



*Have your say on the
West Lothian Local Development Plan Proposed Plan
Consultation Response Form*

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 <http://www.westlothian.gov.uk/proposedplan>

If you wish to make representations on the *Proposed Plan* or associated documents, you are encouraged to use the 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.

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 Planning and Environment Team. Someone will contact you. Alternatively you can email us at wlldp@westlothian.gov.uk We will endeavour to respond as quickly as possible but in any event within three 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 and postal address 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 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.

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.

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.

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).

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 etc (Scotland) Act 2006 and what documents will accompany the plan i.e. the Action Programme etc.

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.

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.

- **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)

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.

- **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)
- **Newton 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)

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.

- **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)

GLOSSARY (page 280)

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

PROPOSALS MAPS

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

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.

- **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.**

ADDITIONAL COMMENTS

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

Thank you for your participation and contribution.

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	Meabhann Crowe of Colliers International for British Solar Renewables (BRS)
Email	[REDACTED]
Telephone	[REDACTED]
Address	[REDACTED]
Organisation name	Colliers International
Client's name	British Solar Renewables (BSR)

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"/>

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 [REDACTED] Date

FOR OFFICE USE ONLY

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.

A minor point in respect of the 'Forward' as set out is that there is an error in the consultation period set out on page 4.

Section title

Page nos.

Paragraph nos.

The sentiments expressed within the proposed Local Development Plan (pLDP) at Paragraphs 1.5 is strongly supported and is found to reflect the vision of Scottish Planning Policy (SPP) and the National Planning Framework 3 (NPF3).

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Paragraph nos.

The proposed Local Development Plan (pLDP) sets out its key aims at Pages 8 and 9. The aims as detailed are supported, however there are additions required in order to strengthen these.

The wording of the aim 'sustainable housing locations' includes continued support for the Core Development Areas (CDAs) however fails to explicitly include support the areas strategic allocations. It therefore requires to be amended as set out below:

Sustainable Housing Locations

- Provide a generous supply of housing land and an effective five year housing land supply at all times, of a range and choice to meet need and demand;
- Continue to promote and support major development within the previously identified CDA's and strategic allocations;

As currently written the aim 'climate change and renewable energy' is not considered to be sufficiently robust to assist in the creation of a strong policy framework for renewable energy over the course of the Plan period. Development in sustainable locations is not enough; the Council should, through this emerging Plan, place West Lothian at the forefront of the utilisation, deployment and integration of a range of renewable energy technologies to create a low carbon, sustainable and resilient place. The following amendments are required:

Climate Change and Renewable Energy

- Help to achieve climate change objectives by minimising the area's carbon footprint through promoting a range of types of development in sustainable locations and supporting mitigation and adaptation measures.

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The South East Scotland Strategic Development Plan, SESplan, is currently under review, whereby consultation on the second Plan's Main Issues Report (MIR) has recently concluded. The Council are reminded that the Local Development Plan must accord with the provisions of SDP1.

The emerging LDP seeks to continue to support the Core Development Areas (CDAs) of West Lothian along with existing strategic allocations – which include Heartlands - through the spatial growth strategy. This can be continued under Option 1 or 2 of the emerging SDP spatial strategy.

This is supported, however the Council must ensure that progression of sites is undertaken in a manner which is informed and realistic, therefore open discussion and communication with developers is crucial. In addition, the Council must take cognisance of how the market has and will continue to affect the ability of such larger scale sites to deliver in manner originally intended. Flexibility in approach is key, as is advocated in SPP. The approach advocated in the pLDP aims to achieve "valued and appreciated places people can identify with, which can integrate the activities and services used by their community and where people will want to live, work, visit and enjoy." (Paragraph 5.9). In achieving this, Policy DES 1: Design Principles is relevant. As currently set out, the Policy is supported as it is held to reflect the wider aims of Designing Streets in terms of six key qualities of successful places.

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The Plan notes that West Lothian has one of the fastest growing and youngest populations in Scotland, which reflects the area's location and attractiveness as a location in which to live, invest and work. The emerging SDP also acknowledges this, noting it as a 'prime location for growth'. The thrust of the pLDP which supports sustainable economic growth and regeneration, and acknowledges a degree of flexibility in some instances, is supported. This approach to economic development and growth is considered to accord with the provisions of SPP in relation to business and employment.

This is specifically demonstrated in the approach taken to Heartlands, at allocation E-WH1 Cowhill, Heartlands Business Park which is allocated as a category A site whereby use classes 4, 5 and 6 of the broadest range are likely to be acceptable. A full range of industrial uses can be accommodated on such sites and it is unlikely that there will be restrictions on open storage, or small scale distribution uses, subject to traffic generation. The site is now largely serviced with roads and other services. As such this is considered to represent a prime business location. It is held that this continued support for the economic growth and development of Heartlands as a destination business location will assist in achieving other aims and visions as set out in the pLDP. This is therefore supported.

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Paragraph 5.33 of the Plan notes that Whitburn is amongst a number of former mining communities included in the Scottish Index of Multiple Deprivation 2012. The Council's Regeneration Framework 2013-2034 aims to address deprivation and economic exclusion within specific areas and communities across West Lothian. From the ward profile 2015/2016 for Whitburn and Blackburn, it is known that of the 25 datazones in the area, 9 (36%) of those are in the worst 20% in West Lothian. This is significantly higher than the average. The pLDP notes that "A typical characteristic of many of these settlements is a significant imbalance between public and private sector housing and it is one of the council's ambitions to achieve a more diverse housing mix in order to help create more socially and economically balanced communities...At the same time the council is also active in promoting the improvement of the physical environment and townscape and encourages better design and build quality and the creation of healthy, greener and more sustainable environments which are well connected and accessible..." (Paragraph 5.35) The LDP seeks to ensure the necessary physical and social infrastructure accompanies growth across the Plan area. BSR are also supportive of this approach with particular regard to the on-going development of Heartlands, and consider that in order to achieve the above the Council should remain flexible in their approach to the on-going delivery of large-scale sites and their ability to respond to local needs.

The aims and ambitions being set out, to support regeneration and rejuvenation across West Lothian, are supported. It is considered that in order to address these ambitions and specifically the needs of the Whitburn/Blackburn area, it is the case that the on-going development at Heartlands will help achieve these aims and objectives. Whitburn will benefit from the impact of new public and private sector housing, as well as the provision of local employment and spin-off benefits likely to occur as the development of Heartland progresses. The developer is happy to engage with the community and Council to support regeneration within this location.

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Please see the attached sheet

Section title

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SPECIFIC LDP KEY AIMS: HOUSING LAND REQUIREMENTS FOR THE LDP

The pLDP discusses housing growth, delivery and sustainable housing locations at Page 20. West Lothian is projected to experience and increase of nearly 4% in its population to 2020, and it is known that West Lothian has one of the fastest growing and youngest populations. The total number of households in West Lothian is projected to increase by 17% in the period to 2037; this is also the case of Scotland as a whole. The extant and emerging SDP promote West Lothian as a destination to live, work and visit and this is reflected in the emerging LDP. This is strongly supported.

The key housing aims as set out in the pLDP at Paragraph 5.37 are supported. We would welcome the addition of reference to the necessity for the planning system to be flexible in the application of policy to reflect local circumstances, as the pLDP acknowledges that *“To meet the SDP requirements the level of house completions across the plan area will need to go well above recent rates of housing completions although the most recent Housing Needs and Demand Assessment (HoNDA2), which is a material consideration, identifies that the SDP requirements are significantly in excess of the most recent projects of demand. HoNDA2 also identifies that the majority of demand will be in the rented sector rather than in the owner occupied sector...”* (Paragraph 5.39) It is encouraging to see that West Lothian Council are mindful emerging market demand in relation to housing provision however they are not according with the provisions of the extant SDP, SDP1. Planning Circular 6/2013: Development Planning specifically states at Paragraph 56 that *“Section 16 (6) of the Act requires that, where land to which a local development plan relates is within an SDP area, the planning authority preparing the LDP are to ensure the plan prepared is consistent with the SDP.”* SDP2 is unlikely to be approved until circa 2017 and therefore the Council must take full cognisance of the existing SDP and the requirements of that Plan in the preparation of this new pLDP.

It is highlighted that there are errors in Figure 5 of the pLDP which require to be corrected.

Policy HOU 1: Allocated Housing Sites relates to sites included in Appendix 2 of the pLDP and as shown on the proposals maps. The continued allocation of land at Heartlands for mixed-use including residential development is supported. In addition, the increase in unit numbers to be delivered under H-WH3 is strongly supported. The developers are keen to see the site developed out in a manner which is sustainable, successful and which responds to known need and demand, and note its ability to contribute to the wider housing land requirements of the SESplan area.

Paragraph 5.53 of the pLDP notes that the delivery of housing and maintenance of a 5-year effective housing land supply is heavily reliant on the availability of infrastructure. It is the case at Heartlands that infrastructure is not a constraint to development taking place and education provision is allowed for within the existing planning consent for the site. This is especially the case given that *“...The LDP must start to recognise the changing demand for housing both in terms of tenure and scale flagged up by HoNDA2”* (Paragraph 5.41)

SPECIFIC LDP KEY AIMS: EFFECTIVE HOUSING LAND AND GENEROUS SUPPLY

Policy HOU2: Maintaining an Effective Housing Land Supply calls for residential development proposals to accord with the proposed phasing as detailed in Chapter 6 of the pLDP and the associated LDP Action Programme. Those sites identified in Chapter 6 for longer term expansion are *“embargoed from development during the period of the Local Development Plan and shall be safeguarded unless required to contribute to the five year effective supply and any infrastructure required as a result of the development is either committed or to be funded by the developer. Proposals coming forward in advance of any identification of a shortfall in the effective housing land supply will be treated as premature.”* This approach is not accepted. It is considered that the Plan is required to accord with the provisions of SDP1 and associated Supplementary Guidance. In that respect, there remains a shortfall in the housing land supply across the West Lothian area and as such, those sites earmarked as being suitable for longer-term expansion in the emerging Plan should not be embargoed from coming forward during the LDP period to fulfil the requirements of SDP1 which remains the extant Strategic Development Plan. It is considered to be the case that there is currently a shortfall in the supply of an effective five year housing land supply across the Strategic Development Area of West Lothian and that this requires to be met in accordance with the provisions of the SDP. The emerging SDP is not at a stage whereby it can be said to inform emerging Local Development Plans.

Chapter 6 identifies the individual allocations for settlements across West Lothian. For Heartlands this includes three allocations, including H-WH3 which promotes an increase in the original capacity of this site. This is supported and it should be the case going forward in the emerging policy framework for the sites development that the Heartlands development remains in a prime position to ensure a generous supply of effective housing land remains available over the life of the Plan. Indeed, the pLDP acknowledges that the strategic allocation of Heartlands (and others, in tandem with the CDA) are to *“continue to provide for large scale development, principally housing, which will bring forward new and expanded communities.”* (Paragraph 5.58) The LDP remains supportive of their on-going delivery. This is supported and it is considered important flexibility to bring to the Plan in terms of large-scale allocations capable of growing/expanding to some degree where they can, in accordance with other design and placemaking criteria, meet a housing land supply shortage. To that end, there is a requirement to reassess the initial approach taken to the redevelopment of the site, the aim being to increase densities as appropriate to create successful communities, neighbourhoods and living environments for future residents along with ensuring that the best use of the land available is made. It is the case that given the ability of the site at Heartlands to be somewhat flexible in its response to future housing need and demand requirements in West Lothian, there should be no artificial constraint on housing numbers being generated across the site in the medium and long term. A review of densities and design is intended to take place, and this will allow the site to grow and evolve in a manner which responds to West Lothian’s needs and demands.

Scottish Planning Policy directs that action programmes should *“be actively used to drive delivery of planned developments: to align stakeholders, phasing, financing and infrastructure investment over the long term.”* (Paragraph 31) It should *“set out key actions necessary to bring each site forward for housing development and identify the lead partner. It is a key tool and should be used alongside the housing land audit to help planning authorities manage their land supply.”* (Paragraph 124). In the form currently published it is considered that the Action Programme falls short on both of these two points and would benefit from additional detail.

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Policy HOU3: Infill/Windfall Housing Development within Settlements allows for additional development sites for housing to come forward where they lie within the defined settlement boundaries and accord with a range of criteria, a-i. The criteria are largely supported and the flexible approach demonstrated in criterion c – maintained amenity or open space – is welcomed.

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The recognition and continued support for strategic allocations like Heartlands to bring forward a range of housing and associated developments/infrastructure to address West Lothian's current and future housing needs is supported. The specific reference to Heartlands in this regard as set out in Paragraph 5.60 is supported. Associated policy CDA1 is supported to a degree however given the preceding text and common thread throughout the pLDP of the ability of CDAs and strategic allocations to play an important role in ongoing development across the Plan area, we would welcome an amendment to the Policy to include reference to the identified strategic allocations, including Heartlands. This to cement their position going forward and add credible support to the aims for housing growth.

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The town centre charette undertaken as part of the 'Placemaking in Whitburn' initiative was held to discuss with local residents and organisations physical planning issues in the town and general area. It is understood that the masterplan prepared as a result of that process is under internal review however our Clients are keen to engage in the process going forward in light of the adjacent development at Heartlands.

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In relation to affordable housing, which the Heartlands development will also deliver along with mainstream housing, the Whitburn and Blackburn area is considered in the Council's Housing Strategy 2012-2017 to lie within a 'priority 2' area; consequently a lower level of affordable housing provision is proposed which equates to 15%. This is supported. Policy HOU5: Affordable Housing reflects this threshold of 15%; this is supported.

Paragraph 5.70 states that "the availability of affordable housing continues to be a major issue for West Lothian... it is anticipated that the demand for social rent and below market rent housing will increase over the plan period." The continuing residential developments taking place at Heartlands including the additional capacity indicated for the area known as 'Framework C' may assist in meeting this demand in the future.

The fact that contributions will be expected from developers of market housing is typical, however the proposed Plan notes exemptions may apply, and these will be set out in SG. The Affordable Housing SG referred to at Paragraph 5.74 and linked via hyperlink within the document dates from 2006 and therefore cannot take account - as is claimed at Paragraph 5.74 - of the HoNDA2 to inform SDP2. This SG is not available as part of this consultation and no indication is given as to the likely timescales and process envisaged for its publication and consultation. Consequently it is presumed that the SG will be non-statutory and therefore shall not be termed 'SG' - clarification is required. At this stage there is difficulty in commenting on any such SG in a meaningful fashion.

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In relation to infrastructure requirements and delivery, education is found to be a key constraint to development taking place across the Plan area. This is noted, however the development consented at Heartlands includes provision of a new primary school, included in the proposed LPD as P-87. Paragraph 5.78 of the pLDP states that the Plan is taking a longer term investment view – this is supported. In revising this section of the pLDP the Council are reminded that SPP introduces a presumption in favour of development that contributes to sustainable development. This includes “supporting delivery of infrastructure, for example transport, education, energy, digital and water.” (Paragraph 29). In addition the SPP states “Planning should direct the right development to the right place...[to] promote a sustainable pattern of development appropriate to the area...To do this decisions should be guided by the following principles: (inter alia)

- “optimising the use of existing resource capacities particularly by coordinating housing and business development with infrastructure investment including transport, education facilities, water and drainage, energy, heat networks and digital infrastructure” (Paragraph 40)

Paragraph 5.79 touches on the need to consider “mechanisms to bring forward the implementation of key infrastructure projects to enable the realisation of proposals within the development plan.” While in theory this is supported, the Plan does not go far enough to, nor does it provide any proposals on what such mechanisms could/should be. Funded Section 75 and 69 Agreements are the only “mechanism” described. It is considered that the emerging pLDP must seize this opportunity to address these funding gaps in a manner which is both aspirational and implementable.

Policy INF1: Infrastructure Provision and Developer Obligations, makes reference to Scottish Government Circular 3/2013: Planning Obligation and Good Neighbour Agreements, which is supported. The first sentence of the Policy is considered to be ambiguous and should be removed. The third paragraph is considered too restrictive and inflexible, especially when ‘mechanisms’ remain to be detailed within the Plan, as noted above.

The Supplementary Guidance Developer Obligations stated at Paragraph 5.84 is not included in Appendix 4 and therefore there is no detail available on which to provide comment.

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In relation to education, the pLDP is not accompanied by any the SG and as such no detailed comment can be provided. The preparation of an education strategy is discussed within Appendix 4 and is noted as being non-statutory (‘PG’) in nature. Given the importance of education provision across West Lothian and the fact that it remains an impediment to residential development sites coming forward on the ground, it is considered unhelpful that the pLDP has not included this a key aspect of this consultation process. This approach provides little confidence for developers and investors, and yet it is noted that the onus for overcoming education barriers in West Lothian falls to the developer (Paragraph 5.90)

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The aims of Policy ENV21: Protection of Formal and Informal Open Space and ENV22: Protection of Playing Fields and Outdoor Sports Facilities are to give protection to a wide range of defined types of open space within settlements and to prevent their piecemeal loss to development. However, both policies acknowledge that there may be instances where development of such sites can and should be permitted. This is supported. It is the case at Heartlands that land to the south of defined settlement boundary has planning consent for a golf course/amenity open space, and is included in the proposed LDP as such under proposal P-82. It is no longer considered appropriate to continue with this proposed use at this location. Polkemet Park lies to the immediate north/north-west of the site and remains safeguarded for open space in the proposed Local Development Plan. Swathes of land north of the settlement of Whitburn and to the east are designated in the pLDP as countryside belt and open space. The site is considered to be of value for the new community at Heartlands, in helping to create a sustainable development location via the installation solar energy schemes in this location. The land is considered capable of being dual-use; generating energy for the Heartlands development but also acting as open space for the area. It is not considered that the introduction of a renewable energy development on site will in any way adversely affect the aims of national, strategic or proposed local planning policy.

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Paragraph nos.

SDP1 states that "there is a need to derive a higher proportion of heating and energy requirements from renewable sources and to reduce overall energy consumption. LDPs should promote the use of renewable energy..." and Policy 10: Sustainable Energy Technologies (b) directs Local Development Plans to "set a framework for the encouragement of renewable energy proposals that aims to contribute towards achieving national targets for electricity and heat, taking into account relevant economic, social, environmental and transport considerations, to facilitate more decentralised patterns of energy generation and supply and to take account of the potential for developing heat networks." Policy NRG1: Climate Change and Sustainability aims to present a set of overarching principles to reduce greenhouse gas emissions and mitigate and adapt to climate change; and while this aim is supported it is considered that in light of the provisions of the SDP as noted above, the aims and objectives of the emerging LDP could be more ambitious and seek greater use of renewable energy technologies across the Plan area

A Climate Change Strategy 2015-2020 and Carbon Management Plan (CMP) for West Lothian are being prepared, however neither are available for comment at this stage. Appendix 4 of the pLDP sets out that non-statutory supplementary guidance ('PG') in respect of renewables (not wind energy) is due to be prepared. Again it would have been useful to have the PG published alongside the pLDP in order to provide a comprehensive response at this stage. However, given our Clients background in the solar industry we would welcome dialogue with the Council in early course in respect of this emerging PG.

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The pLDP includes Policy NRG 5: Energy and Heat Networks whereby “development proposals of over 100 houses will be encouraged to consider the use of community energy networks in their development...” The principle of energy and heat networks is supported, however in the use of this Policy going forward the Council must be mindful that such schemes carry with them a degree of commercial risk and they are not always a viable development option.

SPECIFIC LDP KEY AIMS: LOW CARBON DEVELOPMENT AND RENEWABLE ENERGY

The SPP calls on local authorities, when preparing Development Plans, to “*ensure an area’s full potential for electricity and heat from renewable sources is achieved...*” (Paragraph 155) Local Development Plans should, specifically, “*support new build developments, infrastructure or retrofit projects which deliver energy efficiency and the recovery of energy that would otherwise be wasted both in the specific development and surrounding area.*”

Paragraph 5.216 encourages the decentralisation of energy production and this is strongly supported. It is the case however that this sentiment is not fully integrated into either of the two renewable energy policies set out in the pLDP. The Council are reminded that the National Planning Framework 3 (NPF3) and Scottish Planning Policy (SPP, 2014) share a single vision for the planning system in Scotland in relation to climate change - a low carbon place whereby the aim to reduce carbon emissions and adapting to climate change. (SPP, Paragraph 16)

Policy NRG4: Other Renewable Energy Technologies provides general support for development of renewable energy schemes in principle, however requires the wording of the policy is considered vague requires overall strengthening if it is to be included in the finalised Plan.

While the SPP does not directly consider solar installations, however it does require Development Plans to identify areas capacity of accommodating renewable energy projects of a range of scales. (Paragraph 167). In addition, the SPP sets out considerations which may be included when considering energy infrastructure development proposals. In this sense, SPP is wholly supportive of the installation and development of renewable energy technologies and encourages a mix of renewable energy technologies across all local authority areas and this has to a degree been assimilated into West Lothian Council’s proposed Local Development Plan. Policy NRG 2: Solar Roof Capacity Requirements which calls for all new residential, commercial and industrial buildings to have a minimum installed solar roof capacity requirement is supported however our Client are strongly of the opinion that renewable energy generation should not be viewed in isolation. The Policy, to a degree, plays with the issue ...the Council should be mindful that integrated renewable systems are the best way forward to achieving their renewable energy goals. Roof generation can be problematic in so far as there are known issues with quality of product, warranty and repairs/refitting. The proposed Plan fails to make use of the opportunities the Plan presents in respect of renewable energy generation. It is the case that embedded energy must feature in the development sites like Heartlands, other strategic allocations and the Core Development Areas of West Lothian. Solar energy parks and energy savings designed into new buildings from the outset is a proven and efficient way in which to support and grow a low carbon environment.

At Heartlands, our Client aims to utilise and design-in as much renewable energy as possible, for the good of all concerned who live, work and do business in the area. A 100MW solar park and will produce energy to support the business and industrial occupiers and others; an energy from waste facility could supply heating direct to business users; hydro schemes on site could utilise the sites mining history to add to the energy mix on site. The emerging LDP policy should be strengthened to drive such an approach on other development sites across the Plan area.

Taken alongside Policy NRG1 it is considered that the pLDP largely focuses on building-related renewables infrastructure. The pLDP provides nothing in the way of support for ground-mounted solar arrays as a means by which the targets, aims and ambitions of the Climate Change (Scotland)

Act 2009, NPF3 and SPP can be met. This approach is flawed and the Council should revise the Plan to address this matter with some urgency. This would assist in meeting the Council's key aim of "*help to achieve climate change objectives by minimising the area's carbon footprint through promoting development in sustainable locations and supporting mitigation and adaptation measures.*" (pLDP, Page 5-6).

In the absence of any policy inclusion within the proposed LDP at this stage, it is suggested that the Council consider the inclusion of some policy reference to solar arrays in line with the SAS. Indeed, in the drafting of such policy the SAS urges local authorities to:

"Ensure that policies for large arrays of PVs cover landscape, urban design, land use, biodiversity, aviation, access, grid, security fencing and decommissioning issues

Ensure that design policies, particularly in urban areas, encourage applicants to explore possibilities for large arrays of elevational PVs"

Typical planning considerations as set out in the SAS include:

- Landscape/visual impact
- Ecological impacts
- Archaeology
- Impact on communities
- Glint and glare impacts
- Aviation matters
- Decommissioning

To create the correct policy framework for the growth of renewable technologies across West Lothian during the duration of this Local Development Plan, a policy should be included in the Plan at this stage, reflecting those matters highlighted above. BRS, as leading developers of solar energy schemes, would be willing to engage with and advise the Council on such matters.

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Policy EMG6: Vacant, Derelict and Contaminated Land offers support for the development of such sites in principle, subject to compatibility with other policies of the LDP. This is supported.

Section title

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Please see attached sheet

SPECIFIC LDP KEY AIMS: MINERALS AND WASTE

Policy MRW 1: Minerals, Resources and Safeguarding and Policy MRW2: Supporting Principles for Mineral Extraction are relevant to our Client in that the entire area at Heartland's is designated within the pLDP as an area of search for opencasting. While the policies are not in themselves objected to, the associated designation on proposals Map 4 is objected to.

The site at Heartlands benefits from planning consent for a mixed-use development and development at the site is ongoing. In addition, the site is included in the extant and emerging Local Development Plan as a strategic development location. Consequently it is considered that the designation as an area of search is considered wholly inappropriate.

Proposals Map 4 requires to be amended to remove the allocation for opencasting on the site. It is held that to designate land at Heartlands, which already benefits from planning consent for mixed use development, for an area of search for opencasting goes against the Council's own aims set out at Paragraph 5.25 – *“to minimise the impacts on local communities, the environment and the built and natural heritage and ensure the sustainable restoration of sites and their beneficial afteruse.”*

SPP calls for the safeguarding of mineral resources and for Plans to facilitate their responsible use. (Paragraph 234). Paragraph 235 calls on the planning system to *“safeguard workable resources and ensure that an adequate and steady supply is available to meet the needs of construction, energy and other sectors”* and *“minimise the impacts of extraction on local communities...”* (Paragraph 235). It is the fact that the area depicted on Map 4, the area of search for opencasting should be significantly reduced to reflect the Heartlands remediation and redevelopment. Indeed as currently shown, the area of search extends into the entire development site including Framework Areas A, B and C. The site is being progressed now at speed and as a strategic development location inclusion of the site as an area of search for coal extraction undermines the Council's own spatial development strategy. SPP states that *“Local development plans should safeguard all workable mineral resources which are of economic or conservation value and ensure that these are not sterilised by other development”* (Paragraph 237). Paragraph 239 states that *“Local development plans should identify areas of search where surface coal extraction is most likely to be acceptable during the plan period and set out the preferred programme for the development of other safeguarded areas beyond the plan period, where particular emphasis is on protecting local communities from significant cumulative impacts.”* It is considered that given the existing planning consent in place at Heartlands, the on-going physical development of the site and the protection offered to Polkemet Park to the west, such extraction is highly unlikely to occur in this location, as depicted on the proposals Map. As such the Map requires to be amended and the area of search removed.

Policy MRW3: Impediments to Mineral Extraction is supported in so far as it provides the Council with the ability to remove the development site at Heartlands from the area of search.

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

Settlement	Development Proposals by Settlement: Whitburn		
Site address / location			
Site Ref		Page nos.	
Please see attached sheet			

Settlement			
Site address / location			
Site Ref		Page nos.	

DEVELOPMENT PROPOSALS BY SETTLEMENT

• WHITBURN

Below are our comments in respect of the settlement of Whitburn, which lies to the immediate east of our Clients land interests at Heartlands.

- Heartlands Allocation

There is continued support for the allocation at Heartlands and further housing land allocations in this location are strongly supported. A key requirement is the provision of infrastructure to support development and maximising use of existing infrastructure. The LDP also provides for some future proofing by looking beyond the LDP plan period. This applies to the strategic allocations at Heartlands, Whitburn and the former Bangour Village Hospital.

Map 4 illustrates that a large proportion of the Heartlands allocation is included within the settlement boundary of Whitburn, however areas of land to the west and south remain outwith this boundary, lying instead within the general local authority area boundary of West Lothian and as such designated open countryside. It is the case that much of this area to the west and south is included within the consented masterplan as future mixed-use, residential development and open/amenity space. It is therefore considered appropriate for the proposed Plan to extend the settlement envelope to reflect the consented scheme in place.

The area depicted for housing within Proposals Map 4 does not reflect the consented development area and it is the case that under the approved plans consent exists for future housing development areas to the west and south-west (consented areas H10-13), and indeed a small housing area consented as part of the Heartlands development (H9) to the far south-east of the site, at Longridge. It is considered that Map 4 requires to be amended to reflect these areas in order to strengthen the Heartlands strategic allocation in the LDP going forward.

Map 4 also designates the majority of the Heartlands consented development area as an area of search for opencasting. This is not appropriate and should be removed with immediate effect. Paragraph 239 of SPP states that "*Local development plans should identify areas of search where surface coal extraction is most likely to be acceptable during the plan period and set out the preferred programme for the development of other safeguarded areas beyond the plan period, where particular emphasis is on protecting local communities from significant cumulative impacts.*" It is considered that given the existing planning consent in place at Heartlands, the on-going physical development of the site and the protection offered to Polkemet Park adjacent, such extraction should not be supported in this location, as depicted on the proposals Map. As a renewable energy company, BSR will not support development which encourages the search for or extraction of fossil fuels, and resulting CO2 emissions it creates. It is also a fact that such a proposal is completely inappropriate in this location given the proximity of local communities and planned new community. Having successfully undergone full remediation the site must be put to good use as is being planned for by BSR. As such the Map requires to be amended and the area of search removed. Progression of this strategy for opencasting represents a level of discord between various Plan policies and aims which is of concern.

The employment land designated at Heartlands accords with the provisions of the planning consent in place, however we would note the discrepancy between the pLDP at Page 96, whereby Cowhill

business park is given the site reference 'EWb4' which does not accord with the pLDP proposals Map 4.

- Golf Course/Amenity

The pLDP includes proposal P-82 Heartlands, Polkemmet – 181ha of land proposed for use as a golf course/amenity open space, as per the consented scheme in place. It is again noted that this is not referenced on proposals Map 4.

It is the case that the inclusion of a golf course to the south of the Heartlands development, as consented under the 2006 masterplan, is no longer considered appropriate to this site. In adapting to and mitigating against climate change and in a policy framework seeking to encourage renewable energy development which is a key aim of the pLDP and is the mainstay business of our Client and potential site owners, the proposed development has been reconsidered and it is now more appropriate to develop install a solar energy park in this location. The scheme will have the ability to generate electricity for the local community and businesses, generating close to where demand exists. It will however also allow for an element of open space to be retained in this part of the site, capable of linking in with other green spaces and networks. The site will therefore have a dual land-use and be much more beneficial to a wider range of people and businesses.

- Education

Under the existing planning consent for the first 2,000 to be built at Heartlands, the related Section 75 legal agreement in place provides for extension and expansion of existing education facilities. The pLDP proposes a new Primary School under proposal P-87, and while this is accepted it should be included in the Plan as something to be delivered in the context of longer-term residential development growth at Heartlands.

- Community Regeneration

Framework Area B & C development should take cognisance of the community regeneration initiatives within the Plan for former mining communities, including Whitburn. Our Client is also keen to engage and support where possible.

- Healthcare Provision

Further new partnership centres with possible health centre provision are proposed for a range of locations, including Whitburn. This is supported.

- Local Centres

Heartlands is expected to provide a local neighbourhood centre for the emerging population and existing residents at Whitburn.

- Housing Mix

At Paragraph 5.35 the Plan states "*...it is one of the council's ambitions to achieve a more diverse housing mix in order help create more socially and economically balanced communities. It seeks to facilitate this by allocating a range of sites for private sector investment in these areas.*" This is strongly supported. It reflects the thrust of SPP. It is also found to support the continued development

of Heartlands in a manner which responds to the need and demand in the WLC and SDP area – a matter which is considered important within the recent SESplan MIR consultation.

- Affordable Housing

In relation to the provision of Affordable Housing, Policy Hou 5 states that “*New market housing developments must provide affordable housing levels as set out in the table below and in compliance with the terms of Supplementary Guidance on Affordable Housing.*”

Council Ward	LHS Priority Area	% Affordable Housing Required	Threshold for Commuted Sums
Whitburn and Blackburn*	2	15	<40

All affordable housing contributions shall be secured by Section 75 Agreements or Section 69 Agreements.

This level of housing, as set out, is supported. The Scottish Government have stated their commitment to deliver 30,000 affordable homes - at least two-thirds of which are to be for social rent - during the lifetime of this Parliament. The emerging second Strategic Development Plan for the area (SESplan) and associated Housing Needs and Demands Assessment (HoNDA, 2015) found that West Lothian contains the highest percentage of social renting across the SESplan area, at 29%. The existing Right to Buy is ending for all council and housing association tenants in Scotland on 1st August 2016. PAN 2/2010: Affordable Housing and Housing Land Audits sets out the types of tenure to be provided under the term ‘affordable housing’, to include social rented, subsidised low cost for sale, unsubsidised low cost housing for sale and mid-market or intermediate rented. Taken together it is considered that the emerging Local Development Plan policy framework in West Lothian must echo the sentiments of Scottish Planning Policy in providing the level and type of affordable housing required responding to local needs and requirements. In this context it is considered that the above figure for Whitburn and Blackburn is aligned with local needs and therefore is more appropriate than a general benchmark figure. The Heartlands proposal will deliver significantly levels of affordable housing to serve West Lothian.

- Density

The pLDP does not provide density indications, however the associated *Residential Development Guide* (Supplementary Planning Guidance) presented as part of the pLDP as PG (non-statutory guidance) states:

“Housing density should always relate to the character of the wider area and its accessibility. However, in order to sustainably meet long term-housing needs, it is important that new developments are designed to make the best and most efficient use of the land available.” This approach and flexibility in approach is supported.

“Typically, higher densities help to reduce land take and contribute to the viability of local services and public transport...” This recognition of some of the benefits of higher density development is welcomed.

“Uniform densities across a development are rarely successful and should generally be avoided, particularly within larger scale developments where a range of house types should be employed to encourage diversity. The appropriate density for a specific site will vary and will be assessed on merit, taking into account the character of the site, its size, adjacent densities and traffic and services considerations.” This is supported. It is considered that the Heartlands development is wholly capable of delivering a range of densities and dwelling types to accommodate for a range of needs. As such, uniform densities across the site are not supported. The site is located adjacent to the urban area of Whitburn but also more rural areas to the west, therefore a range of densities across the site is considered at this stage to be the correct design response.

These elements of the SPG are considered to reflect Designing Streets and Scottish Planning Policy and reflects the overall good practice aim of ‘directing the right development to the right place.’

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PROPOSALS MAPS

Planning Circular 6/2013: Development Planning directs LDPs to be “*concise, map-based documents, making use of plain language and a range of graphical techniques to convey strategy and individual policies and proposals in an accessible way.*” (Paragraph 79) This is not considered to be the case in respect of West Lothian Council's proposed Local Development Plan.

Our Clients have a number of concerns relating to the overview Proposals Map and Proposals Map 4 which are detailed in specific responses and reiterated below for ease of reference:

- Policy MRW 1: Minerals, Resources and Safeguarding and Policy MRW2: Supporting Principles for Mineral Extraction are relevant to our Client in that the entire area at Heartland's is designated within the pLDP as an area of search for opencasting. While the policies are not in themselves objected to, the associated designation on proposals Map 4 is objected to.
- Proposals Map 4 requires to be amended to remove the allocation for opencasting on the site. It is held that to designate land at Heartlands, which already benefits from planning consent for mixed use development, for an area of search for opencasting goes against the Council's own aims set out at Paragraph 5.25 – “*to minimise the impacts on local communities, the environment and the built and natural heritage and ensure the sustainable restoration of sites and their beneficial afteruse.*”
- It is the fact that the area depicted on Map 4, the area of search for opencasting should be significantly reduced to reflect the Heartlands remediation and redevelopment. Indeed as currently shown, the area of search extends into the entire development site including Framework Areas A, B and C. The site is being progressed now at speed and as a strategic development location inclusion of the site as an area of search for coal extraction undermines the Council's own spatial development strategy.
- It is considered that given the existing planning consent in place at Heartlands, the on-going physical development of the site and the protection offered to Polkemmet Park to the west, such extraction is highly unlikely to occur in this location, as depicted on the proposals Map. As such the Map requires to be amended and the area of search removed.
- Map 4 illustrates that a large proportion of the Heartlands allocation is included within the settlement boundary of Whitburn, however areas of land to the west and south remain outwith this boundary, lying instead within the general local authority area boundary of West Lothian and as such designated open countryside. It is the case that much of this area to the west and south is included within the consented masterplan as future residential development and open/amenity space. It is therefore considered appropriate for the proposed Plan to extend the settlement envelope to reflect the consented scheme in place.
- The area depicted for housing within Proposals Map 4 does not reflect the consented development area and it is the case that under the approved plans consent exists for future housing development areas to the west and south-west (consented areas H10-13), and indeed a small housing area consented as part of the Heartlands development (H9) to the far south-east of the site, at Longridge. It is considered that Map 4 requires to be amended to reflect these areas in order to strengthen the Heartlands strategic allocation in the LDP going forward.
- Map 4 also designates the majority of the Heartlands consented development area as an area of search for opencasting. This is not appropriate and should be removed with immediate effect. Paragraph 239 of SPP states that “Local development plans should identify areas of search where surface coal extraction is most likely to be acceptable during the plan period and

set out the preferred programme for the development of other safeguarded areas beyond the plan period, where particular emphasis is on protecting local communities from significant cumulative impacts.” It is considered that given the existing planning consent in place at Heartlands, the on-going physical development of the site and the protection offered to Polkemmet Park adjacent, such extraction should not be supported in this location, as depicted on the proposals Map. As a renewable energy company, BSR will not support development which encourages the search for or extraction of fossil fuels, and resulting CO2 emissions it creates. It is also a fact that such a proposal is completely inappropriate in this location given the proximity of local communities and planned new community. Having successfully undergone full remediation the site must be put to good use as is being planned for by BSR. As such the Map requires to be amended and the area of search removed. Progression of this strategy for opencasting represents a level of discord between various Plan policies and aims which is of concern.

- The employment land designated at Heartlands accords with the provisions of the planning consent in place, however we would note the discrepancy between the pLDP at Page 96, whereby Cowhill business park is given the site reference ‘EWb4’ which does not accord with the pLDP proposals Map 4.

Additional comments

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

Colliers International have been instructed by their Client British Solar Renewables (BSR) to lodge responses to West Lothian Council's consultation on their proposed Local Development Plan (pLDP) 2015. BSR are a renewable energy company first, and a development company second. Their ethos is that as a company, they can help to reduce the global reliance on harmful, fossil fuelled power stations, whilst conserving nature and protecting the environment for generations to come. It is encouraging that an opportunity now exists for the former Polkemmet Colliery, which for generations has produced fuel for industry and industrial customers, to now encompass clean renewable energy for generations to come.

This response provides comment on key matters which our Client considers to be particularly relevant to the emerging planning policy context for West Lothian.

Our Client is the preferred purchaser of the strategic development site at Heartlands, Whitburn and will shortly become sole owner of the site.

The site benefits from planning consent in principle (reference: 0493/P/2002) for a range of uses including business, retail and residential.

To date, the business park to the north of the site, south of Junction 4a of the M8 motorway, has been developed as has the initial phase of the residential development. Taylor Wimpey, Bellway Homes and Oyster Homes are all on-site.

Our Client BSR are seeking to drive forward development at the Heartlands site, and in doing so take cognisance of the changes that have occurred since the initial masterplan was approved in 2006 – market shifts, design practice and specific planning policy contexts. To that end, they fully recognise the importance of emerging planning policy context in West Lothian and how this could influence the detailed planning applications which will be coming forward as the site is developed out.

BSR aim to bring forward a revised vision for the development of Heartlands building on the original vision and consent in place. This includes a revised approach to the golf course/amenity space, providing instead a solar energy park and greenspace to better-serve the emerging land uses. Other likely elements to come forward as part of the redevelopment of the site include a mixed-use area at Framework area C; an energy from waste gasification plant together with other clean renewable energy production using the current geology on the site together with increasing densities across the site.

It is held that there is a range of supplementary guidance both statutory and non-statutory which should have been updated and presented here alongside the pLDP for consultation. Indeed the existing SG for affordable housing dates from 2006; education from 2010; developer contributions from 2008. Were the revised and updated guidance notes made available at this point in time, it would have allowed for an informed view to be taken on the overall application of policy going forward. Planning Circular 6/2013:Development Management Procedures states that, in relation to the proposed Local Development plan "Minor proposals and detailed policies may be removed to Supplementary Guidance, especially if there is no significant change from the previous plan, and provided an appropriate context remains in the plan itself." (Paragraph 81) As Ministers expect "much of the detailed material" to be contained in SG (Paragraph 135).

In relation to non-statutory SG the Circular continues that "Non-statutory planning guidance may be used to provide detail on a range of subject areas...One of the benefits of non-statutory guidance is that it can be updated quickly as required." (Paragraph 147). This has not to date been the case and as such this a full, robust and meaningful consultation process has not been undertaken.