

Councillor David Tait  
West Lothian Civic Centre  
Howden South Road  
Livingston, EH54 6FF

30 November 2018

Dear Councillor Tait

**Concerns about the appearance of the remaining undeveloped land to the front of our Templars Court Development at 77-79 Linlithgow High Street.**

This week we have received a flurry of identical emails from local people and it is clear that there are rumours and misunderstandings circulating about our development on Linlithgow High Street. I therefore thought you might find it helpful if I set out the facts as they stand, in case you also receive enquiries from constituents.

- McCarthy and Stone submitted planning applications in April this year the intent of which was to remove the structural shoring to the adjoining listed building and install permanent external steel bracing, along with repairs to gable stonework and installation of an appropriate render system to weatherproof and protect the existing adjoining heritage building.
- When the application eventually came before West Lothian Council's Development Management Committee (05.09.18) the application was only part approved (for the structural works) and part refused (for the render board system).
- We were somewhat surprised that the entire application, which should have been considered as a whole, had not been approved. We disagree with the Council's assertion that the structural works and the render system can be simply separated. The structural works which are needed to repair and support the listed building require to be weatherproofed and aesthetically hidden by the render system. It is simply not an option to leave bare, galvanised steel, structural bracing exposed on such a prominent elevation of the property.
- McCarthy and Stone have subsequently submitted appeals to the Scottish Government's Planning and Environmental Appeals Division (DPEA) on October 6<sup>th</sup>; the DPEA allocated the case to a reporter on November 6<sup>th</sup> and we understand a site visit has already been undertaken by them, but no decision has yet been released.
- We wish to complete the planned remedial works as soon as possible. Indeed had our application been approved in September, the work would now have been complete.

**Plans for the land at the front of the development**

One of the people who has written to us is under the impression that McCarthy and Stone were meant to be 'putting a building in place so that the apartment buildings would be shielded from view' from the historical buildings within Linlithgow i.e. the Cross.

Furthermore, this correspondent reports that a local Councillor has told her that we changed the original plans for the frontage of Templars Court and now want to hand back land to the council e.g. to make a flower bed which the council would be required to maintain and which would not 'hide the apartments from view'.

- The existing temporary raking shoring which is currently within the remaining undeveloped front part of the site is required to support the neighbouring heritage building which was damaged and became unstable at an earlier point in the construction phase of the development.
- As both a matter of health and safety, and to protect the listing buildings in the area, all of our construction activities in that part of the site had to immediately cease and foundation excavations for the new buildings at the front of the site, which had already started, were backfilled to prevent any further potential damage to adjoining buildings.
- We continued with the majority of the rest of the development outside that zone and completed the rear portion of the development some time ago.
- Since the above events, we have undertaken extensive testing and monitoring of both the ground conditions and the stability of the adjoining properties. Our staff, designers, engineering consultants, insurers and legal teams are currently assessing the constraints this information imposes upon what might now be possible or practical within the remaining undeveloped front part of the site.
- The constraints are considerable, and as a result our current view is it is unlikely that any substantive development can practically proceed in this location. Nonetheless the site remains meantime a live construction environment so it must be secured and fenced off accordingly.
- Once a future course of action is settled upon, then, we will of course engage in a full consultation with our customers, neighbours, community groups, planning and local council representatives in the normal way at that time.
- However, until the necessary structural repairs and reinstatement application for the existing neighbouring buildings has reached a successful outcome we are not able to make any further progress on deciding an appropriate course of action for the front part of the site.
- The two issues are not linked in any other way than our simply wishing to implement a logical sequence of permanent repair works to make the adjoining properties safe, stable, wind and watertight at the first possible opportunity.
- We remain open to considering the merits of all and any alternative use options for the front part of the site at this time, including the possibility of the remaining currently undeveloped land being turned over as public good open space for the benefit of the town. This idea has been privately suggested in several informal discussions with some Councillors and Civic Trust represent-

atives many months ago, but no formal plans of any kind have yet been tabled with any statutory approval body. Therefore the future maintenance obligations of that space were it to be created are not being placed upon any party at this time.

- We respectfully suggest that there is no need to “hide the apartments from view” as these have been designed, constructed and occupied in line with the fully approved Planning Consent and all other statutory approvals secured for our development. Those consents were given in response to a design language, suite of appropriate materials and street context that is completely consistent with Linlithgow High St and other buildings within the Cross area, and certainly by widespread agreement, now provides a considerably better appearance and building form than the previous harsh, utilitarian, 1960s, concrete-framed office block/bus maintenance depot which used to sit in this location.

Yours sincerely,



Jonathan Fair  
Regional Managing Director - Scotland McCarthy & Stone