



**Scottish Natural Heritage**  
**Dualchas Nàdair na h-Alba**

All of nature for all of Scotland  
Nàdar air fad airson Alba air fad

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20 November 2015  
Our ref: CPP138618 / A1808616

Dear Fiona,

**West Lothian Local Development Plan – Proposed Plan**

Thank you for consulting us on the West Lothian Local Development Plan (LDP) Proposed Plan and its accompanying Strategic Environmental Assessment (SEA). We have provided comments on the SEA and Habitats Regulations Appraisal (HRA) in our response of 18 November 2015 via the Scottish Government SEA Gateway.

We recognise your preferred means of comment is via the Consultation Response Portal provided on your website. However, the formatting of the portal would not allow us to comment on all sections relevant to our interests or in the detail we feel is required at this stage. Our detailed comments on the Proposed Plan are therefore appended in an Annex to this letter.

We look forward to working with you to ensure that the natural heritage of West Lothian is safeguarded and enhanced through the LDP and its related documents. If you would like to discuss our response further please contact our planning advisor Vivienne Gray [REDACTED] in the first instance.

Yours sincerely

[by email]

Niall Corbet  
Operations Manager  
Forth

Enc.

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## Annex

Proposed Plan section / sub-section / policy	SNH representation
The Spatial Strategy – page 11	<p>The ‘Residential Design Guide’ supplementary guidance will require update if the principles set out in paragraph 5.8 and Policy DES1 are to be delivered.</p> <p>Policy DES1 part d) includes reference to <i>landscape provision</i>. It is unclear what is meant by this term. As it seems likely to refer to <i>landscaping</i> we recommend it is replaced by this.</p> <p>We welcome the inclusion of designated sites, biodiversity and green infrastructure as principles in parts b) and d) of Policy DES1.</p>
Flexibility within traditional industrial estates – Policy EMP5, page 16	<p>The requirement to prepare masterplans for strategic employment sites set out in Policy EMP5 is positive. However, allocations such as E-LV47 which currently forms part of Livingston’s landscape setting should have clear requirements set by the Council as site briefs or other appropriate design tool rather than a developer prepared masterplan alone. The principles for development of these sites should be based on placemaking principles in addition to phasing as currently set out in the policy.</p>
Effective Housing Land and Generous Supply – page 23	<p>Paragraph 5.52 includes a reference to SPP 2010.</p>
Strategic Allocations (including previously identified Core Development Area Allocations) – page 25	<p>We welcome the inclusion at paragraph 5.58 of open space, green networks and active travel infrastructure as key infrastructure which supports strategic allocations. Updated developer contribution supplementary guidance is not available at present but we expect that revisions will include these infrastructure types. We look forward to the opportunity to comment further.</p>
Linlithgow and Linlithgow Bridge – pages 26 and 27	<p>Paragraphs 5.65 and 5.67 include reference to avoiding impact on Linlithgow Loch Site of Special Scientific Interest (SSSI). As a standing partner on the Catchment Management Group we look forward to contributing to drafting the supplementary guidance for the loch referred to in paragraph 5.67. Paragraph 5.65 also sets a clear principle of a sequential approach to release of land in Linlithgow. This ‘whole settlement’ approach could be applied across West Lothian, supporting the Proposed Plan’s aim of creating better places to live.</p>
Infrastructure Requirements and Delivery – page 30	<p>Paragraph 5.81 states that <i>“It’s also important to consider open space and the associated green network...”</i> in the context of infrastructure requirements. The framing of these infrastructure types as an additional consideration is somewhat at odds with paragraph 5.58 which identifies them as key infrastructure. We recommend that paragraph 5.81 is amended to align with paragraph 5.58 on</p>

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	page 25 of the Proposed Plan.
Green Infrastructure and Green Networks – page 34	We welcome the definition and scope of green networks in West Lothian set out at paragraphs 5.102 to 5.105. We have worked successfully with a number of authorities to develop green network supplementary guidance and look forward to further work with you to develop your supplementary guidance.
Travel in and around West Lothian – page 34	Paragraphs 5.108 to 5.112 set out the challenge of delivering and supporting sustainable transport in the context of an LDP which creates better quality living environments. This holistic overview is welcome but at present the Proposed Plan lacks detail on <u>how</u> this will be achieved. As noted in our comments on Appendix 2, detail on strategic routes and meeting travel demands in new development requires expansion.
A71 Corridor; A801 Corridor; A89/A8 – page 35	Discussion of the key road corridors at paragraphs 5.114 to 5.120 is useful. However, it is disappointing that there is little evidence that the A71 and A801 corridors will have improved active travel infrastructure. As key strategic routes linking West Lothian settlements and adjacent authority areas, these corridors should be developed in the same manner as proposals set out for the A89 corridor in the Proposed Plan. This would also align the Proposed Plan with the emerging direction of SESplan 2, which has identified strategic active travel routes in these corridors. West Lothian's green network is likely to play a supporting role in delivering strategic active travel routes and we look forward to further discussion and work to develop principles for a design-led approach in these key corridors.
Policy TRAN3 – page 37	We welcome the scope of Policy TRAN3, particularly the inclusion of green network based routes. We assume that the reference to SNH in <i>“contributions towards cross-boundary/long-distance recreation and commuting routes”</i> is made with regards to our role in the delivery of the National Walking and Cycling Network as set out in NPF3. The nature of these routes could be set out more clearly and we suggest that this part of the policy is amended to achieve this.
Town Centres and Retailing – page 39	It is positive that the town centre section includes links to green networks (paragraph 5.134). The Proposed Plan emphasises supporting the SPP 2014 travel hierarchy in a number of places and multi-functional green network links to town centres from residential areas is a key means of supporting this. Where new town centres are proposed, e.g. Calderwood, the Plan could be clearer that these links are to be delivered in these proposals as they are in existing settlements.

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Landscape Character and Local Landscape Designations – page 41	Paragraph 5.142 requires some minor amendments to reflect partners and status of work: <i>“Landscape character assessments covering all of Scotland were carried out in the 1990s by Scottish Natural Heritage in partnership with local authorities and other agencies. West Lothian was included in the Lothians Landscape Character Assessment (1998). The council’s landscape character assessment was updated in 2011 and the boundaries complement or supersede those in the 1998 assessment. The original (1998) descriptions and supporting information provide relevant background context.”</i>
Policy ENV3; Policy ENV6 – page 43	<p>Policy ENV3 includes positive requirements to protect and enhance design and environmental quality in its final paragraph. However, we recommend that this is amended with the addition of <i>“local amenity”</i> as further clarification of the relationship between landscape character and quality/amenity of place.</p> <p>Policy ENV6 begins with <i>“Within or adjacent to ecologically significant areas protected in this LDP...”</i> This is not a distinction which SPP makes in relation to protection of peat and carbon-rich soils and we recommend that it is removed from the policy. This change would align the Proposed Plan with the National Peatland Plan which sets requirements for development planning as being <i>“...in all cases where peat and other carbon rich soils are present...”</i></p>
Policy ENV8 – page 46	We welcome and support the work carried out to develop West Lothian’s green network through the Proposed Plan. However, we recommend that, to align with the emerging direction of SESplan 2, Policy ENV8 is amended to include ‘areas of significant change’ as priority areas for the green network.
Policy ENV13 – page 50	It is not clear whether the criteria in Policy ENV13 will be expanded on in supplementary guidance or not. The nature of these criteria suggests that they may be detailed in proposed supplementary guidance and, for clarity we recommend this is clearly stated within the policy.
Policy ENV17; Policy ENV18 – page 52	The policy caveat <i>“Proposals must also have regard to and be compliant with the requirements of Planning Guidance (Planning for Nature: Development Management &amp; Wildlife)”</i> in Policy ENV19 should be added to Policies ENV17 and ENV18.
Scheduled Monuments – page 61	The role of the bings in the countryside belt between the expanding communities of Winchburgh and Broxburn set out in paragraph 5.206 is directly relevant to our remit. We therefore wish to be involved in consultation on this area and

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	its proposed supplementary guidance.
Wind Farms and Wind Turbines – page 65	<p>Paragraph 5.224 references the Council's GIS map of wind energy applications. While this is a generally useful reference, the detail of the map is not clear as there is no explanation of what a dot on the map represents. To be useful to all stakeholders, we suggest that this map should be updated with a clear key.</p> <p>Paragraph 5.225 refers to the spatial framework as including "...<i>small scale wind turbines</i>..." Our understanding of the supplementary guidance is that the spatial framework does not cover this typology but that it is included elsewhere in the supplementary guidance.</p> <p>Paragraph 5.225 also defines the content of the spatial framework in the final sentence. The groupings included here are taken from SPP 2010 and no longer form part of spatial frameworks as set out in SPP 2014. We recommend this reference is corrected.</p> <p>We support a concise approach to policy, but note that such policies must also be clear. Based on our knowledge of this topic, the current version of Policy NRG3 is not clear enough on assessment requirements for applications. We suggest that the supplementary guidance criteria referenced here are stated in the policy and that this includes siting and design and the criteria as listed in paragraph 169 of SPP 2014.</p> <p>We also note that Policy NRG3 omits landscape and visual impacts from the second paragraph which appears to outline content of the supplementary guidance. Our understanding is that there should be clear links between Plan and supplementary guidance content and we suggest that this would be addressed through changes to criteria as discussed above.</p> <p>Policy NRG4 is for technologies other than wind farms, the reference to spatial frameworks in the second sentence should therefore be removed as spatial frameworks are for wind energy development. Similarly, the reference to "...<i>when assessing wind energy proposals</i>..." in the final sentence of this policy is not relevant to the subject matter and we recommend that it is removed. The removal of these issues from the policy would effectively leave a policy which only cross-references to other parts of the Proposed Plan. We therefore suggest that in reviewing this policy, you consider the merit of merging NRG3 and NRG4.</p>
Policy MRW3 – page 74	Policy MRW3 part f) refers to "... <i>ecologically sensitive areas</i> ..." It is not clear whether this is designated sites or sensitive habitats in the wider countryside. As it may refer to Natura 2000 sites,

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	<p>with consequent requirements for Habitats Regulations Appraisal at project stage, we recommend that the terms used in part f) are clarified. The policy should also be modified with the following caveat:</p> <ul style="list-style-type: none"> <li>• Planning permission will only be granted if it can be demonstrated that there would be no adverse effect on the integrity of European site(s), either alone or in combination with other plans or projects. Developers will be required to submit information to support the Council in carrying out appropriate assessment.</li> </ul>
Appendix 2	<p>There are statements throughout Appendix 2 directing developers to “<i>Liaise with SNH to ensure all protocols are observed</i>”, our advice is that this should be removed. We suggest that you refer instead to your <i>Planning Guidance (Planning for Nature: Development Management &amp; Wildlife)</i>. As detailed in our Service Statement for Planning and Development, we will advise on habitats, species and landscape assessment for sites where EIA is required. In other circumstances the standing guidance on our website should be used.</p> <p>As discussed in our advice on paragraphs 5.114 to 5.120, the aim that active travel will be mainstreamed across West Lothian, with an emphasis on travel needs being met by creation of active travel links in development is welcome. However, the schedule of sites and site delivery requirements in Appendix 2 of the Proposed Plan includes very little detail on such links. If the Council’s aspirations are to be achieved, we would expect clearer direction to be set out in this Appendix. This would also have the benefit of providing greater certainty to developers.</p> <p>Our response to MIR question 29, part 1 (Linlithgow area of restraint) was that while there may be capacity in some of the proposed allocations that were presented at that time, capacity, including the type and scale of development, would best be explored in more detail through the preparation of a development framework for Linlithgow. We reiterate the importance of a design-led approach to the removal of the area of restraint and the allocation of sites for development in Linlithgow.</p>

Alongside the Proposed Plan, we have reviewed the relevant actions in the Action Programme and have the following comments, which relate to our advice on paragraphs 5.114 to 5.120.

Actions P-37 and P-110 relate to active travel on the A89 and A71, two key road corridors which link West Lothian settlements and cross-boundary to other local authority areas such as Edinburgh. While the Proposed Plan includes aspirations for further improvements to the existing route along the A89, there is no associated aspiration set out for other strategic

routes such as the A71. We recommend that clearer links between Proposed Plan content and the Action Programme are made. As the Council have submitted priorities to SESplan for strategic active travel routes, amendments to the Proposed Plan could be based on that work. This would have the benefit of tying the Proposed Plan into the emerging green network and strategic active travel routes in SESplan.