging aspect of the property's planning history and is likely to play strongly on any future development aspirations for the landowner or any future interested occupier to the potential detriment of future economic development in West Lothian.

Property Matters

The property comprises 120,000 sq ft (11,000 sq m) of business space, with around 200 car parking spaces. It can be sub-divided. It is currently vacant and has been marketed by professional agents for lease or purchase on behalf of the landowners for over five years without success. There have been limited firm enquiries and few sustained notes of interest. The owners have attracted a potential new business to the property, which ties with the successful planning consent issued in 2014 for a meat processing plant, however to date, the premises remains unoccupied and vacant. The challenges facing the landowners in attracting a suitable occupier or purchaser is in part due to the restrictive planning characteristics of the property as part of its legacy as a purpose built single user facility. The 2014 meat processing consent is evidence of some market interest, but limited by the planning restrictions placed on the consent itself.

Availability of Employment Area Property within Kirkton Campus

No 1 Simpson Parkway is one of a large number of properties currently being marketed for lease or sale within the business sector in West Lothian, specifically in the Kirkton Campus area. In addition, we have identified there remains a large number of development sites, without buildings or uses, for sale on the market all located within the Local Plan Employment Area. Furthermore we are concerned that new allocations for Employment Use have been identified by the Council in the Proposed Plan for locations elsewhere in Livingston, also within the Kirkton Campus and further afield around the district. It is difficult to understand the reasons why the Council should do this, given the evident over-supply of property and sites in the immediate surroundings.

Appendix 3 provides a snap shot of the current availability as at 15th November 2015 researched from the commercial property website (IlovaLoca: at <http://www.novaloca.com/property-search-results>).

Appendix 3 shows in total over 500,000 sq ft of available business property space is on the market for sale or let within 1 mile of 1 Simpson Parkway. This comprises over 150,000 sq ft of industrial and over 220,000 sq ft of office space not including the subject property of 120,000 sq ft. In effect this is an equivalent of more than 4 subject sites in gross area within a 1 mile radius of the site. This is a significant supply of available business space. Most will be characteristically the same in terms of scale, type, function and form leading to a market lacking in variety, purpose and function fit for business needs today. In between the available buildings, there are also vacant, undeveloped sites which have been allocated for Employment Use in the current adopted West Lothian Local Plan and appear to have been carried through into the Proposed Plan.

Further market evidence demonstrates that the need for employment land of this type and stock within Livingston and West Lothian is now much reduced, and unlikely to pick up in the new LDP's life. In its "77th Scottish Property Review" report prepared by Ryden (October 2015) they state that: "Areas such as Fife, West Lothian, Falkirk and Grangemouth have experienced a reduction in enquiries from this normally active (industrial) business sector." (Appendix 3).

In relation to the owners, the vacant underutilised property at 1 Simpson Parkway is commanding extremely high operating costs - for rates, utilities, security and maintenance. Coupled with the limited market interest (due mainly to the restrictive planning policies, and to the limited flexibility of the production facility to change itself without significant cost or reworking), then there is a real challenge to sustain the property as a future employment area, without support from West Lothian Council to incentivise appropriate change. Planning policy and development planning can provide more certainty to the landowner and any future developer through providing a clear framework for future investment and commercial development decisions. This is the principal reason the objector is seeking change to the Local Development Plan in relation to the Employment Area policy and to the allocation of specific sites in the Proposed Plan.

Development / Change of Use Activity In the Vicinity

No. 1 Simpson Parkway lies surrounded by vacant land. The Proposed Plan allocates this vacant land for future employment use - proposals such as E-LV 33 to the east on Gregory Road, E-LV 35 immediate boundary to the south fronting Gregory Road and Charlesfield Road, E-LV 28 to the immediate west and fronting Simpson Parkway and E-LV 25 immediate north west.

However, this allocated land was also identified and has been in the adopted Local Plan 2009 (sites ELV 48, ELV 39, ELV 41, ELV 46). In the period of pre-adoption (2007-09) through to now, (8 years) none of these sites have come forward and have not contributed to the employment land supply.

In June 2015, a Proposal of Application Notice (PAN) was lodged for the Local Plan Proposal Site ELV 48 and ELV 46 at Gregory Road, stating the developer's intention to bring forward a future planning application for a "mixed use development including residential, business, industry, storage & distribution and community/leisure facilities". This proposal lies immediately adjacent to the No 1 Simpson Parkway. It provides evidence of developer interest, and policy pressure, that the current Local Plan proposals and restrictions on use and type of use at Kirkton is having a negative effect on future investment decisions. We have researched further afield within 1 mile of 1 Simpson Parkway to analyse other developer-led change of use activity and found the following:

Site Address Application Number Proposed Development Status Adopted Local Plan Allocation Ref:

Manse LLP Land at Gregory Road, Livingston LIVE/0323/PAC/15 Proposal of application notice for a mixed use development including residential, business, industry, storage & distribution and community/leisure facilities (grid ref. 303907 665885) PAN submitted ELV 46/48

Livingston Business Centre Suite 10, Livingston Business Centre, Kirkton Road South, Kirkton Campus LIVE/0523/FUL/14 Change of use from office to fitness centre (class 11) (grid ref. 303915 666404 Approved No Allocation but within Employment Area Boundary

1 Lister Road LISTER ROAD, KIRKTON CAMPUS, LIVINGSTON, EH54 7BL LIVE/0015/FUL/14 Part change of use to incorporate Class 6 (storage and distribution), extension to building, formation of new hardstanding area and erection of a security fence (grid ref. 303861 666509) Approved No Allocation but within Employment Area Boundary

This demonstrates that the current Local Plan policy relating to Kirkton Campus is having a limited positive effect on development proposals coming forward for the Proposal Sites in the adopted plan (and for the Proposal Sites coming forward in the emerging replacement LDP).

Of the proposals above, the changes are for business to warehouse and for change office to a gym. The PAN would involve a more comprehensive scheme to change the standard employment use to a broader employment/business use coupled with other job-generating uses.

Policy EMP1 of the WL LDP Proposed Plan seeks to safeguard Employment Areas within the designated boundaries, including Kirkton Campus. In part, the policy confirms that proposals for non-business/non-industrial uses on allocated employment sites will only be supported in circumstances where certain criteria can be demonstrated. We have demonstrated through the above property market analysis and developer interest activity the following:

e. it has been satisfactorily demonstrated that there is no net detriment to the overall supply of employment land; We have shown the overall supply of employment land in the immediate vicinity of 1 Simpson Parkway, and within 1 mile of the site, remaining within the designated Employment Area, that around 500,000 sq ft of space is currently available. The supply of employment land is therefore excessive, and evidence shows there is limited, if any take up of this stock. So we do not consider that a net detriment would occur in the event of a proposal came forward for non-business/non-industrial use on the site within the Employment Area.

f. it can be satisfactorily demonstrated that there is no reasonable or realistic demand for the retention of the existing premises or sites for use classes 4, 5 and 6. Prospective developers will be required to evidence their attempts to secure a continued employment-generating use and in particular that they have actively marketed the premises or site over a sustained period; On the basis of over five years marketing, and limited sustained notes of interest there is little reasonable or realistic demand. There is one potential business, subject to implementation of a planning permission for a meat processing plant, who may secure an employment-generating use following active marketing. However, that consent has not been implemented and there is no firm indication that this may materialise.

g. the proposal would not restrict the range of uses which can lawfully be carried out by businesses and industry on nearby sites; The proposal, described in the following section, would not restrict the range of uses which can lawfully be carried out by businesses and industry on nearby sites. The nearby sites remain vacant and undeveloped. The PAN for a mixed use with business, residential and other commercial uses on Site Proposal ELV 46 and ELV 48 would not arise any use conflicts as there are no immediate neighbours operating an industrial or other incompatible use nearby.

h. the development of the site would not serve to fragment a larger industrial area or disrupt links between industrial users in that area; Development of 1 Simpson Parkway would not serve to fragment a larger industrial area, as the immediate area is comprised of vacant land, where employment generating proposals have failed to come forward in the current adopted Local Plan and there is little future prospect of doing so. As such, the form, position and arrangement of these sites may better serve a new development opportunity site, or cluster, where fragmentation would not cause disruption.

i. the proposal would have no unacceptable traffic, amenity or environmental impact and the site is accessible, or can be made accessible by public transport and footway connections to the surrounding area; The proposed development details below can be suitably studied, planned and mitigated to ensure no detrimental impacts.

j. proposals are ancillary to, or complement the overall employment use, and can be satisfactorily demonstrated to directly benefit those working in that employment area. Proposals would be a mix of uses, including employment-generating uses predominately, with ancillary supporting uses with potential residential.

On the above analysis, it is considered there to be an opportunity for change of use of 1 Simpson Parkway, subject to detailed design and assessment of the proposals in due course. Finally, detail of the proposed change of use is outlined below for consideration to demonstrate an effective and viable reuse of the site can be delivered.

#### Opportunity for Change of Use Compatible

The proposal, in outline, for redevelopment of 1 Simpson Parkway is as follows:

- Remove the single user/large production facility and car park to create a brownfield development site
- Retain more than 50% of the site (net) for employment uses within the Employment Area standard uses, Class 4 (business), Class 5 (general industrial) and Class 6 (warehouse and storage). There is potential to offer bespoke office accommodation however that sector and current stock is also in a state of decline in Livingston.
- Provide supporting or ancillary commercial services to include, subject to market interest - Childcare, leisure or community use with limited non-retail food e.g. hot food / restaurant / café.
- In order to enable the above predominately commercial development, there would be a proposal to provide residential development at a modest scale taking account of position, location and residential amenity in relation to the predominant uses. Landscaping and open space provision would ensure suitable buffering and place making in this context.

There is a current lack of available small scale housing opportunities in Livingston, coupled with a falling demand for the type of large-scale industrial processing facility as existing, then 1 Simpson Parkway site provides an opportunity to contribute towards the strategic housing development objectives of the Local Plan through the re-use of the site for a use in need, and within a sustainable brownfield location.

#### Housing Component

The housing component is planned to offer a supporting facilitating role, rather than lead a redevelopment scheme. There are benefits that can be realised through delivery of housing - receipts to provide site clearance, place making and developer contributions towards key Council services such as education, affordable housing and open space.

It is anticipated the site could accommodate up to 75 residential homes of varying styles ranging from terraced, semi and detached family homes. This small number would provide a deliverable source of additional housing for Livingston and West Lothian, where the strategic housing land position is in need of a generous supply according to Scottish Planning Policy.

Scottish Planning Policy (SPP) Paragraph 40 requires spatial strategies within development plans to promote a sustainable pattern of development appropriate to the area. To do this, decisions should be guided by the following policy principles:

- optimising the use of existing resource capacities, particularly by co-ordinating housing and business development with infrastructure investment including transport, education facilities, water and drainage, energy, heat networks and digital infrastructure;
- using land within or adjacent to settlements for a mix of uses. This will also support the creation of more compact, higher density, accessible and more vibrant cores;
- considering the re-use or re-development of brownfield land before new development takes place on greenfield sites;
- considering whether the permanent, temporary or advanced greening of all or some of a site could make a valuable contribution to green and open space networks, particularly where it is unlikely to be developed for some time, or is unsuitable for development due to its location or viability issues; and
- locating development where investment in growth or improvement would have most benefit for the amenity of local people and the vitality of the local economy.

The Strategic Development Plan (SESPlan) Policy 5 - Housing, identifies that for the period from 2009 up to 2024, there is a requirement for sufficient housing land to be allocated so as to enable 107,545 houses to be built across the SESPlan area, including on land which is currently committed for housing development. 22,300 of this required is required to be delivered within West Lothian.

It was the intention of West Lothian Council to deliver this requirement, through a number of Core Development Areas (CDA's) which would provide large scale housing delivery along with associated infrastructure and services. However, given the financial crash, these growth areas were not as successful as hoped and did not deliver the housing figures as expected given the large scale of the developments. Small sites can therefore provide a certain, short term boost to the housing land requirement with little large scale investment in infrastructure needed for other CDA locations.

The West Lothian Housing Land Audit (2014) identifies a total supply of 22,315 houses may be delivered across West Lothian between 2014 and 2019. This figure matches the SESPlan requirement but it only offers a snap shot of the projected supply in any given year and therefore cannot be the single only source of projecting future housing land performance. Despite the total supply, around 7,953 of these sites are identified as constrained. With many of these likely to be slow or unlikely to be delivered for a number of reasons; the council should seek to find alternative sites to replace and enhance the supply.

PAN 2/2010 identifies the criteria for effective housing supply. We have used the criteria to assess the effectiveness of the site, i.e. that it can be delivered. Guidelines state that it must be demonstrated that within the five-year period beyond the date of the audit the site can be developed for housing (i.e. residential units can be completed and available for occupation), and will be free of constraints on the following basis:

- land ownership: the site is in single ownership has no issue releasing it for development.
- physical: the site is free from constraints related to slope, aspect, flood risk, ground stability and vehicular access
- contamination: previous use has not resulted in contamination of the site
- marketability: the site can be developed in the period under consideration, with several house builders already showing a keen interest;
- infrastructure: the site is well connected to the existing roads network, in an established urban area, with existing public transport connections
- land use: housing is the sole preferred use of the land in planning terms with marketability point to housing being a realistic option.

Para 58 of PAN 2/2010 advises that Local Authorities should "ensure that at all times sufficient effective land is available to meet the housing land requirement for at least the following 5 years." Housing development would provide a sustainable and deliverable source of housing which is in high demand for this region. In keeping with the surroundings, development in this area would benefit from existing services and infrastructure and could be delivered without compromising the amenity of surrounding land uses.

Within a constant changing market, the projected figures generated in the HLA were compiled in 2012/13 when the market was less prosperous than at present. Given the recent improvements to the house market across West Lothian and the wider SESPlan area, it is important that a plentiful and effective allocation of sites is available for delivery.

#### Conclusion

St Francis Group Ltd is seeking the change of emphasis and wording relating to Proposed Plan Policy EMP1 as it applies to the existing Employment Area. This would help relax the evidently restrictive land use and delivery policies for the Kirkton Campus, particularly in relation to legacy issues where there is absolutely little prospect of such an initiative occurring in the life of the new LDP. There is little prospect for the Kirkton Campus, on the evidence of lack of development activity for adopted Local Plan allocated sites coming forward; on the evidence of limited developer activity to seek planning permission for any change of use (save for 3 proposals) and based on the market evidence that shows there is a very large over-supply of employment land within 1 mile of the Kirkton Campus and with limited prospect of change occurring in the life of the new plan, given the same allocations have been rolled over into the next plan. St Francis Group Ltd's plans to relax planning restrictions, open up the site for a wider range of employment generating uses, along side a wider marketing effort as a result, may have a positive effect on re-energising the future for Kirkton Campus. However, there is a need to gather support for the initiative from West Lothian Council and a very positive start to the process would be to recognise the need for flexibility and allow consideration of change to development in this location.

Rapleys LLP  
20 November 2015

Before pressing the submit button please review your submission and make any changes. Once you have pressed SUBMIT you will be unable to go back to the survey.

Once we have received your submission we will send you a copy for your records. This could take up to 5 working days. If you do not receive a copy in that time please contact the Customer Service Centre.

#### CONFIRMATION OF YOUR PARTICIPATION

We will send you an email notification as soon as your survey is submitted.

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