

KENNETH FERGUSON AND PARTNERS

Chartered Surveyors

Stoneheap Offices
Stoneyburn EH47 8EH

Tel: +44(0) 1501 763497
Mob: +44(0) 7946471826

11 October 2014.
Ref: 14.MeF.14.

Planning and Economic Development
Development Planning
West Lothian Council
County Buildings
High Street
Linlithgow
West Lothian
EH49 7EZ

Dear Sirs,

**Main Issues Report (MIR)
West Lothian Local Development Plan: comments.**

Sites: (1) Kilpunt: EOI – 0115 and (2) Muirend: EOI – 0116 and EOI – 0217.

On behalf of Cadzow Estates, we herein make representations against the above, sites (1) Kilpunt: EOI – 115 and (2) Muirend: EOI - 0116 and EOI – 0217, not being designated as preferred sites for development in the Main Issues Report for the West Lothian Development Plan, August 2014.

1. Kilpunt: EOI – 0115.

Mixed Use – Residential /Retail/Employment/Community Uses.

Following representations on the preparation of the new Local Development Planning 2011, no substantive objections were raised against the development of this site by the various stakeholders; British Airports Authority, Coal Authority, Historic Scotland Health and Safety Executive, NHS – Lothian, Scottish Enterprise, Scottish Water, SEPA – Flooding, SEPA – Water Environment, SNH, Transport Scotland, WLC – Contaminated land, WLC – Economic Property Development, , WLC – Education, WLC – Environmental Health, WLC - Flood Risk Assessment, WLC – NETS and Land Services, WLC – Transportation, WLC - Waste Management, WOSAS,

All the comments raised by consultees can be satisfactorily addressed during the planning application process.

We do accept that the site is within an area of special agricultural importance and is prime agricultural land and therefore the Council would wish a justification for developing this site.

We note that the site is not designated as a site of Great Landscape Value.



RICS

The mark of

property professionalism worldwide

Web site: www.KFergusonAndPartners.Co.UK

Principal: Kenneth G. Ferguson OBE FRICS ICIQB
Email: Kenneth.G.Ferguson@BTInternet.Com

We note the comment of the Council that development would result in visual intrusion.

Any development would be a visual intrusion but would be mitigated by good high quality sensitive design of the buildings and the landscape.

We further note that the current Local Plan indicates the development of a Park and Ride facility at the north east tip of this site, which is supported by us.

We note that there is an industrial user at the North West boundary of the site and, of course, the East Mains Industrial Estate, built on land previously owned by Cadzow Estates, lies to the north of the site.

Therefore we are of the view that there is a justification for this site, presently within an area of special agricultural importance and is prime agricultural land, to be designated a preferred site for Mixed Use – Residential/Retail/Employment/Community Uses, subject to addressing all the comments and requirements of the Council and the consultees for the preparation of the new Local Development Planning 2011.

2. Muirend – EOI – 0116.

Mixed Use – Residential – Single House/Tourism/Leisure/Employment/ Community Uses.

Following representations on the preparation of the new Local Development Planning 2011, no substantive objections were raised against the development of this site by the various stakeholders; British Airports Authority, Coal Authority, Historic Scotland Health and Safety Executive, NHS – Lothian, Scottish Enterprise, Scottish Water, SEPA – Flooding, SEPA – Water Environment, SNH, Transport Scotland, WLC – Contaminated land, WLC – Economic Property Development, , WLC – Education, WLC – Environmental Health, WLC - Flood Risk Assessment, WLC – NETS and Land Services, WLC – Transportation, WLC - Waste Management, WOSAS,

All the comments raised by consultees can be satisfactorily addressed during the planning application process.

We do accept that the site is within an area of special agricultural importance and is prime agricultural land and therefore the Council would wish a justification for developing this site.

We note that the site is not designated as a site of Great Landscape Value.

We note the comment of the Council that development would result in visual intrusion.

Any development would be a visual intrusion and would be mitigated by good high quality sensitive design of the buildings and landscape.

We note the comment of the Council that the site enjoys a location adjacent to the Union Canal and there could be some potential for capitalising on this relationship, in terms of leisure and recreation opportunities, it does not justify the allocation of the site for such purposes but the Council does suggest a planning application would be a more appropriate mechanism in order that consideration can be afforded to the merits of a specific proposal.

The council noted that there were infrastructure problems to be addressed.

In view of the comments by the Council and the representations of the consultees and further market research by Cadzow Estates, any development of this site in connection with the canal will only use approximately one third of the site/field as a linear development along,

either, the west or south boundary of the site.

Discussions have taken place between Scottish Canals and Cadzow Estates, the outcome of which was a proposal for a mooring basin of over 200 berths.

Cadzow Estates have carried out further market research and have established that there are not 200 plus boats on the canal at present and so there is no justification whatsoever for a mooring basin of the size proposed by Scottish Canals.

We are of the view that something in the order of forty to fifty moorings may be more appropriate but that would require further research, together with a covered repair slipway for two boats and fuelling and pumping out areas and boat maintenance.

To support the Muirend Moorings, there would be a requirement for a small, number of support buildings, possible log cabins, to provide toilets showers and laundry, a café/visitor facility, a chandler, and a shop supplying of basic provisions (milk, bread, cold meats, fruit and vegetables, eggs, etc.), rubber gloves, brillo pads, etc.

It would be appropriate to have a single dwelling for the site manager, although this house may be accommodated within the area of Muirend Farm Steading.

It should be noted that the Council comment that the site is not elevated and does not read as being on the skyline, so sensitive development should not be intrusive.

Any the supporting development on the site would be grouped together next to Muirend Farm Steading and would be seen as an extension of the farm steading and not a new isolated development in the countryside.

It should be noted that the Council comment, “As an aside, the redundant farm steading, which lies adjacent, is an obvious candidate for conversion and could be allied to any canal related activities”.

This is an issue that we are actively addressing, obviously there are some activities, e.g. the covered repair slip-way, which could not be located in the steading but other minor developments identified on site, Muirend: EOI – 0116, could be located in the steading.

In the light of the substantially reduced proposed size of the moorings, we would suggest that there is a justification for this site, proposed within an area of special agricultural importance and prime agricultural land, to be designated, in part, as a preferred site for Mixed Use – Residential(Single House)/Tourism/Leisure/Employment/Community Uses, subject to addressing all the comments and requirements of the Council and the consultees for the preparation of the new Local Development Planning 2011.

3. Provision of Canal Based Moorings at Muirend – EOI – 0217.

Please note that representations make in this section must be read in conjunction with the comments in the previous section on 2. Muirend: EOI – 0116,

Mixed Use – Tourism/Leisure/Recreation/Employment/ Community Uses.

Following representations on the preparation of the new Local Development Planning 2011, no substantive objections were raised against the development of this site by the various stakeholders; British Airports Authority, Coal Authority, Historic Scotland Health and Safety Executive, NHS – Lothian, Scottish Enterprise, Scottish Water, SEPA – Flooding, SEPA – Water Environment, SNH, Transport Scotland, WLC – Contaminated land, WLC – Economic

Property Development, , WLC – Education, WLC – Environmental Health, WLC - Flood Risk Assessment, WLC – NETS and Land Services, WLC – Transportation, WLC - Waste Management, WOSAS,

All the comments raised by consultees can be satisfactorily addressed during the planning application process.

We do accept that the site is within an area of special agricultural importance and is prime agricultural land and therefore the Council would wish a justification for developing this site.

We note that the site is not designated as a site of Great Landscape Value.

We note the comment of the Council that development would result in visual intrusion but the development of any buildings is addressed in the representation for the previous item, Muirend: EOI 0116, and the creation of the moorings, as one of the nodes identified by Scottish Canals will have no visual impact on the landscape, particularly as we have reduced the size of the mooring substantially.

We note that the Council state that there is no explicit support for more extensive facilities, however our market research has identified the urgent need for a covered repair slipway on the Union Canal and that Muirend Moorings would be an ideal location.

We would confirm that there is no intention to develop housing, except for possibility one house for the site manager to provide security.

We note the comment of the Council that the site enjoys a location adjacent to the Union Canal and there could be some potential for capitalising on this relationship, in terms of leisure and recreation opportunities, it does not justify the allocation of the site for such purposes but the Council does suggest a planning application would be a more appropriate mechanism in order that consideration can be afforded to the merits of a specific proposal.

The council noted that there were infrastructure problems to be addressed.

In view of the comments by the Council and the representations of the consultees and further market research by Cadzow Estates, any development of this site, in connection with the canal, will only use approximately one third of the site to form a linear development along the west or south boundary.

We have had preliminary discussions with Historic Scotland, the conservation officer for West Lothian Council and the heritage officer of Scottish Canals, who have expressed support in principal for the development of our reduced proposal for moorings, subject to a planning application meeting all their concerns.

It should be noted that the Council comment, “As an aside, the redundant farm steading, which adjacent, is an obvious candidate for conversion and could be allied to any canal related activities”.

This is an issue that we are actively addressing, obviously there are some activities, e.g. the covered repair slip-way, which could not be located in the steading but other minor developments identified on site, Muirend EOI: 0116, might be able to be located on the farm steading.

We would confirm that we are in discussion with community groups to asset the level of community interest in developing the Muirend Moorings, through the third sector.

In the light of the substantially reduced proposed size of the moorings and the possible use of the farm steading as support accommodation, we would suggest that there is a justification for this site to be designated, in part, as a preferred site for Mixed Use – Residential (Single House)/Tourism/Leisure/Employment/Community Uses, subject to addressing all the comments and requirements of the Council and the consultees for the preparation of the new Local Development Planning 2011.

Summary.

We are of the view that there is justification for sites: (1) Kilpunt: EOI – 0115 and (2) Muirend: EOI – 116 and EOI – 0217 being classified as preferred sites, particularly Muirend: EOI – 116 and EOI – 0217, on which it is proposed to create a mooring for the Union Canal on approximately one third of the area of the site, along, either, the west boundary or the south boundary of the site.

If you require any further information from me, on behalf of the Cadzow Estate, please do not hesitate to contact me.

Finally I would be grateful if you would acknowledge receipt of these representations.

Yours faithfully,

**Kenneth G. Ferguson, OBE, FRICS, ICIQB.
Principal.**