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Development Planning and Environment Manager,
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BY EMAIL

Dear Sir/Madam

**WEST LOTHIAN LOCAL DEVELOPMENT PLAN – PROPOSED PLAN
REPRESENTATIONS ON BEHALF OF NHS LOTHIAN – Bangour Village Hospital, Dechmont**

We act on behalf of NHS Lothian and are pleased to submit representations on their behalf to the West Lothian Local Development Plan (WLLDP) Proposed Plan. These representations are site specific to Bangour Village Hospital, Dechmont but we also provide comments on other aspects of the plan insofar as these are relevant to our client.

The site is the subject of a current planning application for Planning Permission in Principle (PPP) (0607/P/15). Concurrent applications for Conservation Area Consent (CAC) and Listed Building Consent (LBC) have also been submitted.

In the meantime, we welcome the opportunity to make representations to the emerging WLLDP and trust that the following will be helpful.

Site Background and Information

Bangour Village is situated immediately north of Livingston adjacent to Dechmont. The site itself extends to approximately 90 hectares (220 acres) illustrated by the Site Location Plan at Appendix 1. The site comprises the grounds and remaining buildings of the former Bangour Village Hospital which was in use until 2004. The site currently includes a number of listed and unlisted buildings in varying degrees of condition with the majority suffering from significant water ingress, with dry rot being prevalent in the majority of the existing buildings.

Current Planning Position

The principle of development / re-development at Bangour Village is well established. In this regard, it is understood that the redevelopment potential of the site was established in the Broxburn Area Local Plan (1991). An 'outline' planning application was submitted in 1996 by the Hospital Trust but this was not progressed. Following this, a Development Brief was produced in 1999 but ultimately was not approved / adopted by West Lothian Council.

Bangour Village Hospital is currently identified in the West Lothian Local Plan (Adopted January 2009) as an allocated housing site (HBn1) with a total allocation of 500 homes. The replacement WLLDP Proposed Plan indicates an increase in the allocation to some 550 homes. As discussed above, the site is now subject to a current planning application for PPP which supports these representations.

Current Planning Application

GVAJB, on behalf of the NHS Lothian, submitted an application for PPP to West Lothian Council (WLC) to develop the former Bangour Village Hospital site. The application was validated on 19th August 2015 (0607/P/15) and is progressing towards a determination at this time. This application is for '*Planning permission in principle for a residential and mixed use development (with Environmental Impact Assessment).*'

A number of uses have been proposed within this residential led application and are demonstrated through the illustrative masterplan [appendix 3 to this representation]. This includes:

- Residential development of approximately 800 new build units [*note: the total might be higher once refurbished listed buildings are factored in – although any conversions will be the subject of a separate application(s)*]
- Ancillary mixed use which could potentially include:
 - Class 1 (Retail)
 - Class 2 (Financial, professional and other services)
 - Class 3 (Food and Drink)
 - Class 4 (Business)
 - Class 5 (General Industrial)
 - Class 6 (Storage or Distribution)
 - Class 7 (Hotel)
 - Class 8 (Residential Institutions)
 - Class 10 (Non-residential institutions) to include a new primary school
 - Class 11 (Assembly and Leisure)

The submitted application is supported by a range of technical reports and includes the following topics: EIA (including ecology, environmental, cultural heritage etc), Planning

Policy Statement, Pre-Application Consultation Report, Transport Assessment, Heritage (Bangour Village Heritage Statement and Bangour Heritage Position Statement), hydrology (flood risk assessment and drainage strategy), and design.

All of this information is already available to West Lothian Council but we can provide this to the WLLDP review as required to support the representations and to assist the WLLDP review process generally.

As noted above, an illustrative development proposal has been produced taking account of the site characteristics to demonstrate how a proposal of approximately 800 new build homes could be spread across the site [appendix 3]. This followed extensive pre-application consultation and illustrates the preferred masterplan concept which emerged during this pre-application consultation stage [appendix 2].

In the meantime, the submitted applications and technical information demonstrates the suitability of the site for development as proposed in the applications. To date, we are not aware of any technical objections to the current applications that would prevent its development on this basis.

Detailed comments on the Proposed Local Development Plan

Housing Allocation – Bangour [H-DE 1]

Whilst we continue to support the allocation at Bangour, having reviewed and considered the current position within the WLLDP against the current planning application, it is believed that the number of units the site is allocated for should be increased to c.800 new build homes (there is further potential for conversions to the listed buildings to facilitate additional residential properties although the suitability and scope for listed building conversion is still the subject of ongoing viability testing).

Through extensive analysis of the site, it has been determined that of the whole site of approximately 220 acres, there are approximately 70 net acres of developable land which could accommodate residential development. It is considered that a density of between 12-15 homes per acre is appropriate as this would meet with the requirements of the development industry. As such we believe it realistic to request that the WLLDP allocation for new build homes is increased from 550 units to 800 units; plus a further potential increment for converted buildings which we estimate to be approximately 150-200, subject to final viability and detailed consenting.

We note that further site specific information and guidance is set out in Appendix 2 of the WLLDP and we comment on this below.

Housing Allocation – housing land supply considerations

SPP and Policy 6 of SESplan require each local authority to maintain an effective 5 year housing land supply at all times. SESplan housing Supplementary Guidance identifies that West Lothian Council (WLC) is required to deliver 18,010 houses over the period of 2009-2024. Based on the current supply of housing land as demonstrated through the application submission, it has been demonstrated that there is a shortfall of 2,130 homes within the plan period (WLLP).

The shortfall is recognised and the WLLDP Proposed Plan identifies a number of new opportunities across the local authority area in order to address this shortfall.

Whilst we have noted the figure 5 of the WLLDP Proposed Plan, a shortfall of housing land is still expected and we understand that Homes for Scotland (HfS) has made submissions to this effect to the WLLDP Proposed Plan. We would support the analysis and conclusions of HfS in this regard. For example, WLC has included constrained sites within its supply and we would further query the generosity allowance made by WLC and the use of the lowest level (10%). SPP (paragraph 116 suggests a range of 10%-20% and requires Council's to provide a robust explanation of the figures used. In this instance, the Council has not provided a robust explanation within the proposed plan as to why this lower level is used. SPP advocates 10%-20%.

In this context, there is a shortfall of units across West Lothian and we consider that an increase in the allocation of housing capacity at Bangour Village is entirely appropriate in this regard. The proposed increase in numbers at the allocated Bangour site would accord with SESplan and SPP in respect of wider policy objectives relating to housing land and delivery, particularly when considered against shortfall.

Extent of Allocation

A site plan is attached [appendix 1]. This is the extent of the application red line and reflects the extent of NHS Lothian's land ownership. We would suggest that this is the correct and appropriate boundary for the Bangour Village allocation in the WLLDP.

Whilst a significant part is currently allocated for housing, the full site at Bangour also includes an area of land to the north which falls within a Special Landscape Area.

In the current adopted West Lothian Local Plan (WLLP), the equivalent area is identified as an area of Great Landscape Value (AGLV).

In any case, as demonstrated through various technical documents of the planning application it has been proven that development within this northern part of the site is possible without compromising the integrity of the AGLV.

In the current WLLDP, part of the site is identified as a Special Landscape Area (SLA). Whilst policy ENV1 makes a provision in any case for development to be considered within such areas, it is appropriate and logical that the housing allocation for Bangour is extended across the entirety of the site [see plan at appendix 1]. The nature and extent of development within potentially more sensitive parts of the site is a matter for development management.

As noted above, the site has been comprehensively assessed against a number of technical matters and the findings of these assessments have found that the site is entirely appropriate for development to the extent of circa 800 new build units; including within the area identified in the WLLDP as a SLA.

A final point in this regard is that we have noted the proposal to allocate H-DE 3 (subject to context in relation to Bangour Village, as per appendix 2 of the WLLDP). This site is currently entirely within the AGLV in the adopted West Lothian Local Plan but is proposed to be removed from the AGLV/SLA in its entirety. Although we have not considered the landscape characteristics of H-DE 3, in the interests of consistency and with the benefit of the technical information submitted to support the current application for PPP at Bangour Village, it is entirely appropriate for the housing allocation to be extended across the whole of the site [appendix 1] in the case of Bangour Village H-DE 1.

Proposed Bangour Housing Allocation – summary

It is considered, in light of the above, that there is a clear and compelling case to increase the housing allocation at Bangour Village and to extend the actual allocation over the full extent of the NHS Lothian land ownership. In summary,

- The Scottish Planning Policy presumption in favour of sustainable development is relevant, particularly on an allocated, effective site which could deliver more units than currently suggested in the WLLDP.
- Given the potential build out rate of c.100 units/annum, development would not be fully developed until well into the proposed plan period, continually improving the housing land supply position throughout the plan period.
- The masterplan and current application for the development of the site has been informed by a number of studies looking at landscape, biodiversity, and environmental elements upon the site demonstrating the suitability of the site to support an increased housing allocation i.e. beyond the suggested 550.
- We are not aware of any technical objections from statutory / non-statutory consultees to the current application for circa 800 new build houses, at this time, at Bangour Village

WLLDP – other policy considerations

We have considered the wider policy framework both in terms of housing land issues and other site specific matters.

Whilst we would reserve our position to comment further and / or to appear at any subsequent LDP examination, we would wish to make a further comment in respect of the following policy and other matters.

With regards to policy HOU5 (affordable housing) of the Proposed Plan, we note that the affordable housing requirement is proposed to increase to 25%. As a general comment, we recognise that affordable housing is generally required as part of residential development proposals. There are some specific comments that we would make at this stage:

- If the provision is to increase from existing West Lothian Local Plan levels, the extent of affordable housing to be provided should be a maximum of 25%, as clearly stated in SPP, paragraph 129. The WLLDP should make this clear to ensure consistency with SPP.
- We are not aware of the statutory planning and legal basis upon which serviced land is to be transferred at 'nil value'. Paragraph 129 of SPP articulates that a proportion of the serviced land within a development site to be made available for affordable housing but does not state that this should be at 'nil value'
- With regards to integration, there is a need for an evidence based argument in relation to the nature and distribution of any affordable housing across a site – particularly a strategic site such as Bangour Village. For example, there is an emerging view that social housing providers often prefer to be closely located in a 'cluster' to take advantage of shared services and other amenities. Furthermore, RSLs may in the course of site specific discussions confirm the type of housing unit (e.g. house, flat) for the site and/or an alternative location i.e. offsite where contributions will be better utilised. Should these factors emerge as preferred options by the RSL once detailed discussions as part of a planning application have progressed, this should be taken into consideration accordingly. Ultimately, the deliverability of development should not be compromised by a policy that does not reflect affordable housing provider requirements;

With regards to policies ENV23 and ENV24 which relate to conservation areas, we note that the Bangour Village H-DE1 site is identified as a Conservation Area. We have not seen a formal Conservation Area Character Appraisal (CACA) for the site. Nevertheless, in light of current application proposals progressing through the development management process, we would suggest that a special review provision is required to take into account the up to date site assessment and heritage statement which clearly only identifies certain parts of the site that actually contribute to the site for conservation area purposes.

Policy ENV28 requires owners of major heritage assets to prepare and adopt management or conservation plans based on current best practice for their long term guardianship. In this regard, we have had extensive discussions with Historic Environment Scotland (HES) and this has had a positive contribution to the development of proposals for Bangour. Whilst ENV28 is more general to listed buildings, it may be appropriate to include within the Bangour Village site specific entry at appendix 2.

Appendix 2 of the WLLDP contains site specific information about housing sites and site delivery requirements. We would make the following observations;

- The site name would be more appropriately named Bangour Village to reflect the fact that the site no longer functions as a hospital and is allocated for development. Indeed, paragraph 4.45 of the WLLDP states that the LDP continues to support the delivery of the former Bangour Village Hospital.
- Under the 'planning' column, recognition should be given to the advanced position of the application for Planning Permission in Principle.
- Under 'other' there are 14 specific matters which are already being addressed through the current PPP (and associated applications for CAC and LBC). It may be appropriate to attach a provision to reflect the current application(s) (including approach to heritage, planning, design and development matters in particular) as further site specific guidance as the WLLDP progresses.

At section 6 of the WLLDP which discusses 'development proposals by settlement', we note a further two housing sites; H-DE 2 Main Street and H-DE 3 'Reserve Site'. Further information for each is set out in appendix 2 of the WLLDP and we note the comments in relation to H-DE 3 in particular in relation to its 'planning' context and relationship with wider development opportunities at Bangour.

On a related point, section 6 sets out as an 'other development', proposals for a new primary school (P-23). Whilst the proposals map places this at Bangour Village, we would suggest that this could be a more general proposal, likely to be required from new development in the area. It may be that other sites emerge as more appropriate and/or favourable to Bangour Village. This is a matter that is being considered in any case as part of the current application proposals for Bangour Village and to some extent, other current proposals in the area. We also note the general narrative at paragraphs 5.89 – 5.92 and in particular the commitment of the Council to work in partnership with developers (paragraph 5.90).

We would reserve our position to comment further on this and any site specific designations pending ongoing assessment of the current application (which has been made in accordance with approved development plan policy) and the agreement of an education solution.

Linked to this however, we note the terms of policy INF1 in relation to infrastructure provision and developer obligations. We support that contributions will only be sought where 'reasonably related' and in accordance with Circular 3/2012.

Notwithstanding the above, we have considered the development of Bangour against the relevant SESPlan policy framework and comment as below:

SESplan

Plan	Policy	Assessment/Response	Conform
SESplan	Policy 1A The spatial strategy: Development locations	West Lothian is identified as a Strategic Development Area and the development of the site will contribute to the spatial strategy for development.	Yes
SESplan	Policy 1B The spatial strategy: Development principles	The Pending application for PPP recognises the site specific policy designations and brings forward a level of detail proportionate to allow a determination to be made.	Yes
SESplan	Policy 5 Housing Land	GVAJB analysis of the 5-year effective land supply in West Lothian indicates there is shortfall.	Yes
SESplan	Policy 6 Housing Land Flexibility	The Bangour Village site is mostly allocated for housing in the WLLDP (Site H-DE 1) and therefore contributes to the housing land supply. The identified shortfall suggests that there is a case for an increase in the allocation and to allow early delivery of development.	Yes
SESplan	Policy 8 Transportation	A Transport Assessment (TA) has been undertaken as part of the submitted application. This confirms that the transport network can support the development proposed and that other public transport modes are available. The site has a sustainable transport network.	Yes
SESplan	Policy 9 Infrastructure	The terms of policy 9 are considered within the submitted application. At this stage, we are confident that the necessary infrastructure can be put in place to support development	Yes

In overall terms, the suitability of the principle of residential development at Bangour Village is apparent. It is, however requested that the extent of the allocation is increased, both in terms of the total number of dwellings that can be developed and the extent of the actual allocation itself in terms of the coverage of the site owned by NHS Lothian (and taking into consideration the findings of recently completed and submitted technical site assessments.

Conclusions

These representations have provided an overview of the current position of the site at Bangour Village Hospital and demonstrate that the site is effective and provides necessary evidence to support an increase in the number of private units from 500 to c. 800 (as well as a recognition of the additional potential for c.200 units of conversion within listed buildings) (subject to market conditions, viability assessments). This is further demonstrated by the planning application which is currently lodged with WLC which clearly demonstrate the intent by the applicant for development at the site.

The proposal has been influenced by a number of technical elements as required demonstrating the site is free from any significant constraints.

On behalf of our client, in light of the above, we therefore request the following principal changes;

1. the Bangour Village site should have its proposed allocation increase from the 550 units currently proposed to a level of c. 800 units for new build properties, and a recognition that there is potential for an additional allowance of up to c.200 units to take account of listed building conversions
2. the actual extent of the allocation is increased to cover the whole of Bangour Village and that the element of the SLA which sits within the northern boundary of our clients site is removed.

We would welcome further discussion with WLC as the WLLDP progresses towards examination in due course. Significant information is already available to WLC via the current applications for PPP, CAC and LBC. We can submit further information in respect of the site as matters progress and would reserve our position in this regard. In the meantime, we trust that the above and enclosed is helpful and look forward to receiving confirmation of receipt in due course.

Yours faithfully

For and on behalf of GVA

Enc: GVA 1 – site plan; GVA 2 – preferred masterplan concept; GVA 3 – illustrative masterplan