

From: [REDACTED]
To: [wldp](#)
Cc: [REDACTED]
[REDACTED] : Site H-LL 12 (Preston Field)
Date: 19 November 2015 20:59:05

Re: Site H-LL 12 (Preston Field)

Dear Sir / Madam,

I am making this submission as an individual representing my own views. This is my first representation on the proposed plan.

The proposed development of the above site appears to contradict many previous commitments made by West Lothian Council regarding the development of Linlithgow. It also appears (from expert surveys) to be in direct breach of European legislation protecting endangered species, namely the Badgers and Bats on the site. There is a long list of reasons the site fails to be suitable, but I feel the main ones are -

- The roads infrastructure is totally unsuitable for both the increased traffic during the construction phase and in the long term. As a parent of children who attend Linlithgow Primary and the Academy, Preston Road, which already has a number of traffic calming measures is a disaster waiting to happen with congestion already a serious problem at the schools. Manse road is not suitable for heavy traffic mainly due to problems at the canal bridge. I also believe that there is an issue with air quality standards in Linlithgow which gives rise to the bigger question as to whether ANY development should be allowed until this issue is addressed.
- The site is too far from the train station (fails planning advice as well over 800m away), town centre amenities (again fails planning advice as well over 400m to regular bus service) and major bus routes (only one very infrequent local service which runs once per hour).
- The Canal has been developed as a tourist attraction with Linlithgow as an essential stop on the route. Any development on Preston Field will remove the stunning views to the south towards Cockleroi when travelling on the canal - walking, cycling or on a boat.
- The beautiful setting of Preston House, a Grade A listed building will be lost against the backdrop of ancient woodland and Cockleroi.
- It appears that the council has redrawn the greenbelt to match the Developer's plans (CALA) and ignored previous resident objections – I was dismayed to read in the MIR that our objections were summarised as “objects to housing on the site” – how could the officials reviewing the sites make a judgement based on this? In contrast, CALA's submission in favour was given a glowing report. The loss of prime agricultural land and a wildlife habitat should not be lost on the whim of a Developer and the Council.

There are plenty of other available sites (as shown in Linlithgow Planning Forums document) which are much more suitable if there is indeed a need for more housing in the town. Indeed some other development proposals in the town have been turned down in areas which have appeared infinitely more suitable. I understand that financially this is a very attractive site to developers, but feel the council would be failing their responsibilities in allowing it to proceed.

I believe the reasons above are sufficient to ask for Site H-LL 12 (Preston Field) to be removed from the Local Development Plan.

Yours sincerely,

Jillian Stewart



From:

To:

Cc:

Subject:

Preston Farm Field, Linlithgow (H-LL 12) - Technical Dossier

Date:

14 November 2015 20:30:47

Attachments:

[Preston Field \(H-LL12\) - Technical Dossier - Final Issued 14-11-2015.pdf](#)

Dear Elected Representative / Council official

Please find attached a dossier of information relating to the proposed rezoning of Preston Farm Field, Linlithgow (H-LL 12) from an Area of Great Landscape Value (AGLV) to an area designated for housing in the West Lothian Local Development Plan which is currently out to consultation. This has been researched and compiled by a group of residents to demonstrate and evidence the numerous legislative guidelines and Council Policy areas that this proposed site fails.

The real purpose of sending it directly to you, is to ensure that you can't possibly say that you didn't know about any of the issues that we are raising.

I say this because we have found out that our previous 35 objections at MIR stage – no matter how detailed, logical or well-founded have just been summarised in the 467 page “Consolidated Summary of Representations” report by the Council planning team as “objects to the identification of the site for residential development”. So there is no way that anyone up the tree in the Council or the elected reps could have known the good reasons why we were objecting – just that we had made an objection. This is at best a gross simplification and could be even straying into the realms of purposeful misrepresentation. In stark contrast the summary of the Cala Homes representation (the only supportive representation for this site) gushes about the positive reasons as to why this is a great site and the positive benefits it would bring – and even these are flawed as we will demonstrate when we submit our formal complaint into this matter. We are investigating this and other complaints about the process with a number of elected representatives.

The Deanburn, Preston and Braehead communities are outraged that this should be allowed to happen and I am confident this will be borne out by the number of objections from residents and interest groups that you receive during consultation period.

Please acknowledge receipt of this email and dossier.

We will be paying very close attention to how this evidence is scrutinised and represented given

the previous lack of consideration and dismissive comments.

Please note this should not be taken as my formal representation / objection – you will be getting that sent via the appropriate consultation route later in the week.

Kind Regards
Robert

Robert Stewart

[REDACTED]
[REDACTED]



Preston Farm Field, Linlithgow (H-LL 12)

TECHNICAL DOSSIER

In response to the WLC Local Development Plan consultation

On behalf of Deanburn Residents | | November 2015

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Dossier Prepared by:

Robert Stewart

Simon Whitworth

Therese Stewart

Nick Smith

Stewart Towers

Executive Summary

This document relates specifically to Preston Farm Field, Linlithgow (site ref H-LL 12) in the West Lothian Local Development Plan. The Proposed Plan proposes to rezone this beautiful field, which is an Area of Great Landscape Value (AGLV), to an area designated for housing.

The purpose of this Technical Dossier is to provide the West Lothian Council and appropriate elected representatives with documented evidence of the numerous legislative guidelines and Council Policy areas that the proposed rezoning of Preston Farm Field would fail. It is not just one issue that could maybe be worked around, it is the compound effect of multiple issues that makes this site wholly inappropriate for rezoning for housing.

The key areas of concern include:

- Unnecessary rezoning of the Area of Great Landscape Value / core candidate Special Landscape Area (based on 1 proposal from Cala Homes and ignoring / misrepresenting over 35 objections from local residents at the Main Issues Report stage)
- Impact on biodiversity and specifically 2 protected species (Bats and Badgers)
- Proximity and impact on the setting of a Grade A Listed Building (Preston House)
- Proximity and impact on a Scheduled Monument (Union Canal)
- It is an isolated site far away from the town centre and public transport links
- No ability for a developer to improve local roads networks – (both Preston Rd and Manse Rd are major bottlenecks) and potentially increasing the risk to child safety near the Primary school.
- Loss of prime agricultural land
- Numerous other factors which will detrimentally impact the local community

The aim is that, having considered the compelling evidence presented in this document, the WLC will realise this field is not a suitable candidate site for housing. Consequently, we would expect to see this field removed from the housing section of their final Local Development Plan. The field should instead be given the status of Special Landscape Area (SLA) as proposed by the Councils own environmental department in their LLDP environmental report.

We have noted with interest and relief that the Linlithgow Planning Forum document entitled “Plan for the Future” specifically removes this field from the housing plans and focuses development to the south east of Linlithgow where infrastructure gains can be achieved. The LPF plan still manages to achieve and exceed the housing numbers being required by the WLC to achieve their overall target number. This is a positive document highlighting key infrastructure issues within Linlithgow as a whole and proposes some realistic ways forward to tackle the problems. This review fully supports the LPF Plan for the Future.

1. Purpose of the Technical Dossier

This document relates specifically to Preston Farm Field, Linlithgow (site ref H-LL 12) in the West Lothian Local Development Plan. The Plan proposes to rezone this beautiful field, which is an Area of Great Landscape Value (AGLV), to an area designated for housing.

The purpose of this Technical Dossier is to provide the West Lothian Council and appropriate elected representatives with documented evidence of the numerous legislative guidelines and Council Policy areas that the proposed rezoning of Preston Farm Field would fail. It is not just one issue that could maybe be worked around, it is the compound effect of multiple issues that makes this site wholly inappropriate for rezoning.

The aim is that, having considered the compelling evidence presented in this document, the WLC will realize this field is not a suitable candidate site for housing. Consequently, we would expect to see this field removed from the housing section of their final Local Development Plan to be laid before the Scrutiny Panel. The field should instead be given the status of Special Landscape Area (SLA) as proposed by the Councils own environmental department in their LLDP environmental report.

2. Background

As part of the consultation into the Main Issue Report, the West Lothian Council received about 35 representations against zoning Preston Field for housing (out of a total of 210 representations across the whole of West Lothian). Despite this, the Council has persisted in promoting this site in the draft Local Development Plan.

This obviously raised concerns within Deanburn and Preston residents and a group of residents in Deanburn started to investigate further. We found out that the redrawing of the AGLV boundary coincided perfectly with a very mature and glossy site plan developed by Cala Homes. We were shocked to see how mature and developed this proposal was and how closely it aligned with the redrawn boundary by the Council – indicating an unhealthy level of interaction between the Council and the developer. Some of the Councillors we have subsequently contacted were also surprised by the level of alignment between these documents.

Having reviewed the summary of the representations published, it is clear that the Council have not considered the nature or the richness of the objections – merely that we have objected – all of the representations from the residents are just summarized as “objects to identification of the site for residential development”. Therefore the senior members of the council and other elected representatives scrutinizing the Council proposals will have no idea why we objected (other than assumed “NIMBY-ism”) to enable them to raise questions about the appropriateness of the site. In addition the level of responses from the statutory consultees was generally scant and did not recognize the importance of this field. (see Appendix I)

We have therefore been energized to investigate the underlying legislative framework that is in place and how it could be used to protect the field and local residents from such a plan.

The resulting investigation has been very informative and culminates in the production of this report.

We have been very active both in terms of both investigations and engagement of key stakeholders and residents as outlined below:

- Elected Representatives and Council officials inc:
 - Martyn Day MP, Fiona Hyslop MSP, Tom Conn, David Tait, Tom Kerr, Fiona McBrierty (WLC) and Steve McLucas (WLC)
- Statutory Consultees inc:
 - SNH, Historic Environment Scotland, RSPB, Linlithgow and Linlithgow Bridge Community Council, Scottish Canals, WLC Environmental Dept, Wildlife Information Centre
- Interest Groups
 - Linlithgow Planning Forum, Transition Linlithgow, Canal Society, Civic Trust, Bat Conservation Trust, Environmental Law Foundation, Linlithgow Gazette, Scottish Badgers, Linlithgow History Society.
- Residents
 - We have over 50 email addresses from the Deanburn, Preston and Braehead areas of people we have spoken to and who are on a spectrum of concerned to outraged. That represents 100+ residents.

There should be no excuse by any key official, council planner or statutory body that they were not made aware of the issues at this site.

3. Review of Council Policies in LDP

We have reviewed the individual policy statements within the Local Development Plan document and identified that Preston Field fails in policy areas.

Appendix G contains a table of the policy statements together with our comments.

This document explores a number of these failings in greater detail.

4. Summary of Findings

The following sections summarise the key areas that fail legal guidelines and council policy statements. The appendices provide a more in depth reference to the research we have undertaken. We have inserted an asterix (*) where there is a specific reference covered in the corresponding Appendix.

A. Landscape

- **Designation overview**

Site HLL-12 (Preston Farm Field) is greenfield of high agricultural grade outwith Linlithgow settlement and part of the long established AGLV 'Linlithgow Fringe'. This was enacted to protect the Landscape Character of the town and its picturesque Fringe which scores highly across most criteria in the recent Local Landscape Designation Review (LLDR). In this LLDR West Lothian Council (WLC) commits to placing existing AGLV landscapes in Special Landscape Areas (SLAs) and resisting forces of uphill development on Linlithgow Fringe*.

In respect of this site the LLDR says it should form part of the candidate Bathgate Hills SLA and maps it*. In its preferences to the Natural and Historic Environments WLC states it will pay regard to its LLDR and respect the visual amenity of landscapes*. Landscape designation is underpinned by Scottish Natural Heritage guidance whose officer has advised this Review of WLCs longstanding commitment to AGLV and SLA designation, and highlights specific guidance contained within the LLDR which would include this site*.

- **Site overview**

For re-zoning purposes in the draft Local Development Plan (LDP) WLC show the Eastern Upper Preston Field near Preston House as part of Bathgate Hills candidate SLA, dividing it from the Western Lower Preston Field near Union Canal proposed for 60 housing units.

This division contradicts WLCs LLDR noted above; is arbitrary; includes an unnatural 'oblong' to the North Eastern side; neglects the prominence of the site from various aspects within and outwith the town; and wholly ignores the persistent scenic landscape formed by the interplay of 3 key county features contiguous to the site. These are: **Grade A Listed Preston House** and its TPO Woodland Gardens to East, South and West; the **Scheduled Monument Union Canal** to North West; and **Cockelroy Peak** to South.

Preston Farm Field provides essential scenic context to all. Together these elements form a Parkland setting with outstanding visual qualities that have given Landscape Character to the South

of Town and its Approaches for centuries. In representations to the Landowner WLC regard these aspects rigorously in respect of the Upper Field but disregards them in respect of the Lower Field*.

- **Landscape and Heritage Importance**

The entirety of Preston Field is sacrosanct. LDP re-zoning under-estimates the Lower Field's picturesque prominence from Western Approaches, its dramatic greenfield horizon for residents around Mains Road & Braehead to the North West, and its pastoral contribution to the Union Canals character from the North West (see photos in Appendix H).

Historic Scotland, in representations to WLC, says that the alternating character between urban and rural along the Union Canal is of great importance*. This site is of prime importance to the Canal since it provides the first rural setting to Linlithgow's West after a long urbanized stretch from the Town Centre, and unlocks the first views of Cockelroy above. Building on the steep sided Lower Preston Farm Field would obliterate these vistas.

The heritage setting of the Canal will be explored in a dedicated section as will the setting of Preston House. However it is noted here that the re-zoning of the Lower Field clumsily ignores that the whole Preston Farm Field is the persistent historical setting for Preston House whose ornate facade is seen from the right of way across Katie Shaws Brig to the North West*. Indeed the ENTIRE field is the EXACT footprint of the original Parkland Gardens of the House, which set it above Linlithgow with commanding views in and out. Crude subdivision into SLA and housing is insensitive and intrusive.

- **Cultural Qualities**

AGLV protection has settled this landscape and given rise to strong feelings of enjoyment and association for the residents of South Western Linlithgow and Canal users. 40 residents were moved to complain about this at MIR stage. The Council may argue the retention of some of the site as SLA mitigates this, but this Review believes the actual re-zoning owed less to diligent landscape review and more to the footprint of site plans provided by a developer. Quite simply, the strength of comments at MIR stage should have been accorded to the importance of this landscape to residents sense of place and enjoyment of life.

Historic Scotland's planning guidance of 2010 makes this point clearly in its first paragraph: settings are important to the way historic structures and PLACES are understood and appreciated*. In overturning AGLV for housing we believe the LDP disregards the importance of this small, perfectly formed local gem to local people. This Review urges continued protection of the WHOLE of Preston Farm Field by inclusion in the Bathgate Hills SLA.

B. Biodiversity

- **Regulatory overview**

The Council has no obligation to conduct pre-planning application protected species surveys but is bound to take these species, if recorded, into account when proposing sites. 30+ residents alerted the Council to the presence of EU protected Bats* and UK protected Badgers* at the MIR stage. The Council noted the presence of Protected Species to the Landowner in response to the MIR** but still promoted the site which is a contravention of its own LDP ENV 20 policy on Species Protection and Enhancement that says development affecting such species will not be permitted unless there is an overriding need and no alternative*. This development site is marginal to housing needs and alternatives exist. Moreover the proximity of the natural-feeding corridor at the Union Canal makes this site especially sensitive. Council policy states it seeks to maximise Canalside biodiversity*. Meanwhile the Council is bound by Scottish Government Conservation Law* to further the protection of biodiversity.

- **Key Protected Species**

Guidance from the Environmental Law Foundation* alerted residents to the fact that re-zoning of this Protected Species site for housing, was an irrevocable risk to their sustainability. Two expert groups were invited to assess and survey the site to establish its importance for Badgers and Bats. The results are explicit:

- **Bats**

A Bat Conservation Trust worker's initial short-term survey* from October 2015 shows unusually high late-season Bat Activity at site with Soprano Pipistrelle, Common Pipistrelle and Nattereri identified. Report concludes darkness of site is key to the habits of Nattereri with negative impact caused by any new street or house lighting. Report says Canal zone where development is to be focused is most important for feeding. Bats access Canal from surrounding woods via field, so building could sever this route. Report says field is important seasonal food source for Bats - as witnessed by residents at harvest-time. Over 20 mature trees WITHIN field site could provide roosts. BCT Case Worker advises this Review that a more detailed survey in peak season would be apt and would likely confirm more activity & species but it is likely that this one of the richest bat sites in West Lothian.

- **Badgers**

Scottish Badgers Operation Meles provided this Review with detailed 2011 British Waterways Survey* and Mapping* of a Badger Clan. One sett had threatened to collapse the Canal near Linlithgow Academy. Survey concluded the Main Sett was next to Preston Farm Field in woods above Canal and maps lower field as key transit zone for Badgers accessing food. Assessment of this information against development site concludes the field itself is a central feeding territory for the 'Preston Badger Clan' which building works could fatally disturb. Residents report frequent recent

badger sightings. Linlithgow Academy is owned by the Council so they should be aware of existence of badgers in the vicinity.

- **Other species**

The peri-urban setting provides unique rich ecology from interaction between mature urban gardens; dark, sheltered arable field; surrounding mature woods; canal side and field reservoir. Other species noted are: by RSPB - Greater Spotted Woodpecker*, Kestrel*, Swallow*, and from residents-logs - Grey Partridge, Mallard, Moorhen, Sparrow Hawk, Swift, House Martin, Fieldfare, Redwing, Pheasant, Roe Deer and small mammals. The WIC records Red Fox & Grey Squirrel*. The Canal Society report Kingfisher sightings at Katie Shaw's Brig*.

- **Conclusions**

Expert assessment has proved high-activity of Protected Species in and around site with negative impacts of development concluded. Under EU, UK & Scottish Government legal guidelines and its own LDP ENV 20 commitments West Lothian Council must conclude the biodiversity of this site is too sensitive to risk.

C. Transport, Accessibility and Spatial Strategy

As noted the proposed development is not within the settlement envelope of the town, presenting significant transport challenges. It is not accessible as it is not close to public transport, town centre facilities or amenities.

- **Key Points**

Planning Advice Note 75 P24, para B13, outlines how planning authorities should create **accessibility** profiles. 400m for bus stops and 800m for train stations. The Preston field site edge is 600m distant from bus and 1700m from train station so it clearly fails these 2 criteria. The frequency of bus service is also inadequate – 1 bus an hour and no service at all on a Sunday!

The Designing Streets document (<http://www.gov.scot/Publications/2010/03/22120652/0>) also defines 400m (approximately 5 mins walk) for accessible communities, beyond which **public transport** should be available to access amenities – this is clearly not the case for this site.

The accessibility failings of the proposed site put more of an onus on **car trip generation**. The direct access to town centre facilities and amenities is via Preston Road and it's junction with the High Street at the West Port. This junction and the associated roundabout already exceed capacity at peak times and therefore additional development accessing the town is detrimental to all. This all adds to the known air quality issues in the town centre.

Preston Road forms the main access road to the town centre from Preston Field. It could not be considered appropriate for additional traffic. The **traffic calming** scheme installed on Preston Road is indicative of the road safety and traffic speed issues that already exist. Any additional traffic can be considered detrimental. The traffic around the school will become much worse as more and more of the new residents would drive their kids to school further exacerbating the “carpark” which Preston Road has become at drop off and pick up times.

There are two Primary Schools on Preston Road and many children attending Linlithgow Academy will need to cross Preston Road as a part of their morning, lunchtime and afternoon commute. According to West Lothian's Road Safety Plan 2012-15 West Lothian already has **child road traffic fatality rate** which is higher than the Scottish average. Further traffic on Preston Road will put children at further risk, and make it more challenging to achieve its targets within the Road Safety Plan.

The draft Local Development Plan suggests the existing footpath network in Deanburn can provide access for **cyclists**. As these are designated as footpaths and not shared use cycle/footpaths these cannot legally be used by cyclists. Any use by cyclists will place children at further risk. The significant gradients on Preston Road and Deanburn compound the accessibility issues.

This review fully supports the spatial analysis of settlement laid out by the Linlithgow Planning Forum “Plan for the Future 2015-2030” which analyses pressures on the town and concludes residential development is only permissible in the underdeveloped south-east quadrant of Linlithgow and on selected brownfield sites. Site HLL-12 is not highlighted by the LPF because of its distant location in the congested south west of Linlithgow. However the LDP spatial strategy ignores this and promotes the site even though it is anomalous to the remainder of the proposed sites which are infill or located in the south east where infrastructure gains can be made and service pressures are fewer.

- **Conclusion**

The location is not accessible and is detrimental to the safety and capacity of the surrounding local roads. Notwithstanding it is outwith the town boundary; it is as far removed as any location around the town could be from the frequent bus services, the strategic road network and the rail station. The Preston Field site fails the WLC policy on town centre proximity and the Scottish Governments direction on accessibility.

D. Historic Building Setting

- **Regulations overview**

The ENV 28* and ENV 33* policies in the draft Local Development Plan both apply to this site since Preston Farm Field is contiguous to a Grade A Listed building (Preston House) AND a Scheduled National Monument (Union Canal). Indeed, the field links the two and was the original parkland setting for the House.

Policy ENV 28 states that the setting of listed buildings must be given due regard when developing, whereas the policy on national monuments has a presumption of no development. Building on Preston Farm Field wholly disregards the persistent historic setting of Preston House whilst simultaneously proposes intrusive multiple dwellings on the steep up-slope of the Union Canal. Thus, this site selection appears to contravene the Council's own policy. It also ignores listing regulations laid down by Historic Scotland*. This guidance says that setting is crucial to how historic buildings are appreciated and may extend beyond owned boundaries. Furthermore, it instructs authorities to define and understand that setting before proposing development. Scant attempt has been made to understand the setting of either Preston House, the Union Canal or their relationship on this site. This is proved as follows:

- **Reporting of site's historic setting to landowner***

Advice in the landowner Consultee Responses doc in 2015 appears to show Historic Scotland's approach to this site, but in fact this advice dated from 2012 before the call for sites (see Appendix I for the Historic Scotland Consultation response). Therefore, it can only be an adaptation of generic advice on building in historic areas. Moreover, whilst WOSAS note the mapped existence of Preston House, Historic Scotland do not highlight a Grade A asset from their register or inform about its wider heritage setting. Meanwhile, the advice regarding the Union Canal has been amended to say 'the site lies in close proximity to the Union Canal' but later mentions 'sites' plural: the advice was also generic, not specific. So this Review concludes no historic setting definition or understanding was sought regarding Preston Farm Field prior to its promotion for housing. No 'robust application' of Historic Scotland regulations has occurred*. If specific inquiry had been made the following would have emerged:

- **Preston Field is the historic Estate setting of Preston House.**

Built in 1844 to a design by Bryce and Byrne (see design drawing*) the imposing baronial manor Preston House was the seat of local landowners The Seatons, and was set in picturesque private parkland extending to the North, affording commanding open views of the Avon Valley and Linlithgow. To the South, Cockeroy (then owned by The Seaton's) provided an imposing back-drop to the House which persists today. Peak, House and open parkland: the Estate setting. OS mapping from 1856 shows the private parkland to be the EXACT FOOTPRINT OF TODAY'S PRESTON FARM FIELD*. Hence, the original, intended and 150 year persistent Estate setting for Preston House IS

the field. One cannot be understood without the other. To crudely subdivide the field and allow residential housing to encroach within 175m North West of the House would be to ignore this settled heritage and cause great visual impact on its appreciation, especially on views between Preston House and the Union Canal Bridge (from where the House is clearly visible on the horizon). Losing over half of the already tightly-bounded Estate setting increases the magnitude of the change. Historic Scotland says such impacts must be resisted*. Regarding the historic relationship between House and Canal, the Canal Bridge itself ('Katie Shaw's Brig') is Grade B listed and was used to drive cattle from the Preston House Estate to fields beyond. Maintenance of this pastoral farming element to both the House AND Canals' original setting is crucial.

- **Conclusion**

The fact that Preston Field and House are no longer under the same ownership is immaterial, as Historic Scotland's guidance on curtilage explicitly states*. Preston Farm Field (Upper AND Lower) is unarguably the original and logical setting of Preston House and must remain undisturbed. The House will only grow in importance with age and both it, and its natural estate boundary must be maintained for future generations to fully appreciate its significance and enjoy its imposing presence. Due diligence has been absent from both WLC and Historic Scotland's approach to this site so far and can only be excused by its removal from the LDP.

E. Union Canal

The canal is a designated Scheduled Monument (Canal Appendix Note 1). The designation marks the Union Canal as nationally important because it represents a superlative achievement of Georgian civil engineering (Note 2). The Scheduled Monument includes the whole length of canal in water, the banks on either side, the towing path on the north side and associated Listed Buildings such as bridges and minor aqueducts. Examples of all these features of the Scheduled Monument occur immediately adjacent to or near Preston Fields.

Sources of guidance on the protection of the canal as a Scheduled Monument that are particularly applicable are: Scottish Planning Policy (SPP), Scottish Historic Environment Policy (SHEP) and PAN 2/2011. Both the SPP and the PAN emphasise the responsibility of planning authorities to safeguard historic assets.

The PAN states:

“13. As stated in SPP, planning authorities should safeguard historic assets through their development plans. Local Development Plans, and where appropriate supplementary guidance, should contain policies to protect archaeological sites. Planning authorities should consider the impact of their spatial strategy on the archaeological resource in their area. Considering the likely impacts at the early stages of the plan preparation process will allow authorities to take into account the implications of proposed allocations.”

Therefore we should expect the proposed plan to acknowledge the Council’s full responsibilities with regard to the Union Canal as a Scheduled Monument.

- **Omission of the Canal as a Scheduled Monument.**

It is a matter of great concern that the Council does not mention in its proposed plan that the site H-LL12 is immediately adjacent to a designated Scheduled Monument. The plan shows awareness of proximity to the Union Canal, because it states of H-LL12: “The canal has the potential to provide a conduit for treated surface water for development sites but discharge would rely on agreement with Scottish Canals and Scottish Water” (Page 200 of the plan, Section 6, Development Proposals by area, West Lothian Local Development Plan). In short, this page of the plan contains information on the canal that would support housebuilding on Preston Fields, but omits information on the canal that might go against it.

We contrast this omission with the entry for the previous page regarding H-LL11 Wilcoxholm Farm/ Pilgrims Hill, which states: “Development of the site may have implications for the Union Canal, a Scheduled Monument, and proposals must be sensitively designed to respect this (West Lothian Proposed Local Plan, page 119).”

It should be noted that not only do restrictions apply to works affecting a Scheduled Monument directly, but there is considerable emphasis on how its setting could be affected by development (Note 3).

- **Adverse effect on the Canal and setting.**

As regards development, Scottish Planning Policy guidelines state: “Where there is potential for a proposed development to have an adverse effect on a scheduled monument or on the integrity of its setting, permission should only be granted where there are exceptional circumstances” (SPP, Paragraph 145, Scheduled Monuments). The Council has not identified any exceptional circumstances that might be used to justify permitting housing development at Preston Field.

House building on Preston Fields would undoubtedly have an adverse effect on the Union Canal and on the integrity of its setting. The topography of the land is crucial: the canal is a level route 240 feet above sea level, with the Linlithgow section cut into the side of a steep valley. The visual impact of houses above the south bank would be greatly magnified by the steeply sloping ground on which they would stand. The impact would considerably exceed that of existing Kettlestoun Mains, which sits below the canal on the opposite bank.

The canal is well used by Linlithgow Union Canal Society (LUCS), which draws tourists to the town by running regular trips along stretches of the canal, among other activities. Regular trips going west, for example to the Avon Aqueduct, pass below Preston Field. Visitors frequently complain to LUCS on their feedback forms about the lack of a view at points along the journey (this has been reported by the Chair of LUCS, Duncan McIntyre). Heading west out of Linlithgow, passengers see housing developments on their right. After the Deanburn estate, Preston Fields offers the first open views on the left of fields and light woodlands leading up to the prominent landmark of Cockleroy hill.

Given the existing concerns about lack of views, a substantial cluster of high-impact dwellings is only likely to increase disappointment among passengers. Narrowboats sit low in the water, so the height of houses on the upper slope would be exaggerated from the boat passenger’s perspective. Walkers and cyclists on the towpath would similarly have pastoral views obliterated by modern housing.

The West Lothian Proposed Local Development Plan states (5.27): “... the council is supportive, in principle, of enhancing the area’s tourism potential. This includes ... developing the latent visitor potential of the Union Canal.” We suggest that these ‘latent visitors’ would not be attracted to the canal by a modern housing estate on the upper bank.

- **Bridge no 46**

In addition, the housing would spoil the rustic appearance of Listed Building, Bridge No. 46. As an original feature it is an important aspect of the canal’s heritage and forms part of the Scheduled Monument designation. It is an original masonry bridge dating from around 1820, probably built by a noted Falkirk stonemason. Note that neighbouring Bridge no 45 over Preston Road is a modern

replacement. Accounts exist that bridge No 46 may have been a route frequented by the historical figure Katie Wearie, whose statue is visited by tourists. A fuller historical significance to this bridge may yet emerge from the Edinburgh and Glasgow Union Canal Company records, into which much research remains to be done.

- **Integrity of the setting**

The integrity of the setting at Preston Fields has been firmly established since the canal was built 200 years ago. The land around Preston Hall was farmed fields with sparse woodland when this section of canal was cut from 1818 to 1821 (see John Wood's map of the County of Linlithgowshire, Note 4). Since the canal opened in 1822, passengers have documented the attractive views across Preston Fields to the prominent landmark of Cockleroy (Note 5).

In the proposed plan the council appears to recognise that the rural character of the canal is of value. "The rural setting of the section of the Union Canal between Winchburgh and Broxburn should continue to be protected as countryside belt or as a candidate special Landscape Designation Area as identified in the draft Local Landscape Designation Review." Why the council should regard the rural aspect at Preston Fields as unworthy of the same level of protection as other sections of the canal is not clear.

- **Planning Advice Note 2/2011**

PAN 2/2011 provides advice to planning authorities and developers on dealing with archaeological remains. Paragraph 13 advises authorities to safeguard historic assets through their development plans. The PAN states that planning authorities should base their development plan policies and proposals on a reasoned, critical evaluation of the significance of the archaeological remains in their area, supported with robust data. Such evaluation is not clear in the proposed plan.

The field may have been the site of an old mill, Holemill, which would have obtained its water supply from what is now called Preston Burn (see John Wood's map of the County of Linlithgowshire, Note 4; and archives of the Edinburgh and Glasgow Union Canal Company, held at the National Archives of Scotland, Edinburgh).

The PAN notes that when determining planning applications and balancing the benefits of development against the importance of archaeological features (PAN 2/2011 paragraph 6), factors to be taken into account include:

- whether the monument is a particularly good example of its type (Hugh Baird's engineering on the Union Canal is considered to be a particularly successfully example, employing techniques pioneered on earlier canals;)
- the historical or cultural associations of the feature (discussed throughout this paper)
- the value given to the feature by the local community (see the activities of LUCS, canoeists and frequent use of the towpath by walkers and cyclists)

- the potential value of the feature as an in situ educational or research (local schools visit the canals to study biodiversity, social and industrial history).
- and the potential value of retaining the feature for tourism or place-making (also discussed).

- **Possibility of damage**

We note that under SHEP, once a monument is scheduled it becomes an offence to carry out, without the prior written consent of the Scottish Ministers any works that would have the effect of demolishing, destroying, damaging, removing, repairing, altering, adding to, flooding or covering up the monument (SHEP 2.13; Section 2 of the 1979 Act). Can the Council guarantee that house building on the slopes above the canal would not result in damage or destruction, alteration or flooding of the canal? There are certainly risks that works taking place during unusually severe storms such as those experienced within the past two years, or periods of unusually heavy rain, could create vulnerabilities.

SHEP (3.3) notes that “Scheduled monuments ... are a non-renewable resource. They are often very fragile and vulnerable to damage or destruction.” The chair of Linlithgow Union Canal Society, Duncan McIntyre, has expressed concerns about current water quality and that this may be worsened by digger activity occurring on the slopes above the canal.

The proposed plan concedes that ‘Linlithgow is a priority area for surface water management due to significant flood risk, exacerbated by steep topography, limited capacity in the drainage system and water quality in Linlithgow Loch’ (page 200, proposed plan, related to HLL12). Indeed, the site has a history of flooding recorded since the canal was first cut (Note 6), and therefore developments above it need to be approached with particular caution.

- **The Council’s Preferred Approach (Main Issues Questionnaire)**

Paragraphs 3.210 – 3.212 of the questionnaire deal with Archaeology and the Union Canal. We note that the Union Canal’s designation as a Scheduled Monument is not mentioned here.

The ‘Preferred’ approach allows for ‘sympathetic ancillary development at the most appropriate locations along its length, having regard as to how this best fits with the wider strategy being developed by Scottish Canals for the whole waterway and in consultation with other neighbouring local authorities.’ It is not clear why Preston Field should be a most appropriate location (other than to increase housing allocation), nor in what sense housing on a steep hill above might be said to constitute sympathetic development ancillary to the canal.

The ‘Preferred’ approach goes on: “The canal also has potential to be used as a means of sustainable transport, both for leisure and commercial purposes, and it is important that opportunities to enhance local use, access and bio-diversity are maximised.”

Residents have seen a cycle path created by the Council this autumn, on the north side of the canal a short distance from Preston Fields, which links to the High School – an example of a new sustainable transport route. Though widening access may be welcomed, about this path we would observe that the timing of its appearance is interesting. This path could be used by the council to help to bolster its case to rezone Preston fields for housing, as it could be argued that the path makes a contribution to sustainable routes for potential new residents in the area. Could that be a motivation behind it? Work on the path finished in the same month that the proposed Local Development Plan has been issued.

Further, the path is unsympathetic to the canal's aesthetic. It has entailed the uprooting of trees not been replaced at time of writing, and the instatement of an incongruous black metal bannister where naturally occurring features were previously present. The preservation of this section of canal in its semi-natural state ought to be given as much weight as the section at Winchburgh and Broxburn. (This perhaps ties in with Council's emphasis on schooling being provided in future at Winchburgh as a palliative to the lack of schooling capacity at Linlithgow (this argument was employed to concerned local residents who attended the Local Development Plan open day at Linlithgow).)

The 'preferred' approach goes on: 'The rural setting of the section of the Union Canal between Winchburgh and Broxburn should continue to be protected as countryside belt or as a candidate special Landscape Designation Area as identified in the draft Local Landscape Designation Review.'

We believe that both sections should and can be given equal weight. It is as though the Council is highlighting its preservation of the section between Winchburgh and Broxburn in order to eclipse the lack of protection being afforded to the canal elsewhere.

- **Conclusion**

The Union Canal, as its setting currently stands, is seen as one of Linlithgow's great assets by town-dwellers, tourists, tourist businesses and by wildlife and other bodies. Earlier this year, the Institution of Civil Engineering recently designated the canal a 'National Historic Civil Engineering Landmark', marked by a plaque at Linlithgow. The canal's designer, Hugh Baird, has historic links with the town which are as yet barely chronicled in official literature. For many reasons the Linlithgow section deserves the full protection that is afforded to other sections.

The lowland canals are increasingly associated with cultural icons and tourist attractions such as the Falkirk Wheel and the Kelpies (after which a new Linlithgow bar is named). New publications, research and television programmes on canals, including the Union, are being produced. The downgrading of protection at Preston Fields by the planning authority, and the failure to adequately recognise it there as a Scheduled Monument, is in marked contrast to the general upsurge in enthusiasm for the Canal.

F. Agriculture

- **Site overview**

The Preston Farm Field site is classified as Prime Agricultural land, grade 3.1 according to Consultee response to the Landowner* and Soil Classification data*, and is shown by the MacCaulay Classification* as suitable for "Moderate range of crops, with good yields for some cereals and grass... etc". The farmland around Preston House is mentioned as one of the finest agricultural zones in the County as long ago as 1878 when the Courier* described the Estate as having a 'Model of Modern farming'. So, the land here is both prime and productive currently, but strongly connected to agricultural heritage.

- **Regulations overview**

Para 97 of Scottish Planning Policy* says prime agricultural land is finite (only 8% of Scottish land) and development should be resisted unless absolutely essential. Within a County context this housing allocation is marginal and can add no meaningful contribution to need but is at the expense of productive land near a settlement, thereby threatening a ready food-source for the future. On a Spatial settlement level, this site has been proven to be distant from central services and anomalous to the overall strategy of focusing housing in the East of Linlithgow where infrastructure gains exist and pressures are fewer. Loss of this agricultural land cannot be justified on a spatial strategy basis as WLC policy suggests in LDP ENV 4*

- **Conclusion**

The high agricultural grading of the field, its heritage agricultural status and its weakness in contributing to the spatial strategy should lead to its continuation as a farming site only. Subdividing the field could threaten the viability of the remaining land for farming adding further weight to this conclusion.

The agricultural appearance of the land contributes significantly to the settings of Preston House, the Canal, and the Town approaches as discussed elsewhere, therefore, the loss of agriculture would have huge scenic impacts.

Finally, the seasonal aspects of farming add to the biodiversity of the site not least as a short-term food source for Bats (insects on flowering crops), for Badgers which readily access invertebrates on the open ploughed soils, and Birds of Prey which hunt small field mammals during the growing season and field-roosting birds after harvest.

5. Conclusion

We have demonstrated that the promotion of Preston Farm Field (Site HLL-12) for housing fails key legal tests. It is not just one issue that could maybe be worked around, it is the compound effect of the following multiple issues that makes this site wholly inappropriate for rezoning.

- Unnecessary rezoning of the Area of Great Landscape Value / core candidate Special Landscape Area (based on 1 proposal from Cala Homes and ignoring over 35 objections from local residents)
- Impact on biodiversity and specifically 2 protected species (Bats and Badgers)
- Proximity and impact on the setting of a Grade A Listed Building
- Proximity and impact to Union Canal (a Scheduled Monument)
- It is an isolated site far away from the town centre and public transport links
- No ability for a developer to improve local roads networks – both Preston Rd and Manse Rd are major bottlenecks and potentially increasing the risk to child safety near the Primary school.
- Loss of prime agricultural land
- Numerous other factors which will detrimentally impact the local community

We have noted with interest and relief that the Linlithgow Planning Forum document entitled “Plan for the Future” specifically removes this field from the housing plans and still manages to achieve and exceed the housing numbers being required by the WLC to achieve their overall target number. This has been reinforced by the Linlithgow and Linlithgow Bridge Community Council at a meeting on 27 October 2015 where they stated that they would be opposing the rezoning of this field for housing.

The South East of town around Edinburgh Road has many new and far less sensitive sites earmarked by the WLC plan which could absorb 60 units and where infrastructure gains in schooling, motorway and retail are possible.

Whilst we recognize that the LDP is a strategic development plan for the area and that we could not necessarily expect the level of rigour that we have applied to our investigation to be applied to all of the proposed sites and aspects of the LDP, our aim was to present a compelling, evidence-based argument that could not be ignored.

We do not believe this is an appropriate site for rezoning to housing and have demonstrated our logic behind this position. There should now be no excuse of “we didn’t know” or “that would normally be covered and dealt with at the Planning Application stage”. We are handing this evidence on a plate and expect it to be acted upon and the site removed from the housing proposals.

Appendix A: Landscape

Local Landscape Designation review excerpts (SOURCE 2014 LLDR BY LUC):

p51. South of Linlithgow Fringe AGLV should be included the new Core Special Landscape Area Bathgate Hills

p72. Forces for change include "development pressure on the edges of Linlithgow... particularly where development begins to move uphill"

p72 Managing change: "ensure settlement expansion does not advance towards key skylines especially where these contribute to an understanding of cultural heritage"

Scottish Natural Heritage Officer, Viv Gray, excerpt (SOURCE - PUBLIC E-MAIL, NOV 2 2015)

"1. **Rezoning the AGLV** – LUC were appointed to undertake the local landscape designation review, the methodology adopted for that work is set out in the report ([http://www.westlothian.gov.uk/media/4841/West-Lothian-Local-Landscape-Designation-Review/pdf/WestLothianLocalLandscapeDesignationReview\(LLDR\)-FinalReportJune2013.pdf](http://www.westlothian.gov.uk/media/4841/West-Lothian-Local-Landscape-Designation-Review/pdf/WestLothianLocalLandscapeDesignationReview(LLDR)-FinalReportJune2013.pdf)). The report does not direct the Council to resist development here but states under Forces for Change (page 72) that there is "*Development pressure at the edges of Linlithgow, Bathgate and Uphall, particularly where development begins to move uphill*". Under Management recommendations on the same page the direction is to "*Ensure settlement expansion does not advance to key skylines especially where these contribute to understanding of cultural heritage*". The local landscape designation review is part of the current Proposed Plan consultation but other than that, I recommend that you confirm with the Council what consultation has been undertaken to date.

Local Development Plan Main Issue 6.

Council's preferred approach to Natural & Historic Environments (SOURCE 2014 West Lothian Local Development Plan Main Issues Questionnaire):

"The council's 'Preferred' approach to the West Lothian natural environment is to direct development to appropriate brownfield sites within settlements in the first instance... When considering greenfield release the council will have regard to the LLDR and other relevant factors, particularly sustainability but also issues of townscape and settlement coalescence. This may allow for some release of new development sites on the edge of settlements... whilst protecting visual amenity and the biodiversity value of the countryside and preventing coalescence of settlements. In some instances it may be necessary to extend countryside and landscape designations to protect the purposes for which the land was designated be it landscape value, landscape character and landscape enhancement, buffers to coalescence of settlements, protection of prime quality agricultural land and historic gardens and designed landscapes in West Lothian".

Landscape Setting Of Canal (SOURCE - E01-0168 SITE CONCLUSIONS FOR LANDOWNER)

Historic Scotland 05-Mar-12

"No specific comments. Robust application of national and appropriate local policies should be able to mitigate any adverse impacts. For those sites which are carried forward, early engagement with Historic Scotland on development proposals which raise complex or significant issues will be key to avoiding adverse impacts and optimising positive outcomes for the historic environment. The site lies in close proximity to the Union Canal. One of the key characteristics of the Union Canal is the alternation between rural and urban settings, and increased development along the rural sections of the canal has the potential to lead to a cumulative erosion of that character. Additionally, such development may bring pressure for supplementary crossings, which could potentially have adverse direct and/or Indirect impacts on the scheduled canal. We request that you give these points consideration when assessing the site"

Inadequate reasoning for distinction between Upper & Lower Field (where AGLV status lost) (SOURCE - E01-0168 SITE CONCLUSIONS FOR LANDOWNER)

"Greenfield release is supported in this instance on a smaller part of the site than has been submitted with the original EOL.

In respect of the remainder of the site, this lies within the Bathgate Hills AGLV and also within a candidate Special Landscape Area as proposed in the West Lothian Local Landscape Designation Review. Development of part of the site is not in accordance with the council's preferred development strategy which supports development within the core development areas and other strategic locations and there are other more suitable sites available for development. Development of the whole site would constitute an intrusive physical expansion of Linlithgow, well beyond the limit of development which is already provided for in the adopted West Lothian Local Plan. It would also be visually and environmentally intrusive".

Historic Scotland Guidance on Setting (SOURCE - MANAGING CHANGE IN THE HISTORIC ENVIRONMENT - SETTING - OCTOBER 2010)

Key Issues para 1.

"Setting can be important to the way in which historic structures or places are understood, appreciated and experienced. Planning authorities must take into account the setting of historic assets or places when drawing up guidance, when considering various types of environmental design assessments/statements, and in determining planning applications"

Appendix B: Biodiversity

Consultee Response Doc from MIR

SNH 14-Feb-12

A biodiversity assessment is required for this site, given its rural location and there are protected species in the locality. Little interest within the site to build on for delivery of green infrastructure but surroundings offer good opportunities for links.

ENV 20 Species Protection and Enhancement

Development that would affect a species protected by European or UK law will not be permitted unless: a. there is an overriding public need and there is no satisfactory alternative; b. a species protection plan has been submitted, which is based on survey result, and which includes detail of the status of the protected species on site and the possible adverse impact of development; c. suitable mitigation is proposed and agreed; and d. if it is established that European protected species are present, the development is not detrimental to the maintenance of European protected species at a favourable conservation status

Scottish Government conservation law (SOURCE: Nature Conservation Act 2004)

-Part 1

"It is the duty of every public body and office holder, in exercising any functions, to further the conservation of biodiversity so far as is consistent with proper exercise of those functions"

Environmental Law Foundation advice (SOURCE: EMAIL NOV 4 2015 EMMA MONTLAKE, ELF)

"...At least you are tackling this now at this early consultation stage.... As you are clearly aware, once the area has been allocated for housing in the local development plan, whilst there would still have to be a planning application, it makes the presumption in favour of development, indisputable".

Bats are a EPS protected in EU Law (SOURCE Conservation (Natural Habitats, &c) Regulations 1994 .

Badgers are a UK and Scottish protected species (SOURCE: Protection of Badgers Act 1992 incorporated in Scottish Nature Conservation Act 2004 part 3)

Union Canal Policy in LDP:

Archaeology and the Union Canal (paragraphs 3.210 – 3.212) Preferred approach The council's 'Preferred' approach to the Union Canal is to promote its tourism and recreational potential and to allow for sympathetic ancillary development... The canal also has potential to be used as a means of sustainable transport, both for leisure and commercial purposes, and it is important that opportunities to enhance local use, access and bio-diversity are maximised....

RSPB identification by **Ben Andrew**

Supporter Adviser (Wildlife)

UK Headquarters

WIC records register of local species for WLC.

Preston Farm Field Badger Assessment (refers to Preston Badger Map)

The following is the result of a badger survey the group did in 2011 when British Waterways discovered the canal was leaking and a badger sett (marked as "canal sett") was to blame. After our survey discovered that the badgers in the canal sett had an alternative sett to go to, the badgers were excluded from the sett and the tunnels filled with concrete. The High School was not flooded!

The survey showed those badgers originated in a sett in Preston House estate.

The map key: red circle =main sett, blue dot satellite sett, red dashed line=main badger paths, red triangles=latrines.

So you can see Preston has a resident badger clan (main sett) that travels some distance on clear paths to forage on the High school playing fields as well the gardens on both sides of the canal. They cross the canal using under and over bridges. The fields close to the setts will be of great importance to badgers for feeding on soil invertebrates etc.

Development of that field area is likely to have a serious adverse effect on this clan because of loss of foraging habitat and disturbance both during construction and once the houses are occupied. From the location of the latrines we found, it is possible that this clan's boundary is the western edge of the woods, in this case most of their territory lies to the east and north, with the field at its heart.

Because there is a dense badger population around Linlithgow there is little possibility that the Preston clan can expand their territory if they lose such a large chunk of their food supply because the surrounding clans would not allow it, and now that modern gardens are small and mainly paved the new scheme will provide no substitute unless through extensive public open spaces. This clan might stop raising cubs, some individuals will get killed on roads or in territorial fights, and eventually the few survivors assimilate into neighbouring clans. **The Preston badger clan could cease to exist.**

It is essential that a badger survey be carried out to find out about neighbouring badger clans and the location of territorial boundaries. (this is done by locating latrines badgers make on territorial boundaries especially in early spring).

Unfortunately there is little point in a survey until the leaves have all fallen and the undergrowth flattened because so much would be missed at present but it could be included in our winter survey programme.

However we could check up this month on the setts we found in 2011 which would confirm their existence.

We noticed that setts in Preston had been interfered with by diggers and, having survived that, it would be sad to see them succumb to development.

Tricia Alderson

Operation Meles partners working together to tackle badger persecution by gathering intelligence and targeting offenders.

Scottish Badgers protecting Scotland's badgers, their setts and habitat.

Scottish Charitable Incorporated Organisation (SCIO) SC034297.

W: www.scottishbadgers.org.uk

Preston Badger Map



Report on Bat survey undertaken by Bat Conservation Trust – October 2015

Bat records from the AnaBat

A very experienced bat worker checked the results from the static detector. On Sunday night 25th October 2015 there were lots of bat calls picked up from;

- Common pipistrelles *Pipistrellus pipistrellus*,
- Soprano pipistrelles *P. pygmaeus*
- and one quick fly by from what appeared to be a Natterer's bat, *Myotis nattereri*

Bats were also picked up on Monday night and Tuesday (before I collected the detector) but no Noctule or Leisler's calls . Note that recording so late in October we would expect very few if any bat calls. I'm sure if the detector was out between May – September we would not only get more calls but also more species .

Potential impacts

These are my thoughts – quickly and not particularly structured . I've outlined **potential** threats / concerns but it would really need a proper bat survey (to see how bats are using the area) to gauge the “weight” of the impacts.

My concerns would be ;

Threats / Potential impacts

Loss of trees / felling / lopping perhaps to create new access, better sightlines at road junctions, views from new houses. Loss of bat roosts, loss of shelter (from inclement weather and from predators)
Loss of insect food

Increased lighting (houses, street lights, road junctions) **IN PARTICULAR OVER THE CANAL**
NEGATIVE IMPACT on shy bat species – Daubenton's , Natterers , Brown longeared.
These bats need dark corridors for commuting and feeding

Loss of arable crops I can't really assess the impact. Arable crops can provide lots of insect food for a short period (when crops flower) and be a real asset then but most of the time are of limited foraging value. Its possible that houses with hedges, flowers, gardens may eventually form as good or better foraging. There could be a loss followed eventually by a gain.

Work on canal bridge (eg repairs /strengthening), lighting at bridge / lighting over water surface

Potential loss of roosts ,(If there are roosts in the bridge)
Lighting likely to deter Daubenton's bats from feeding in that area
Lighting could sever commuting route (act as a barrier to bats)

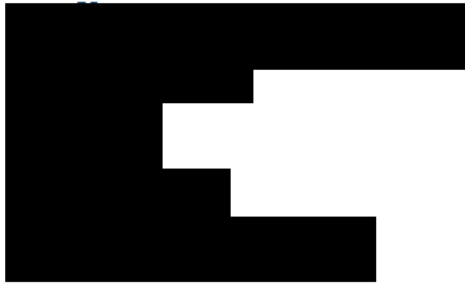
Roosts – I'd be concerned that roosts may be lost or become unusable to bats (lost – felling trees, lopping branches, sealing crevices in bridge – if there are any)
Unusable/ less attractive to bats – due to increased lighting

Feeding areas – Any lighting over the canal would be detrimental to shy species
Half the field would be lost (a loss in feeding area for bats)
Increased lighting would make the light side of tree lines unavailable to shy species

Commuting routes - See concerns above about increased lighting over the canal (would deter

bats) and along tree lines. Cutting through tree lines / hedges to create access would have a negative impact on commuting routes particularly in association with increased lighting (a small gap in a tree line would not stop bats using the tree line as a landmark but it reduces the value of the line when shelter is needed from predators and or inclement weather .)

Concerns with this development – particularly effects along the canal (it's an important wildlife corridor), increased lighting. Setting a precedent and “nibbling away” at the landscape setting, once half the field is gone it may be a slippery slope.



During the scoping exercise that follows the early stages of a bat survey (pre-survey data search and preliminary ecological appraisal – see Chapter 4), an assessment will be made of the types and levels of further survey, if any, that are appropriate and proportionate.

Box 2.1 Planning and development trigger list for bat surveys

A bat survey should be requested for the types of development and proposals listed. These proposals are likely to affect bats, particularly in sensitive locations and where bats are likely to be present.

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<p>(1) Conversion, modification, demolition or removal of buildings (including hotels, schools, hospitals, churches, commercial premises and derelict buildings) which are:</p> <ul style="list-style-type: none"> ○ agricultural buildings (e.g. farmhouses, barns and outbuildings) of traditional brick or stone construction and/or with exposed wooden beams; ○ buildings with weather boarding and/or hanging tiles that are within 200m of woodland and/or water; ○ pre-1960 detached buildings and structures within 200m of woodland and/or water; ○ pre-1914 buildings within 400m of woodland and/or water; ○ pre-1914 buildings with gable ends or slate roofs, regardless of location; ○ located within, or immediately adjacent to woodland and/or immediately adjacent to water; ○ Dutch barns or livestock buildings with a single skin roof and board-and-gap or Yorkshire boarding if, following a preliminary roost assessment (see Chapter 8 for details) the site appears to be particularly suited to bats.
<p>(2) Development affecting built structures:</p> <ul style="list-style-type: none"> ○ tunnels, mines, kilns, ice-houses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures; unused industrial chimneys that are unlined and brick/stone construction; ○ bridge structures, aqueducts and viaducts (especially over water and wet ground).
<p>(3) Floodlighting of:</p> <ul style="list-style-type: none"> ○ churches and listed buildings, green space (e.g. sports pitches) within 50m of woodland, water, field hedgerows or lines of trees with connectivity to woodland or water; ○ any building meeting the criteria listed in (1) above.
<p>(4) Felling, removal or lopping of:</p> <ul style="list-style-type: none"> ○ woodland; ○ field hedgerows and/or lines of trees with connectivity to woodland or water bodies; ○ old and veteran trees that are more than 100 years old; ○ mature trees with obvious holes, cracks or cavities, or which are covered with mature ivy (including large dead trees).
<p>(5) Proposals affecting water bodies:</p> <ul style="list-style-type: none"> ○ in or within 200m of rivers, streams, canals, lakes, reedbeds or other aquatic habitats.
<p>(6) Proposals located in or immediately adjacent to:</p> <ul style="list-style-type: none"> ○ quarries or gravel pits; ○ natural cliff faces and rock outcrops with crevices or caves and swallets.
<p>(7) Proposals for wind farm developments of multiple wind turbines and single wind turbines (depending on the size and location) (NE TIN 051)</p>
<p>(8) All proposals in sites where bats are known to be present ¹ This may include proposed development affecting any type of buildings, structures, feature or location.</p>
<p>Notes:</p> <p>1. Where bat roosts are of international importance, they may be designated as SACs. Developers of large sites 5-10 km away from such roosts may be required to undertake bat surveys and impact assessments in order to account for foraging and commuting habitats as well as the extensive areas around the roost.</p>

Appendix C: Transport and Accessibility

The following is a review undertaken for us by a professional planner specializing in transportation

- It is not a brownfield site and is considered to be an Area of Great Landscape Value
 - It is not within the settlement envelope
 - It is not accessible as is not close to public transport, town centre facilities or amenities
 - Planning Advice Note 75 P24, para B13, outlines how planning authorities should create accessibility profiles. 400m for bus stops and 800m for train stations. The train station fails and I would suggest the 1 bus service an hour also fails
<http://www.gov.scot/Publications/2005/08/16154453/44538>
-

Planning Advice Note PAN 75: Planning for Transport

This PAN aims to create greater awareness of how linkages between planning and transport can be managed. It highlights the roles of different bodies and professions ...

[Read more...](#)

- It is not in close proximity to town centre facilities or amenities
- Designing Streets <http://www.gov.scot/Publications/2010/03/22120652/0> also defines 400m (approximately 5 mins walk) for accessible communities, beyond which public transport should be available to access amenities.
- Preston Road could not considered appropriate for additional traffic. The traffic calming scheme installed on Preston Road is indicative of the road safety and traffic speed issues that already exist. Any additional traffic can be considered detrimental.
- The report suggests the existing footpath network in Deanburn can provide access for cyclists. As these are designated as footpaths and not shared use cycle/footpaths these cannot legally be used by cyclists. The significant gradients on Preston Road and Deanburn compound the accessibility issues.
- The accessibility failings of the proposed site put more of an onus on car trip generation. The direct access to town centre facilities and amenities is via Preston Road and it's junction with the High Street at the West Port. This junction and the associated roundabout already exceed capacity at peak times and therefore additional development accessing the town is detrimental to all.
- While proposed development of 60 houses fails numerous tests set by WLC it also fails to make a significant contribution to the 3,500 houses needed above existing committed development. The location is not accessible and is detrimental to the safety and capacity of the surrounding local roads. Notwithstanding it is outwith the town boundary; it is as far removed as any location around the town could be from the frequent bus services, the strategic road network and the rail station.

Appendix D: Historic Building Setting

*ENV 28

In considering proposals for development within the vicinity of listed buildings, the council will have particular regard to the setting of listed buildings. The layout, setting should be appropriate to the buildings character, appearance and setting. Additional controls (such as Article 4 Directions removing permitted development rights) will be introduced to protect the setting of listed buildings where such buildings are under threat from development. The council needs to be protected from themselves.

*ENV 33 Scheduled Monuments There is a presumption against development which could have an adverse impact on a scheduled monument, or the integrity of its setting. Where appropriate, the council will introduce special controls such as Article 4 Directions removing 'permitted development' rights to protect scheduled monuments and their settings from unsympathetic development.

*Historic Scotland Listing Regulations (SOURCE: HISTORIC SCOTLAND Oct 2010. Guidance for Planners: Managing Change in Historic Env: Setting). Notes on application of Scottish Historic Environment Policy (2009) (SHEP, PDF 312K) and The Scottish Planning Policy (2010) (SPP, PDF 299K).

P2

1. Setting can be important to the way in which historic structures or places are understood, appreciated and experienced. Planning authorities must take into account the setting of historic assets or places when drawing up development plans and guidance, when considering various types of environmental and design assessments/ statements, and in determining planning applications.

2. Where development is proposed it is important to: identify the historic assets that might be affected; define the setting of each historic asset; assess how any new development would impact upon this.

3. Setting often extends beyond the property boundary, or 'curtilage', of an individual historic asset into a broader landscape context. Less tangible elements can also be important in understanding the setting. These may include function, sensory perceptions or the historical, artistic, literary and scenic associations of places or landscapes.

*Historic Scotland Planning Advice criteria on the setting of listed buildings (Oct 201 Managing Change in the Historic Environment).

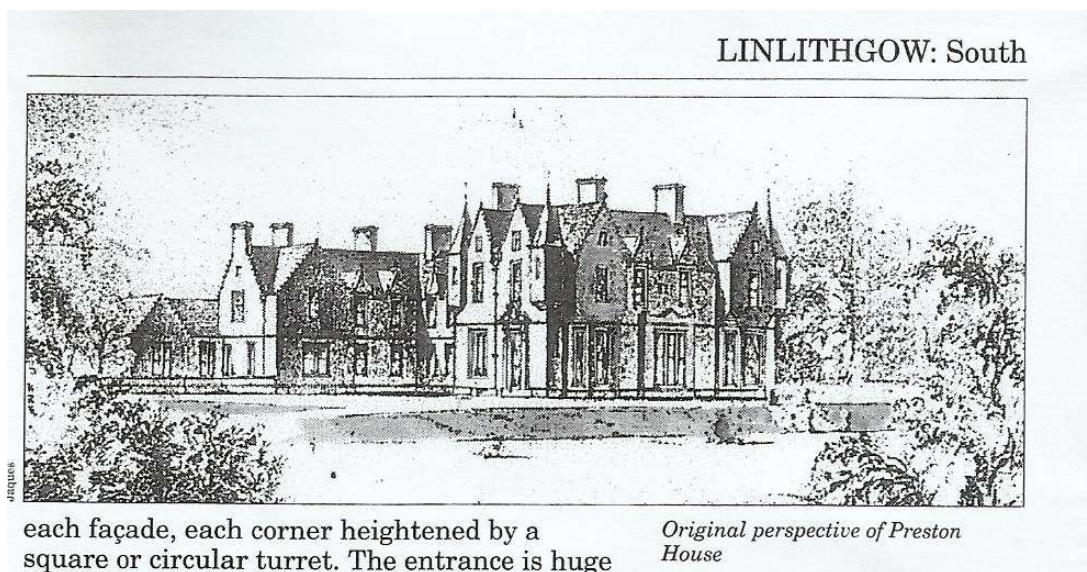
4.14 Factors to be considered in assessing the impact of a change on the setting of a historic asset or place include:

- the visual impact of the proposed change relative to the scale of the historic asset or place and its setting, the visual impact of the proposed change relative to the current place of the historic asset or place in the landscape; the presence, extent, character and scale of the existing built environment within the surroundings of the historic asset or place and how the proposed development compares to this.

-the magnitude and cumulative effect of the proposed change – sometimes relatively small changes, or a series of small changes, can have a major impact on our ability to appreciate and understand a historic asset or place

Landowner reporting document

Historic Scotland 05-Mar-12 No specific comments. Robust application of national and appropriate local policies should be able to mitigate any adverse impacts. For those sites which are carried forward, early engagement with Historic Scotland on development proposals which raise complex or significant issues will be key to avoiding adverse impacts and optimising positive outcomes for the historic environment. The site lies in close proximity to the Union Canal. One of the key characteristics of the Union Canal is the alternation between rural and urban settings, and increased development along the rural sections of the canal has the potential to lead to a cumulative erosion of that character. Additionally, such development may bring pressure for supplementary crossings, which could potentially have adverse direct and/or Indirect impacts on the scheduled canal. We request that you give these points consideration when assessing the suitability of proposed sites close to the canal.



O.S. MAP, PRESTON HALL ESTATE, BOUNDARY OF
PARKLAND, 1856.



Appendix E: Union Canal

1. Union Canal, River Almond to River Avon Reference: SM8954. The 13 miles of inland waterway falling within the former county of West Lothian. The two other sections of the Canal are listed separately under their respective county demarcations. The monument includes canal structure Bridge 46. (Entry in the schedule of monuments under The Ancient Monuments and Archaeological Areas Act 1979, as amended 2014.) It also includes the nearby aqueduct over the Mains Burn and the aqueduct at Kettlestoun Quarry.
2. Statement of National Importance: “The monument is of national importance because, as an integral part of the Union Canal, it represents a superlative achievement of Georgian civil engineering. Designed by the noted Scots engineer, Hugh Baird, and built 1818-23, its continuous watercourse, over 31 miles long, was without need of a single lock, and was graced by three major aqueducts inspired by another great Scots civil engineer, Thomas Telford.” Historic Environment Scotland’s online decisions portal, entry for the Union Canal, <http://portal.historic-scotland.gov.uk/designation/SM8954>, accessed 04/11/2015.
3. SHEP 1.15. “The conservation of any part of Scotland’s historic environment should:
 - h. have regard to retaining, or where appropriate enhancing, the setting of the site, monument, building or landscape; and SHEP 1.19 Scottish Ministers look to Historic Scotland to work in an open, inclusive and transparent way, to engage with stakeholders and to work in partnership in taking forward the visions and ambitions set out in this paper. In particular, Scottish Ministers look to Historic Scotland to work with:
 - a. local authorities, which are key agents in protecting the historic environment and in harnessing the potential of the historic environment to contribute to Scotland’s economic and social success. Scottish Ministers expect local authorities to play a full role in achieving their objectives for the historic environment.
4. National Libraries of Scotland, Counties of Scotland, 1580-1928, <http://maps.nls.uk/counties/index.html>, accessed 04/11/2015.
5. *A Companion for Canal Passengers Betwixt Edinburgh and Glasgow*, Edinburgh, 1823, page 17.
6. Mudie, R (1841) *The Surveyor, Engineer, and Architect*, p. 67

Appendix F: Agriculture

Soil & cereal classifications

<http://www.soils-scotland.gov.uk/data/lca25ok>

http://www.macaulay.ac.uk/explorescotland/lca_leaflet.pdf

Scottish Prime Agri Policy (SOURCE SCOTTISH GOVT PLANNING POLICY)

P20, para 97

Prime quality agricultural land is a finite national resource. Development on prime agricultural land should not be permitted unless it is an essential component of the settlement strategy or is necessary to meet an established need, for example for major infrastructure development, where no other suitable site is available. Small scale development directly linked to rural businesses, including housing, may also be permitted. Renewable energy generation development or minerals extraction may be acceptable where restoration proposals will return the land to its former status. When forming the settlement strategy, planning authorities should consider the impact of the various options on prime quality agricultural land and seek to minimise its loss.

Landowner Consultee Responses Doc

Residential use (site area 1 Oha) Yes Prime Quality Agric Land Conclusions Greenfield Class Description 3 1

ENV 4 Loss of prime agricultural land Development will not be permitted where it results in the permanent loss of prime agricultural land as defined by the James Hutton Institute Land Capability Classes 1, 2, and 3.1 unless it can be demonstrated that: Preston Field is Class 3.1 as we have shown above, the site fails multiple criteria in relation to the spatial strategy – particularly the sustainability factors – so the only one that might have justified its inclusion item (a) actually fails a. the development forms a key component of the spatial strategy set out in the LDP or the site benefits from planning permission; and b. the proposal is necessary to meet locational need, for example for essential infrastructure; and c. there are no other suitable sites available; and d. the proposal is for small-scale development directly linked to a rural business; and e. the proposal provides for the generation of electricity from a renewable source or the extraction of minerals where this accords with other LDP policies.

Appendix G: Review against LDP Policy statements

<i>Policy Ref</i>	<i>Title</i>	<i>Policy Extract</i>	<i>Comment</i>
DES 1	Design Principles	<p>When assessing development proposals, the developer will be required to ensure that:</p> <p>b. there is no significant adverse impact on landscape character, built heritage, habitats or species including European sites, biodiversity and Protected Species nor on amenity as a result of light, noise, odours, dust or particulates;</p>	<p>We realise this is for actual planning applications – but this will never be achievable given the technical info we have provided. Every one of these items would fail – so no point in zoning it</p>
HOU 1	Allocated Housing Sites	<p>The sites listed in Appendix Two of the Plan and shown on the Proposals Map are allocated as housing sites which contribute to meeting housing land requirements to 2024, as required by the Strategic Development Plan (SDP1) and are compliant with the spatial strategy set out in this plan.</p> <p>But Clause 5.2 of The Spatial Strategy states. Sustainability factors have been integral to determining the spatial strategy, as well as individual decisions on the development sites which have been identified where the aim is to:</p> <ul style="list-style-type: none"> • promote development in the most sustainable locations where its impact can be minimised; • reduce the need to travel; • prioritise sustainable transport modes; • maximise the use of brownfield land; and • conserve and enhance environmental resources. 	<p>This site fails the sustainability factors of the Spatial Strategy – poor sustainable transport modes, use of greenfield/AGLV and impact on protected species etc etc</p>
HOU 3	Infill / windfall Housing Development within settlements	<p>new housing development will also be supported on sites within settlement boundaries provided:</p> <p>a. the development will be in keeping with the character of the settlement and local area;</p> <p>e. the site benefits from good accessibility by public transport and active travel to shopping, education, recreational and other community facilities;</p>	<p>This is outwith the settlement boundary. It is not in keeping with an open field with rich biodiversity on the fringe of the town and in the Bathgate Hills AGLV. Fails guideline assessment of proximity to town centre, train station and buses are very infrequent, schools have no capacity, previous comments from SEPA and WOSAS indicate risk of flooding</p>

		<p>f. existing physical infrastructure, including roads, drainage, sewage capacity, and education have the capacity to accommodate the proposed development;</p> <p>h. the site is not at significant risk of flooding in the terms of policy EMG 2 -Flooding;</p> <p>Proposals for development within or adjacent to sensitive locations such as Special Landscape Areas (SLAs), Gardens and Designed Landscapes, Historic Battlefields, Conservation Areas or affecting the appearance, character and setting of Listed Buildings and Scheduled Ancient Monuments and any other historic or archaeological asset will be subject to additional scrutiny and may require to be supported by the submission of additional information. In these circumstances, there is an expectation that the standard of design will be higher than in less sensitive locations.</p>	It's got a lot of these special factors
ENV 1	Landscape character and special landscape areas	<p>Development will not be permitted where it may significantly and adversely affect local landscape character.</p> <p>Within the Special Landscape Areas (SLAs) shown on the proposals map there is a presumption against development which would undermine the landscape and visual qualities for which the areas were designated. Development proposals 'outwith' these areas which would affect its setting from strategic viewpoints will be subject to detailed visual appraisal and will not be supported if it adversely affects the designated area.</p>	<p>See most of our points on the landscape value. It has been a longstanding AGLV.</p> <p>Visual impact will be massive. The redrawing of the boundary to suit the Cala Homes proposal is completely ridiculous as if having a line on a map translates into some sort of visual barrier in a large open field and won't therefore impact on new SLA. See photos of aspects from the western approach, Braehead and views from Deanburn towards Preston House with Cockleroy in the background</p>
ENV 4	Loss of prime agricultural land	<p>Development will not be permitted where it results in the permanent loss of prime agricultural land as defined by the James Hutton Institute Land Capability Classes 1, 2, and 3.1 unless it can be demonstrated that:</p> <p>a. the development forms a key component of the spatial strategy set out in the LDP or the site benefits from planning permission; and</p> <p>b. the proposal is necessary to meet locational need, for example for essential infrastructure; and</p> <p>c. there are no other suitable sites available; and</p>	<p>Preston Field is Class 3.1</p> <p>As we have shown above, the site fails multiple criteria in relation to the spatial strategy – particularly the sustainability factors – so the only one that might have justified its inclusion item (a) actually fails</p>

		<p>d. the proposal is for small-scale development directly linked to a rural business; and</p> <p>e. the proposal provides for the generation of electricity from a renewable source or the extraction of minerals where this accords with other LDP policies.</p>	
ENV 12	The Union Canal	<p>Conservation, recreational and economic proposals associated with the Union Canal will be supported, especially at Linlithgow, Broxburn and Winchburgh, provided they:</p> <p>a. sustain and enhance the natural and built heritage of the canal in its setting;</p> <p>b. allow opportunities for access and biodiversity promotion and improvement along the canal and the emerging CSGN green network as a whole;</p>	<p>This development would grossly overshadow with domineering houses and fencelines for a long stretch of the canal as you enter Linlithgow from the west just after the golf club – instead of the open agricultural field.</p>
ENV 20	Species Protection and Enhancement	<p>Development that would affect a species protected by European or UK law will not be permitted unless:</p> <p>a. there is an overriding public need and there is no satisfactory alternative;</p> <p>b. a species protection plan has been submitted, which is based on survey result, and which includes detail of the status of the protected species on site and the possible adverse impact of development;</p> <p>c. suitable mitigation is proposed and agreed; and</p> <p>d. if it is established that European protected species are present, the development is not detrimental to the maintenance of European protected species at a favourable conservation status.</p>	<p>We have done a bat survey (EU Protected) which found 4 of the 8 species of bat in the UK – one of which is very dependent on dark sites for their habitat. We also have results of previous badger surveys (along with multiple resident sightings) – see report</p>
ENV 28	Listed Buildings	<p>In considering proposals for development within the vicinity of listed buildings, the council will have particular regard to the setting of listed buildings. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the buildings character, appearance and setting.</p> <p>Additional controls (such as Article 4 Directions removing permitted development rights) will be introduced to protect the</p>	<p>We have done quite a bit of work on this in the technical dossier report –</p> <p>Council please note!</p>

		setting of listed buildings where such buildings are under threat from development	
ENV 33	Scheduled Monuments	There is a presumption against development which could have an adverse impact on a scheduled monument, or the integrity of its setting. Where appropriate, the council will introduce special controls such as Article 4 Directions removing 'permitted development' rights to protect scheduled monuments and their settings from unsympathetic development.	Canal Society angry about the thought of houses at the skyline of the view from the canal and the towpath at the Brig and also houses or fencelines domineering over the canal – big impact on setting
EMG 2	Flooding	Development will specifically not be supported in: a. locations identified as being at medium to high flood risk, unless it accords with the flood risk framework set out in SPP2014; or b. where it would lead to an increase in the probability of flooding elsewhere.	Not clear – but historical flooding events noted and steep slope in field mentioned by SEPA
EMG 4	Air quality	Development will not be supported where it is not possible to mitigate the adverse effects of that development on air quality effectively	Compound impact on air quality in town due to increase in car traffic as too far away from town centre to walk – thus car journeys

Appendix H: Key Photos

All photos in this section area of Preston Field identified for housing in West Lothian's Draft LDP.

Photo 1: View from the North West residences around Mains Road, Linlithgow. Preston Field forms a natural town boundary with Cockleroy behind, defining the character of the town.



Photo 2: Showing the field as a natural town boundary, defining the character of the town. View taken from the Western approach road to the town



Photo 3: Again showing the field as a natural town boundary, defining the character of the town.
View taken from the Western approach road to the town



Photo 4: Historic setting of the Grade 1 listed building of Preston Hall. The image shows Preston House, field, woods & Cockelroy - all elements of the 1844 Preston Hall Estate which swept down to the Union Canal



Photo 5: Lower Preston Field with Cockelroy peak above provides the first pastoral vista beyond the town's Western edge when viewed from Towpath and Canal.

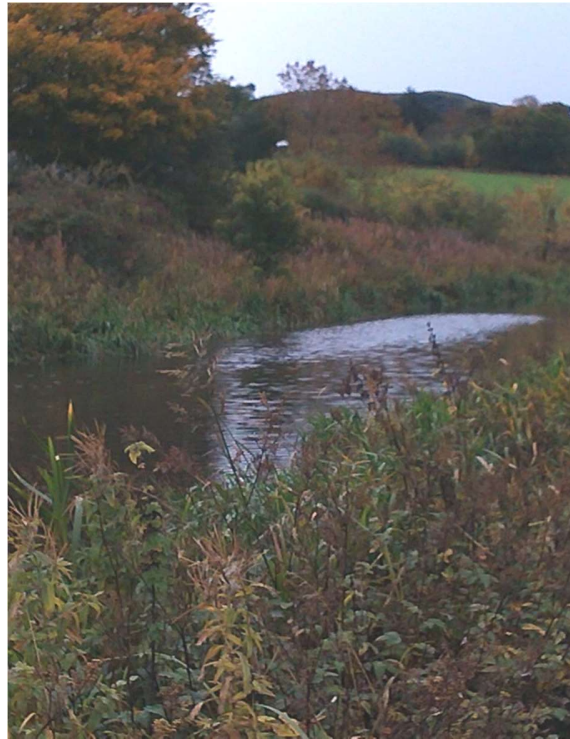


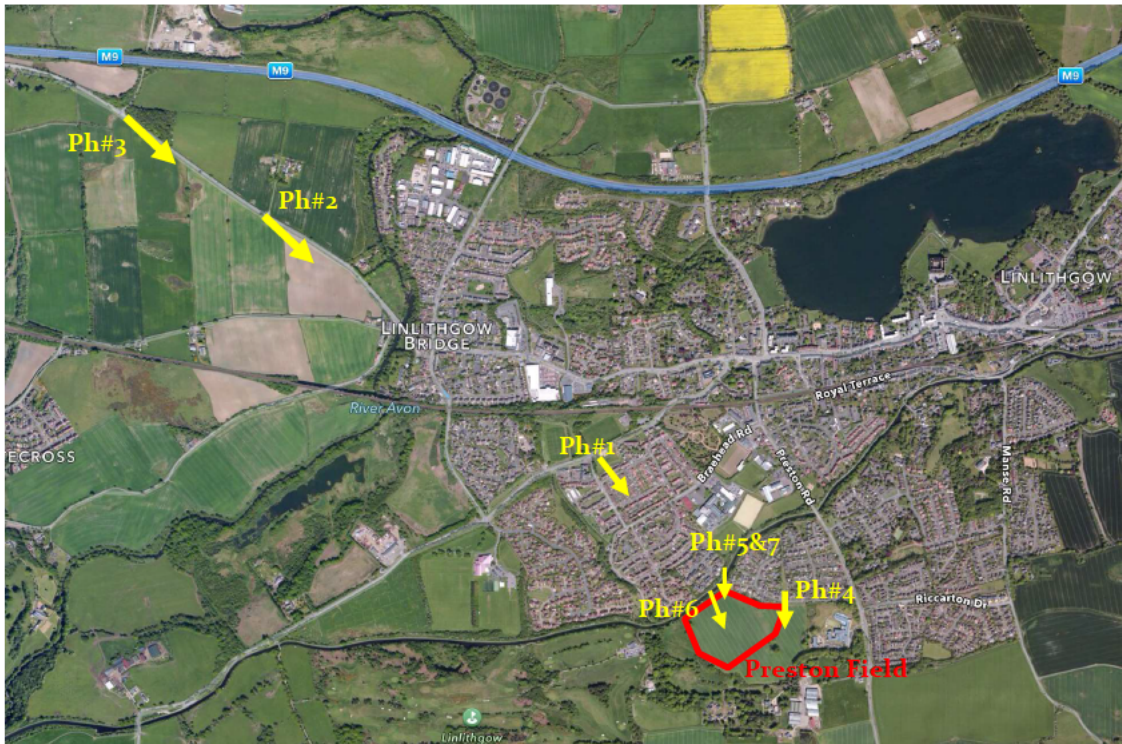
Photo 6: View of Preston House from the North West right of way at Katie Shaw's Brig and Union Canal. Housing would change the character and views from these local amenities.



Photo 7: The Upper Union Canal Bank at Katie Shaw's Brig is high and steep. Any building overbearing the bank would be insensitive to the canal as both a national monument and local amenity.



Location map of Photos



Appendix I: Original Responses from Statutory Consultees

EOI-0168 Preferred in part

Land at Preston Farm, Linlithgow Status Cunnt

IVIR

W AITKEN

03 July 2014

Residential use (site area 1 Oha)

Yes Prime Quality Agric Land

Conclusions Greenfield Class Description 3 1

Development site in part may be appropriate as a logical minor extension to the south side of Linlithgow and will have minimal impact on the present AGLV or candidate Special Landscape Area as identified in the draft West Lothian Local Landscape Review.

Although priority is to be given to development of brownfield land, there is not enough brownfield land to meet requirements of the Strategic Development Plan. Greenfield release is supported in this instance on a smaller part of the site than has been submitted with the original EOI..

In respect of the remainder of the site, this lies within the Bathgate Hills AGLV and also within a candidate Special Landscape Area as proposed in the West Lothian Local Landscape Designation Review. Development of part of the site is not in accordance with the council's preferred development strategy which supports development within the core development areas and other strategic locations and there are other more suitable sites available for development. Development of the whole site would constitute an intrusive physical expansion of Linlithgow, well beyond the limit of development which is already provided for in the adopted West Lothian Local Plan. It would also be visually and environmentally intrusive.

There will also be an education constraint on the site if all the site were to be developed.
Linlithgow Primary/Linlithgow Academy, St Josephs (Linlithgow)/St Kentigerns Academy

Consultation Responses Current Status Proposed Use

British Airports Authority (BAA)

09-Jul-13 The site falls within the safeguarding consultation zone (which is 13km from an aerodrome, in this case Edinburgh Airport) under Circular 2/2003 'Safeguarding of Aerodromes, Technical Sites and Military Explosives Storage Areas and also falls within the Edinburgh Airport Lden noise contours as specified by The Environmental Noise Directive (2002/49) and supplemented in Scotland by the Environmental Noise (Scotland) Regulations 2006, relating to aircraft noise.

Any proposal/application therefore will require to be subject of consultation with BAA aerodrome safeguarding.

Any development is likely to be restricted to 15m in height and will contain flat roofs only and above ground SUDs systems should be avoided in order to minimise the potential of bird strike and landscaping will require careful design. Birds are mobile and whilst every effort can be taken on an aerodrome to address potential bird hazards, aerodrome safeguarding, through local authority planning permissions, is one of the key methods for addressing existing and potential hazards off-airport. To reduce the risk of bird strikes, specific requirements associated with landscaping schemes within 13km of Edinburgh Airport should be factored into development proposals from the outset. Addressing the constraint from the outset will also ensure the council as planning authority do not require amended landscaping schemes whilst processing any application and will not require amended plans post the granting of planning permission.

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Coal Authority

16-Feb-i 2 Coal resources are present within West Lothian, and the area has been subjected to coal mining which will have left a legacy. In terms of the site assessments and any eventual site allocations, it would be prudent to include a criterion which assessed coal mining data. This would be a due diligence check to ensure that potential development sites do not contain any mine entries or other coal related hazards which would require remediation or stabilisation prior to development.

Former mining activities and related hazards are not a strict constraint on development. The Coal Authority would not wish to suggest that any potential sites should be excluded from the assessment on the grounds of former mining legacy issues.

In addition, an assessment should be made of the likely impact on mineral resources, including coal. This will help to ensure that any potential sterilisation effects (along with whether prior extraction of the resource would be appropriate) are properly considered in line with the guidance in Scottish Planning Policy.

Historic Scotland

05-Mar-12 No specific comments. Robust application of national and appropriate local policies should be able to mitigate any adverse impacts. For those sites which are carried forward, early engagement with Historic Scotland on development proposals which raise complex or significant issues will be key to avoiding adverse impacts and optimising positive outcomes for the historic environment. The site lies in close proximity to the Union Canal. One of the key characteristics of the Union Canal is the alternation between rural and urban settings, and increased development along the rural sections of the canal has the potential to lead to a cumulative erosion of that character. Additionally, such development may bring pressure for supplementary crossings, which could potentially have adverse direct and/or Indirect impacts on the scheduled canal. We request that you give these points consideration when assessing the suitability of proposed sites close to the canal.

HSE (Health and Safety Executive)

09-Jan-14 No specific comments.

Regulations contained in the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 (as amended) require that in strategic and local development plans regard be had for the objectives of preventing major accidents and limiting the consequences of such accidents. The regulations require that regard also be had in strategic and local development plans for the need in the long term, to maintain appropriate distances between establishments and residential areas, buildings and areas of public use, major transport routes as far as possible and recreational areas, these being the objectives of the European Commission. The Health and Safety Executive has assessed this site and do not recommend that they, or any other third party such as operators of major hazard installations and major accident hazard pipelines, require to be consulted at the time of writing, with regard to potential allocation of this site in the West Lothian Local Development Plan, should the council choose to allocate it.

NHS Lothian

03-May-12 Existing facility: Linlithgow Health Centre

The existing health centre in Linlithgow is in poor condition and has no scope to be physically extended. If there was to be more demand/larger population, a new facility would have to be developed but it is unclear whether the existing GP practices would want to expand even if a new facility is built. The NHS has been tentatively approached by the Burghmuir applicant in order that a site for a new health centre could be provided on their site. Unclear whether OPs would want to expand their practices even if new facility built. All GP Practices have their own 'catchment areas' and GPs work independently to the NHS with there being a mixture of ownership and tenures regarding building usage and stock. The focus in recent years has been a move towards shared services and the development of Partnership Centres. Further dialogue with the NHS will be required once new allocations have been identified.

Scottish Enterprise

13-Mar-12 No specific issues or concerns.

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Scottish Water

27-Feb-12 In terms of water supply the site is served by the BALMORE water treatment works (WTW) where there is sufficient capacity. Water main extensions will be required. There is a reservoir on site which is not a Scottish Water asset.

In terms of waste water treatment the site is served by the LINLITHGOW waste water treatment works (WWTW) where there is sufficient capacity. Sewer extensions will be required

SEPA Flooding

14-Mar-12 There is a requirement for a Flood Risk Assessment (FRA) for this site. Development will increase flood risk potential out with this site. Flooding along the Mains Burn recorded in 1998 and surface water issues recorded nearby in 2001 and 2008. Union Canal flows adjacent to development site and we would recommend contact is made with British Waterways to establish whether there is a risk of / Formal Flood Defences Present: Formal scheme present upstream of development site. Designed to a 1:200 year event. It is unclear what protection (if any) is provided to the allocation site. I Comments : The FRA is required which assesses the flood risk from the Preston Burn/Mains Bum and the reservoir on site. Due to steep topography located to the north of the allocation, consideration should be given to surface runoff issues to ensure adequate mitigation is implemented.

SEPA Water Environment

14-Mar-12 There is no requirement for a buffer strip and there are no restoration opportunities. There is no significant water body to the site.

SNH

14-Feb-12 A biodiversity assessment is required for this site, given its rural location and there are protected species in the locality. Little interest within the site to build on for delivery of green infrastructure but surroundings offer good opportunities for links.

Transport Scotland

19-Sep-11 The majority of strategic transport network impacts will result from cumulative, rather than individual, impacts of development. A cumulative appraisal of sites impacting on the strategic transport network i.e. trunk roads and rail networks will need to be undertaken once there is certainty on what sites are preferred to come forward.

WLC Contaminated Land

30-Jan-12 Presence of contamination depends on the nature of agricultural use. Phase I study likely to be required.

WLC Economic Property Development

21-Jun-12 No comments.

WLC Education

09-Jul-12 No Education capacity if the whole site was developed. Capacity issues at existing schools. No capacity at Low Port and issues at Linlithgow Academy for larger scale development. Smaller scale development might be more favourable on the site.

WLC Environmental Health

19-Jun-12 Potential Air Quality impact from increased traffic in Linlithgow.

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WLC Flood Risk Assessment

05-Dec-13 A Flood Risk Assessment for this site is required. There are issues of flooding associated with Donaldson's and would drain to the canal (involves cost). This site is particularly steep. Runoff from the site currently drains to the Preston Burn and Mains Burn where defences have been constructed. The site doesn't drain to the loch but the issue of wastewater and available sewer capacity still has the potential to cause an increase in the number of spills from the loch CSO so considerable caution is urged about bringing forward this site. There is scope for surface water to be directed to the Union Canal which would be ideal. From recollection of this site there is a small reservoir structure on the site. Consideration would need to be given as to how this would be dealt with. The usual attenuation and treatment of runoff criteria would apply.

Update 05/12/13 There is a history of flooding in this part of the town. The site is NOT part of the Linlithgow Loch Catchment area. There is the potential for some development and opportunity for the developer to address issues.

WLC NETS and Land Services

12-Jul-12 Residential development can be supported provided the open spaces are provided & designed in accordance with the Open Space Strategy e.g. accessibility & quality standards. With specific reference to woodlands, full consideration should be given to retaining the existing character of the area, its conservation value and biodiversity to minimise any negative environmental impact.

WLC Transportation

27-Nov-13 Possible access off Deanburn Road but capacity issues off cul de sac and secondary access required; site within bus access; emergency access required. See also Transportation Background Paper to the Main Issues Report (MIR) for further details.

WLC Waste Management

12-Jul-12 Generic Response The only comment that Waste would wish to make at this stage is that the proposed 13,000 properties noted could in time merit a minimum of four additional vehicles for Waste Services. This is assuming the current collection regime remains as is (no shift changes) and accounts for food waste and glass taking off as well. Some detailed consideration would also need to be undertaken on recycling points and the potential for additional pressure on the amount of CRC sites we might operate at that time.

WOSAS

27-Feb-12 The site is located immediately to the south-east of a section of the Union Canal, which is legally protected as a scheduled monument. The plot is also located to the west of the reputed site of the Fountainhead of the Linlithgow Palace Well, located to the north of Donaldson's College. However, this is unlikely to be affected by development within the site. The site also lies to the north of the category A-listed Preston House. The plot was depicted as largely undeveloped on the 1st edition OS map. By the time of the 2nd edition, a square reservoir was depicted towards the centre of the plot, and this feature also appears on modern OS maps of the area. Other than this, the site appears to have been undisturbed by modern development over the last 150 years, meaning that it retains some potential to produce buried deposits associated with earlier phases of activity.

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