



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

West Lothian Council has published its *Proposed Plan* together with supporting documents including an *Environmental Report (SEA)*, *Habitats Regulation Appraisal*, *Strategic Flood Risk Assessment* and *Equalities & Human Rights Impact Assessment*. These can be viewed on the West Lothian Council website at <http://www.westlothian.gov.uk/proposedplan>

If you wish to make representations on the *Proposed Plan* or associated documents, you are encouraged to use the online consultation portal. It's quick and easy and will help us to process representations more efficiently, reducing the overall cost and environmental impact of the exercise.

If you need assistance with completing or submitting your representation online please call the Customer Service Centre (CSC) on 01506 280000. Please advise the Customer Service Centre that your enquiry relates specifically to the *Local Development Plan* and ask for it to be logged and directed to the Development Planning and Environment Team. Someone will contact you. Alternatively you can email us at wlldp@westlothian.gov.uk We will endeavour to respond as quickly as possible but in any event within three working days of receiving your enquiry.

It is important that all representations are submitted no later than midnight on Sunday 22 November 2015. Representations received after that time will not be considered.

Your comments should be concise, having regard to paragraph 84 of Scottish Government Circular 6/2013: Development Planning which states that representations should be no more than 2,000 words plus any limited supporting productions.

Data Protection Statement

Please be aware that when you make representations on the Proposed Plan through the consultation portal (and/or in a conventional written format) personal information provided as part of a representation cannot be treated as confidential. Representations require to be made available online and for public inspection at the council's office (this would include your name and postal address but would exclude any information which would be subject to the Data Protection Act 1998 i.e. signature, postal address, telephone number, email).

We are also required to pass these details to the Scottish Government's Directorate of Planning and Environmental Appeals (DPEA). This is because they may at a later date wish to invite you to an Examination of the Proposed Plan to discuss your representation. Before using the consultation portal you should also note that any information posted may be subject to disclosure under the Freedom of Information (Scotland) Act 2002. West Lothian Council will not be liable for any loss or damage arising from or in connection with the disclosure of any information including the disclosure of user generated content.

FOREWORD (page 4)

This introduction by the Leader of the Council establishes the role of the LDP and how it will help deliver the council's core objectives.

BACKGROUND (page 6, paragraphs 1.1-1.5)

Provides a brief historical context to the economic development of West Lothian which helps explain how settlements established and have developed.

CONTEXT (page 7, paragraphs 2.1-2.2)

Provides wider context for the LDP in geographic terms and explains how the LDP fits with the Strategic Development Plan (SDP1).

ROLE AND PURPOSE OF PLAN (page 7, paragraphs 3.1-3.5)

Establishes the role and purpose of the LDP in terms of its being a material consideration in the determination of any planning applications for development in West Lothian and, when adopted by the council, will replace the West Lothian Local Plan. It also sets out what documents the plan must comply with i.e. the Planning etc (Scotland) Act 2006 and what documents will accompany the plan i.e. the Action Programme etc.

VISION STATEMENT AND AIMS (page 8, paragraphs 4.1-4.3)

Establishes the vision for the LDP in terms of outcomes desired over the plan period and identifies the key aims of the plan by individual subject areas i.e. Economic Development & Growth, Community Regeneration, Sustainable Housing Locations, Infrastructure Requirements and Delivery, Town Centres and Retailing, the Natural and Historic Environment, Climate Change and Renewable Energy and Waste and Minerals.

THE SPATIAL STRATEGY (INCLUDING POLICY FRAMEWORK) (page 10, paragraphs 5.1-5.10)

In the context of the Strategic Development Plan (SDP), the LDP identifies West Lothian as being one of thirteen Strategic Development Areas where development will be focused in sustainable locations where infrastructure is either available or can be provided and in locations where there are no environmental constraints.

- **Economic Development and Growth** (page 12, paragraphs 5.11-5.22)
- **Flexibility within traditional industrial estates** (page 14, paragraphs 5.24-5.25)
- **Enterprise Areas** (page 17, paragraphs 5.24-5.25)
- **Local business opportunities, small business start-ups and working from home** (page 17, paragraph 5.26)
- **Tourism** (page 17, paragraphs 5.27-5.28)
- **Promoting community regeneration** (page 19, paragraphs 5.29-5.35)
- **Housing land requirements for the LDP** (page 20, paragraphs 5.36-5.49)
- **Effective Housing Land and Generous Supply** (page 23, paragraphs 5.50-5.53)
- **New Housing Sites and Design** (page 24, paragraphs 5.4-5.56)
- **Strategic Allocations (including previously identified Core Development Area Allocations)** (page 25, paragraphs 5.57-5.61)
- **Whitburn/Charette** (page 26, paragraph 5.62)
- **Linlithgow and Linlithgow Bridge** (page 26-27)
- **Deans South, Livingston; Area for Comprehensive Re-development** (page 27, paragraph 5.68)
- **Affordable Housing** (page 27, paragraphs 5.69-5.74)
- **Accommodation for Gypsies, Travellers and Travelling Show People** (page 29, paragraph 5.75)
- **Residential Care and Supported Accommodation** (page 29, paragraphs 5.76-5.77)
- **Infrastructure Requirements and Delivery** (page 30, paragraphs 5.78-5.84)
- **Providing for Community Needs** (page 32, paragraphs 5.85-5.88)
- **Education** (page 32, paragraphs 5.89-5.92)
- **Healthcare Provision** (page 33, paragraphs 5.93-5.96)
- **Sports Facilities** (page 33, paragraphs 5.97-5.101)
- **Green Infrastructure and Green Networks** (page 34, paragraphs 5.102-5.105)
- **Water and Drainage** (page 34, paragraphs 5.106-5.107)
- **Travel in and around West Lothian** (page 34, paragraphs 5.108-5.112)
- **Roads** (page 35, paragraph 5.113)

- **A71 Corridor** (page 35, paragraphs 5.114-5.115)
- **A801 Corridor** (page 35, paragraphs 5.116-5.117)
- **A89/A8** (page 35, paragraphs 5.118-5.126)
- **Rail** (page 37, paragraphs 5.127-5.130)
- **Walking and Cycling** (page 37, paragraphs 5.131-5.132)
- **Town Centres and Retailing** (page 39, paragraphs 5.133-5.138)
- **Landscape Character and Local Landscape Designations** (page 41, paragraphs 5.139-5.143)
- **Countryside Belts** (page 42, paragraph 5.144)
- **Development in the Countryside** (page 42, paragraphs 5.145-5.147)
- **Lowland Crofting** (page 44, paragraphs 5.148-5.152)
- **Green Networks, Local Biodiversity Sites and Geodiversity Sites** (page 45, paragraphs 5.153-5.155)
- **Forestry** (page 46, paragraphs 5.156-5.163)
- **Union Canal** (p.49 paragraphs 5.164-5.165)
- **Pentland Hills Regional Park** (page 49, paragraphs 5.164-5.165)
- **Country Parks** (page 50, paragraph 5.169)
- **Allotments/Community Growing** (page 51, paragraphs 5.170-5.171)
- **Temporary/Advance Greening** (page 51, paragraphs 5.172-5.174)
- **Biodiversity** (page 52, paragraphs 5.175-5.180)
- **Geodiversity** (page 53, paragraph 5.181)
- **West Lothian Open Space Strategy** (page 53, paragraphs 5.182-5.184)
- **Historic and Cultural Environment** (page 54, paragraphs 5.185-5.187)
- **Conservation Areas** (page 55, paragraphs 5.185-5.188)
- **Former Bangour Village Hospital, Dechmont** (page 56, paragraph 5.189)
- **Conservation Area at Abercorn/Hopetoun Estate** (page 56, paragraph 5.190)
- **Other Areas of Built Heritage and Townscape Value** (page 57, paragraphs 5.191-5.199)
- **Listed Buildings** (page 58, paragraphs 5.185-5.187)
- **Historic Gardens and Designed Landscapes** (page 59, paragraphs 5.200-5.201)
- **Historic Battlefields** (page 60, paragraph 5.202)
- **Archaeology** (page 60, paragraph 5.203)
- **Scheduled Monuments** (page 60, paragraphs 5.204-5.206)
- **Public Art** (page 61, paragraphs 5.207-5.208)
- **Climate Change Measures** (page 62, paragraphs 5.209-5.214)
- **Low Carbon Development and Renewable Energy** (page 63, paragraphs 5.215-5.221)
- **Wind Farms and Wind Turbines** (page 65, paragraphs 5.222-5.225)
- **Energy and Heat Networks** (page 66, paragraphs 5.226-5.229)
- **Off-gas Grid Areas and Renewable Heat Requirement for New-build Housing** (page 67, paragraphs 5.230-5.232)
- **The Water Environment and Flood Risk Management** (page 67, paragraphs 5.233-5.239)
- **Air Quality and Noise** (page 70, paragraphs 5.240-5.242)
- **Edinburgh Airport** (page 71, paragraph 5.243)
- **Noise** (page 71, paragraph 5.244)
- **Contaminated Land** (page 71, paragraphs 5.245-5.246)
- **Vacant and Derelict Land** (page 72, paragraphs 5.249-5.250)
- **Minerals and Waste** (page 73, paragraphs 5.251-5.256)
- **Site Restoration** (page 75, paragraphs 5.257-5.238)
- **Unconventional Gas Extraction including Hydraulic Fracking** (page 75, paragraph 5.259)
- **Waste** (page 76, paragraph 5.260)

DEVELOPMENT PROPOSAL BY SETTLEMENT (page 79)

Provides details of development proposals which are supported by the LDP in each town and village across West Lothian and assigns each one a unique reference for ease of identification.

- **Addiewell & Loganlea** (page 79)
- **Armadale** (page 80)
- **Bathgate** (page 81)
- **Blackburn** (page 82)
- **Blackridge** (page 83)
- **Breich** (page 83)
- **Bridgehouse & Bridgecastle** (page 83)
- **Bridgend** (page 83)
- **Broxburn** (page 84)
- **Burnside** (page 84)
- **Dechmont & Bangour** (page 85)
- **East Calder** (page 85)
- **East Whitburn** (page 86)
- **Ecclesmachan** (page 86)
- **Fauldhouse** (page 86)
- **Greenrigg** (page 86)
- **Kirknewton** (page 87)
- **Landward area** (page 87)
- **Linlithgow & Linlithgow Bridge** (page 89)
- **Livingston** (page 90)
- **Longridge** (page 93)
- **Mid Calder** (page 93)
- **Newton and Woodend** (page 93)
- **Philpstoun/East & West Philpstoun/Old Philpstoun** (page 93)
- **Polbeth** (page 93)
- **Pumpherstoun** (page 93)
- **Seafield** (page 93)
- **Stoneyburn/Bents** (page 94)
- **Threemiletown** (page 94)
- **Torphichen** (page 94)
- **Uphall** (page 94)
- **Uphall Station** (page 94)
- **West Calder & Harburn** (page 95)
- **Westfield** (page 95)
- **Whitburn** (page 96)
- **Wilkieston** (page 97)
- **Winchburgh** (page 97)

APPENDICES (page 99)

A number of appendices are included at the end of the LDP which provides additional detail on specific elements of the Proposed Plan.

- **Appendix 1 – Employment Land Allocations** (page 99)
- **Appendix 2 – Schedule of Housing Sites / Site Delivery Requirements** (page 119)
- **Appendix 3 – Schedule of Land Ownership** (page 259)
- **Appendix 4 – LDP Supplementary Guidance (SG) and Planning Guidance (PG)** (page 265)
- **Appendix 5 – List of Policies** (page 273)
- **Appendix 6 – List of Proposals** (page 275)

GLOSSARY (page 280)

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

PROPOSALS MAPS

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

ACCOMPANYING DOCUMENTS

Alongside the LDP is a suite of documents which are required by statute as part of the preparation and supporting evidence for the LDP.

- **Strategic Environmental Assessment (SEA) Environmental Report.**
- **Equalities & Human Rights Impact Assessment (EQHRIA).**
- **Strategic Flood Risk Assessment (SFRA).**
- **Habitats Regulations Appraisal.**
- **Transport Appraisal (TA).**
- **Action Programme.**

ADDITIONAL COMMENTS

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

Thank you for your participation and contribution.

Your details (mandatory)

Please indicate in what capacity you are making this submission:

- as an individual (and representing your own views)
- as a representative of a private or commercial organisation (and representing the views of that organisation)
- as a representative of a public organisation (and representing the views of that organisation)
- as an agent (and making comments on behalf of other individuals that you represent or third parties)
- other

Please complete the following contact information:

Name

Email

Telephone

Address

Organisation name

Client's name

Is this the first time you have made a written representation on the Proposed Plan? (mandatory)

- Yes No

If you have previously submitted a site to be considered for development when the council was initially seeking Expressions of Interest (EOI), or commented on the *Local Development Plan* at the *Main Issues Report (MIR)* stage, or made a previous submission to the *Proposed Plan* please provide the reference given to you at that time if known.

EOI & MIR reference number can be found on any email or written communication we may have previously sent you.

Enter EOI (Expression of Interest) reference here

Enter MIRQ (*Main Issues Report*) reference here

Once form has been completed please sign and date (mandatory)

You do not have to respond to all of the questions set out only those which you feel are of particular relevance to you.

Signature Date

FOR OFFICE USE ONLY

Proposed Plan reference

Wallace Land – Representations to Proposed Plan Summary of Representations

On behalf of our clients Wallace Land Investment & Management (Wallace Land) we object to a number of policies and proposals in the West Lothian Local Development Plan (LDP) Proposed Plan, as set out below. We also submit three additional sites for allocation in the LDP. These are as follows:

- Wellhead Farm, Murieston
- Pumpherston Farm
- Burghmuir, Linlithgow

A number of supporting documents are included with our representations. These are also detailed below.

EOI/MIR submission references

We made submissions on behalf of Wallace Land in response to the West Lothian LDP Main Issues Report. The reference numbers are as listed below.

- EOI-0035
- EOI-0051
- EOI-0055
- EOI-0103
- MIRQ-0184
- MIRQ-0185
- MIRQ-0186
- MIRQ-0187
- MIRQ-0188
- MIRQ-0189
- MIRQ-0190
- MIRQ-0191
- MIRQ-0192
- MIRQ-0193

The Spatial Strategy (including policy framework)

We object to Policy HOU1: *Allocated Housing Sites* and *Figure 5* of the Proposed Plan on the basis that the Council's proposed development strategy as set out in the LDP Proposed Plan does not comply with the requirements of SESplan or Scottish Ministers, as set out in SPP. The attached *Representation about Policy HOU 1: Allocated Housing Sites and Figure 5* sets out our justification in detail, based on the supporting *Assessment of the Housing Land Supply*.

The supporting *Assessment of the Housing Land Supply* demonstrates that the number of homes to be allocated in the LDP Proposed Plan is 5,568 homes for the period 2009 to 2019. The number of homes to be allocated in the LDP Proposed Plan for the period 2019 to 2024 is 4,459 homes. For the period 2024 to 2027, the Council is required to allocate land for 1,612 homes. Over the entire LDP plan period 2009 to 2027, the Council is required to allocate additional effective housing land with a capacity of 11,639 homes.

Taking account of the programming of proposed allocations set out in the LDP Proposed Plan, which is not agreed by Homes for Scotland, the additional allocations required in the Proposed Plan over and above the proposed allocations already identified in the LDP Proposed Plan is 4,072 homes for the period 2009 to 2019.

The further allocations required in the LDP Proposed Plan for the period 2019 to 2024 is 1,849 homes. For the period 2024 to 2027, the Council requires to allocate further land for 1,612 homes.

In total, additional housing land capable of becoming effective over the plan period from 2009 to 2027 is required to deliver 7,533 homes. The allocation of this scale of additional homes is necessary in order to ensure that the LDP Proposed Plan complies with the housing land requirement in full as required by SESplan.

It is apparent from our *Assessment* that there is still a significant and substantial shortfall in the housing land supply in the first plan period to 2019. This matter has been raised and agreed by Reporters in recent appeal decisions.

The Council's development strategy for the LDP Proposed Plan needs to focus on identifying sufficient effective housing land that can contribute to the effective housing land supply in the short term period to 2019, as well as its plan period to 2027.

The consequence of failing to make these additional allocations is that the Council will not be maintaining a 5 year effective housing land supply from the adoption of the LDP. This will mean that the housing land supply policies in the LDP will be considered out of date in accord with SPP paragraph 125. In these circumstances a presumption in favour of development that contributes to sustainable development will apply through the development management process as set out in SPP paragraphs 29 and 32 to 35.

Accordingly, more land should be allocated to ensure that the LDP accords with the requirements of SESplan and SPP. We recommend the inclusion of three additional sites to help ensure these requirements are met. These sites are detailed below.

We object to the other policies listed below on the basis that they do not allow for the maintenance of an effective housing land supply as required by SESplan and SPP and they include unreasonable demands on development that are contrary to the provisions of Circulars 4/1998 and 3/2012. Separate representations set out changes requested to each policy and the justification for these.

1. HOU1: *Allocated Housing Sites and Figure 5*
2. HOU 2: *Maintaining an Effective Housing Land Supply*
3. HOU 3: *Infill/Windfall Housing Development within Settlements*
4. HOU 4: *Windfall Housing Development in Linlithgow and Linlithgow Bridge*
5. HOU 8: *Healthcare and Community Facilities in New Housing Development*
6. INF 1: *Infrastructure Provision and Developer Obligations*
7. ENV 1: *Landscape character and special landscape areas*
8. ENV 2: *Housing development in the countryside*
9. ENV 4: *Loss of prime agricultural land*
10. ENV 7: *Countryside belts and settlement setting*
11. ENV 8: *Green Network*
12. ENV 11: *Protection of the water environment / coastline and riparian corridors*
13. ENV 18: *Protection of Local and National Nature Conservation Sites*
14. ENV 31: *Historic Battlefields: Battle of Linlithgow Bridge (1526)*
15. ENV 32: *Archaeology*
16. EMG 3: *Sustainable Drainage*

Development proposal by settlement

We promote three development opportunities that should be allocated in whole or part to help ensure the LDP meets the Council's housing requirement, as required by SESplan and Scottish Ministers.

These are listed below:

1. Wellhead Farm, Murieston. This site is proposed for development in three phases for a total of 680 homes plus community hub. Each phase is standalone and the site can be allocated in one, two or all three phases together. The whole site can be built out over the 10-year LDP period.
2. Pumpherston Farm. This site is proposed for a mixed use development incorporating up to 1,230 homes, with community hub, including a new Primary School if required by the Council. Separate phases of development would be delivered in phases of 200-300 homes. This site can be allocated in whole or in part with the potential to deliver 670 homes in Phases 1 to 3 in the LDP period.
3. Burghmuir, Linlithgow. This site is proposed for a phased mixed use development for around 600 homes, new motorway slips, and community facilities including hotel, care home, health centre, and sports provision. The whole site can be built out over the 10-year LDP period. Phase A for around 200 homes is capable of coming forward independently.

A separate *Supporting Statement* has been submitted for each of these three sites. These explain each proposal and its environmental impacts. They provide an updated SEA Site Assessment for each site, taking account of mitigation to be delivered by the proposal. They demonstrate that each of the three sites has acceptable environmental impacts and compares favourably with sites allocated in the Proposed Plan. Each of the sites is suitable for allocation in the LDP. Public consultation for each site is described.

We object to the proposed housing allocations in Linlithgow as listed below on the basis of concerns over the effectiveness of the proposed allocations. This is in terms of a lack of primary school capacity; increased traffic impacts leading to more congestion and further deterioration in air quality. The Council has not proposed infrastructure solutions to deal with these matters which are programmed for delivery. The full justification for these objections is set out within our series of site-specific representations.

- H-LL 4 Land east of Manse Road
- H-LL 7 Clarendon House, 30 Manse Road
- H-LL 10 Clarendon Farm
- H-LL 11 Wilcoxholm Farm / Pilgrims Hill
- H-LL 12 Preston Farm

We also object to the proposed strategic employment allocation at Burghmuir in Linlithgow, reference P-43. This is on the basis that there is no market demand for the proposed use. Further, there is an existing site allocated for this use (E-LL 2) which is currently available for this type of development. It is recommended that the Council modifies the Proposed Plan by allocating land at Burghmuir, Linlithgow for the mixed use development promoted by Wallace Land. The supporting *Representation about Proposal P-43 Burghmuir* sets out the full justification for this objection.

List of supporting documents

The following documents are submitted in support of our representations.

The Spatial Strategy (including policy framework)

1. *Assessment of the Housing Land Supply*
2. *Representation about Policy HOU 1: Allocated Housing Sites and Figure 5*
3. *Representation about Policy HOU 2: Maintaining an Effective Housing Land Supply*
4. *Representation about Policy HOU 3: Infill/Windfall Housing Development within Settlements*
5. *Representation about Policy HOU 4: Windfall Housing Development in Linlithgow and Linlithgow Bridge*
6. *Representation about Policy HOU 8: Healthcare and Community Facilities in New Housing Development*
7. *Representation about Policy INF 1: Infrastructure Provision and Developer Obligations*
8. *Representation about Policy ENV 1: Landscape character and special landscape areas*
9. *Representation about Policy ENV 2: Housing development in the countryside*

10. *Representation about Policy ENV 4: Loss of prime agricultural land*
11. *Representation about Policy ENV 7: Countryside belts and settlement setting*
12. *Representation about Policy ENV 8: Green Network*
13. *Representation about Policy ENV 11: Protection of the water environment / coastline and riparian corridors*
14. *Representation about Policy ENV 18: Protection of Local and National Nature Conservation Sites*
15. *Representation about Policy ENV 31: Historic Battlefields: Battle of Linlithgow Bridge (1526)*
16. *Representation about Policy ENV 32: Archaeology*
17. *Representation about Policy EMG 3: Sustainable Drainage*

Development proposal by settlement

18. *Supporting Statement – Wellhead Farm, Murieston*
19. *Supporting Statement – Pumpherston Farm*
20. *Supporting Statement – Burghmuir, Linlithgow*
21. *Representation about Proposed Allocation Reference H-LL 4*
22. *Representation about Proposed Allocation Reference H-LL 7*
23. *Representation about Proposed Allocation Reference H-LL 10*
24. *Representation about Proposed Allocation Reference H-LL 11*
25. *Representation about Proposed Allocation Reference H-LL 12*
26. *Representation about Proposal P-43 Burghmuir*

**West Lothian Local Development Plan Proposed Plan
Assessment of the Housing Land Supply**

On behalf of

WALLACE LAND 
INVESTMENT + MANAGEMENT

November 2015

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Document Control and Approval

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1.0 Introduction

- 1.1. There are significant issues regarding the methodology adopted by the Council to define the housing land requirement and the effective housing land supply for the Local Development Plan (LDP) Proposed Plan. These issues need to be addressed by the Council prior to submission on the LDP Proposed Plan to Examination.
- 1.2. This *Assessment of the Housing Land Supply* (the Assessment) examines the methodology and assumptions adopted in the LDP Proposed Plan. There is no technical supporting paper to support the assumptions adopted by the Council in Figure 5 *West Lothian Housing Supply Target*.
- 1.3. Prior to Examination, the Council **must** have an up to date Housing Land Audit 2015 or Housing Land Audit 2016 agreed with the house building sector through Homes for Scotland.
- 1.4. The Council's proposed development strategy will not meet the requirements set out by Scottish Planning Policy (SPP) and the approved SESplan Strategic Development Plan (SDP), together with the guidance in PAN 2/2010: *Affordable Housing and Housing Land Audits*.
- 1.5. The analysis in this Assessment confirms the proposed development strategy:
- uses the Housing Need and Demand Assessment (HNDA) for SESplan SDP 2 (referred to by the Council as HoNDA 2), this is not a relevant matter for the LDP Proposed Plan until approval of the next iteration of the SDP as confirmed by Scottish Government;
 - adjusts the programming of the agreed Housing Land Audit 2014 without consultation with the house building sector through Homes for Scotland;
 - includes programming on Constrained Sites contrary to the requirements of SESplan, SPP and the agreed Housing Land Audit 2014;
 - marketability is only one test of effectiveness and all of the tests of effectiveness apply as a whole;
 - does not identify the housing land requirement 10 years post adoption to 2027 in accord with SPP;
 - assumes that all proposed allocations will be built out by the end of the plan period and this general assumption is not supported by Homes for Scotland; and
 - will not maintain a 5 year effective housing land supply at adoption of the LDP.
- 1.6. This Assessment confirms that there is a significant shortfall in the scale of new housing allocations required in the LDP Proposed Plan to meet the agreed housing land requirement in full. Consequently, the proposed development strategy will not maintain a 5 year effective housing land supply at all times. Further effective housing land releases are urgently needed in support of the Council's proposed development strategy. This is in accord with SESplan Policy 5 *Housing Land* and Policy 6 *Housing Land Flexibility*.
- 1.7. For the purposes of the LDP Proposed Plan, Figure 5 *West Lothian Housing Land Supply Target* should be replaced with the table below, subject to agreement with Homes for Scotland:

	2009-2019	2019-2024	2024-2027	2009-2027
Setting the LDP Housing Land Supply Target				
LDP Housing Supply Target	11,420	6,590	2,784	20,794
Generosity Allowance (+10%)	1,142	659	278	2,079
LDP Housing Land Requirement	12,562	7,249	3,062	22,873
Meeting the LDP Housing Land Supply Target				
<i>minus</i> Effective Supply	4,802	2,490	1,270	8,562
<i>minus</i> Constrained sites coming forward	0	0	0	0
<i>minus</i> Completions (2009 to 2014)	2,440	0	0	2,440
<i>minus</i> Windfall	320	400	240	960
<i>plus</i> Demolitions	568	100	60	728
<i>equals</i> Total Supply from Existing Sources	6,994	2,790	1,450	11,234
<i>equals</i> Allocations Required	5,568	4,459	1,612	11,639
<i>minus</i> Programming of Proposed Allocations	1,496	2,610	0	4,106
<i>equals</i> Shortfall / Surplus	4,072	1,849	1,612	7,533

- 1.8. This analysis confirms that the number of homes to be allocated in the LDP Proposed Plan is 5,568 homes for the period 2009 to 2019. The number of homes to be allocated in the LDP Proposed Plan for the period 2019 to 2024 is 4,459 homes. For the period 2024 to 2027, the Council is required to allocate land for 1,612 homes.
- 1.9. Over the entire LDP plan period 2009 to 2027, the Council is required to allocate additional effective housing land with a capacity of 11,639 homes.
- 1.10. Taking account of the programming of proposed allocations set out in the LDP Proposed Plan, which is not agreed by Homes for Scotland, the additional allocations required in the Proposed Plan over and above the proposed allocations already identified in the LDP Proposed Plan is 4,072 homes for the period 2009 to 2019. The further allocations required in the LDP Proposed Plan for the period 2019 to 2024 is 1,849 homes. For the period 2024 to 2027, the Council requires to allocate further land for 1,612 homes.
- 1.11. In total, additional housing land capable of becoming effective over the plan period from 2009 to 2027 is required to deliver 7,533 homes.
- 1.12. The consequence of failing to make these additional allocations is that the Council will not be maintaining a 5 year effective housing land supply from the adoption of the LDP. This will mean that the housing land supply policies in the LDP will be considered out of date in accord with SPP paragraph 125. In these circumstances a presumption in favour of development that contributes to sustainable development will apply through the development management process as set out in SPP paragraphs 29 and 32 to 35.

2.0 Scottish Planning Policy

2.1 SPP (June 2014) sets out the policy requirements in paragraphs 109 to 125 for both development plans and development management for *Enabling the Delivery of New Homes*.

2.2 The policy principles which have a direct consequence on the Council's preferred development strategy and are summarised in SPP, paragraph 110:

Policy Principles

110. The planning system should:

- *identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5-year supply of effective housing land at all times;*
- *enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places; and*
- *have a sharp focus on the delivery of allocated sites embedded in action programmes, informed by strong engagement with stakeholders.*

2.3 The delivery mechanism should include partnership working with a range of partners including the delivery sector such as Homes for Scotland as set out in paragraph 111.

2.4 Local development plans (LDPs) should be based on a robust and credible HNDA. It should adopt the housing supply target based on evidence from the HNDA for both affordable and market sector housing. As paragraph 115 explains, this housing supply target is a policy view of the number of homes to be delivered over the development plan period but must properly reflect the HNDA estimate of housing demand and be supported by compelling evidence. The choice of the housing supply target should also be reflected in the local housing strategy.

2.5 In paragraph 116, the housing supply target will be based on the number of homes to be built in the plan period together a margin of 10% to 20% to ensure a generous land supply is provided. The exact extent of the margin depends on local circumstances and requires a robust explanation. This then establishes the housing land requirement for the LDP.

2.6 The application of the 'generosity allowance' translates the housing supply target to the housing land requirement.

2.7 Sources of land supply to meet the housing land requirement are referred to in paragraph 117. These include the established land supply, proposed new allocations and a proportion of windfall development which can be justified.

2.8 This housing supply target should be set out in the strategic development plan (SDP) as well as the housing land requirement up to year 12. This housing supply target should be met in full (paragraph 118). In addition beyond year 12 and up to year 20, the SDP should provide an indication of the possible scale and location of housing by local development plan area.

2.9 LDPs in city regions should allocate sites which are effective or expected to become effective in the plan period to meet the housing land requirement up to year 10 from the date of adoption. Planning

authorities need to be confident that the allocated sites will enable the housing land requirement to be met.

- 2.10 This process is helpfully set out in Diagram 1 on page 30.
- 2.11 SPP requires planning authorities to maintain a 5 year effective land supply at all times, using the housing land audit process as a monitoring tool measure whether this requirement is being met (paragraph 123). Where a shortfall in the 5 year effective land supply emerges then according to paragraph 125, development plan policies for the supply of housing land will not be considered up to date and reference to paragraphs 32 to 35 of SPP is made. This is a reference to the development management process and how the issue of prematurity is to be addressed with a presumption in favour of sustainable development.
- 2.12 In considering the implications of these paragraphs, their interpretation needs to have regard for the existing guidance in PAN2/2010 about assessing the amount of effective housing land using the housing land audit process (paragraph 57); restricting the proportion of effective land to be included to that which can be built in the plan period (paragraph 56) and the factors which determine whether a site is effective or not (paragraph 55).

3.0 SESplan SDP

3.1 In approving SESplan SDP, Scottish Ministers set out a requirement for Supplementary Guidance in respect of Policy 5 *Housing Land* to identify the housing land requirement to be met by the local development plans for the periods 2009 to 2019 and 2019 to 2024.

3.2 The Supplementary Guidance has now been approved by the Scottish Ministers subject to modification. The following sentence was be deleted from paragraph 3.13:

Member authorities will base their calculation of the five year land supply on the period 2009 - 2024, taking into consideration housing completions.

3.3 The SESplan Joint Committee considered the matter at its meeting on 30th June 2014 and recommended to the member authorities that the guidance be adopted with the modification

3.4 Policy 5 states that:

...Supplementary guidance will be prepared to provide detailed further information for Local Development Plans as to how much of that requirement should be met in each of those six areas, both in the period 2009 to 2019 and in the period 2019 to 2024.

...Subject to any justifiable allowance for anticipated house completions from 'windfall' sites, and for demolitions of existing housing stock, Local Development Plans will allocate sufficient land which is capable of becoming effective and delivering the scale of the housing requirements for each period, which will be confirmed in the supplementary guidance.

...Those existing housing sites which are assessed as being constrained, but also capable of delivering housing completions in the period 2024 to 2032, should be safeguarded for future housing development.

3.5 It is clear from Policy 5 that the housing land requirement for West Lothian will be set out in the Supplementary Guidance.

3.6 The housing land requirement for the emerging West Lothian LDP as established in the Supplementary Guidance is set out in the table below:

Local Development Plan	2009-2019	2019-2024
West Lothian	11,420	6,590

Source: Supplementary Guidance, Table 3.1 Housing Land Requirement by Local Development Plan Area

3.7 According to SPP (paragraph 115), this is the housing supply target for West Lothian.

3.8 SESplan has adopted the findings of the HNDA and therefore the housing supply target as set out in paragraph 115 of SPP. This housing supply target should be adopted by the Council for Local Development Plan purposes. HNDA 2 bears no relevance to the approved SESplan SDP.

3.9 According to the HNDA and the Supplementary Guidance, most of the need and demand will arise in the period to 2019. It is therefore imperative that the finalised development strategy in the adopted LDP is capable of releasing the scale of effective sites needed in the short term. There needs to be no doubt about the effectiveness of the allocated sites in the LDP to deliver at least 11,420 homes by 2019.

3.10 SESplan Policy 6 *Housing Land Flexibility* requires that:

Each planning authority in the SESplan area shall maintain a five years' effective housing land supply at all times. The scale of this supply shall derive from the housing requirements for each Local Development Plan area identified through the supplementary guidance provided for by Policy 5. For this purpose planning authorities may grant planning permission for the earlier development of sites which are allocated or phased for a later period in the Local Development Plan.

3.11 Each planning authority in the SESplan area will maintain a five year effective housing land supply at all times otherwise the development plan policies about the supply of housing land will not be considered up to date (SPP, paragraph 125).

3.12 As set out in paragraph 119, SPP requires that the emerging LDP should allocate a range of sites which are effective or are expected to be effective in the plan period to meet the housing land requirement of the strategic development plan up to year 10 from the expected date of adoption.

3.13 As the expected date of adoption is 2017, the housing land requirement to 2027 is needed.

3.14 This is a requirement by Reporters at the Scottish Borders, City of Edinburgh and Fife LDP Examinations. West Lothian LDP Proposed Plan will need to identify the additional housing supply target and housing land requirement for the period 2024 to 2027.

3.15 Further, the development strategy proposed in the emerging LDP should provide for a minimum of a 5 year effective land supply at all times.

4.0 West Lothian Local Development Plan Proposed Plan

- 4.1 SESplan Policy 5 requires that the emerging LDP allocates *...sufficient land which is capable of becoming effective and delivering the scale of the housing requirements for each period.*
- 4.2 The Council's proposed strategy, as set out in the LDP Proposed Plan, is set out in paragraph 5.37. The LDP Proposed Plan key objectives are as follows:
- *direct growth to places where it will support sustainable development goals;*
 - *community regeneration, and maintain and enhance the character and identity of towns and villages;*
 - *ensure that necessary social and physical infrastructure accompanies growth;*
 - *allow for a range of house types and sizes across all sectors;*
 - *achieve and maintain a minimum of 5 years effective housing land supply in each of the sectors identified in the current Housing Needs and Demand Assessment;*
 - *have regard to significantly increased demand for rented housing; and*
 - *deliver affordable housing, particularly in the areas of highest demand.*
- 4.3 The Council also considers that *...the most recent Housing Needs and Demand Assessment (HoNDA2) ... is a material consideration* (paragraph 3.51).
- 4.4 For the avoidance of doubt, the approved SDP adopts its housing supply target based on HNDA 1 and not HNDA 2. Scottish Government has confirmed that until such time as the next iteration of the SDP is approved, the housing supply target must reflect the housing supply target set out in the approved SDP.
- 4.5 This requirement is set out in a letter from Scottish Government and is presented in Annex 1 *Letter from Scottish Government on HNDA* of this Assessment. The Council needs to approve a development strategy for its LDP which complies with the approved SDP. It cannot choose another HNDA it wishes to adopt for the purposes of its LDP. HNDA 2 is not a material consideration for this LDP.
- 4.6 The Council should remove all reference to HNDA 2 from the LDP Proposed Plan prior to the LDP Examination.
- 4.7 The following analysis sets whether the position as set out in Figure 5 *West Lothian Housing Land Supply Target* adopted by the Council is in accord with SESplan SDP and SPP.
- Establishing Proposed Plan Housing Supply Target and Housing Land Requirement**
- 4.8 The housing supply target is set out in the Glossary for SPP. SPP explains that *... it is the number of homes to be built.* The housing land requirement is the housing supply target **plus** a generosity allowance of between 10% and 20%. This housing land requirement should then be adopted for the LDP.
- 4.9 The Council's preferred strategy has adopted a housing supply target of 11,420 homes for the period 2009 to 2019 and 6,590 homes for the period 2019 to 2024.

- 4.10 The Council's proposed strategy housing supply target complies with SESplan Policy 5 and the Supplementary Guidance.
- 4.11 However, the Council also needs to identify the housing supply target for the further period from 2024 to 2027 to allow a 10 year post adoption period for the LDP. In accord with outcomes from LDP Examination for other SESplan authorities, this needs to be adopted from the HNDA. The HNDA to use is set out in the SESplan Housing Technical Note (2011) in Table 4 *Demand for New Houses Net of Turnover* at 928 homes per annum.
- 4.12 The housing supply target to plan for over the period from 2009 to 2027 is set out in the following table:

	2009-2019	2019-2024	2024-2027
Housing Supply Target	11,420	6,590	2,784

- 4.13 These housing supply targets for the three periods need to be adopted in the LDP. This enables the LDP to comply with SPP and the SDP.
- 4.14 The Council needs to adopt a generosity allowance of between 10% and 20% in order to comply with the requirements of Scottish Ministers as set out in SPP paragraph 116. The Council has adopted a 10% generosity allowance as set out in Figure 5.
- 4.15 The application of this generosity allowance to the housing supply target results in the housing land requirement as set out in the table below:

	2009-2019	2019-2024	2024-27
Housing Supply Target	11,420	6,590	2,784
Generosity Allowance (10%)	1,142	659	278
Housing Land Requirement	12,562	7,249	3,062

- 4.16 It should be noted that the development strategy in the emerging LDP needs to meet the housing land requirement in full over each of these plan periods. It cannot be averaged over the full plan period to 2027.
- 4.17 The next step is determining whether the proposed development strategy and its proposed allocations together with the known effective land supply over the plan period meets this housing land requirement.
- 4.18 The Council did not provide the land supply information for Figure 5 as part of the consultation. However, this was subsequently supplied to Homes for Scotland following a request for this information. This is included in Annex 2 *West Lothian Figure 5*.

Completions in the Initial Plan Period

- 4.19 The Council has confirmed 2,440 completions from housing sites in the period 2009 to 2014. This is agreed with Homes for Scotland.

Identifying the Effective Housing Land Supply

- 4.20 The LDP Proposed Plan does not identify the scale of the effective housing land supply for the period to 2019 and the period to 2024 in accord with the agreed Housing Land Audit 2014.
- 4.21 The Council has altered the programming presented in Housing Land Audit 2014 without consultation with the house building sector through Homes for Scotland

- 4.22 This is **unacceptable**.
- 4.23 Analysis of the effective housing land supply for the period to 2027 has been carried out in accord with the agreed Housing Land Audit 2014. This confirms that the scale of the effective housing land supply for the period 2014 to 2019 is 4,802 homes. This includes a Small Sites allowance of 50 homes per annum.
- 4.24 The scale of the effective housing land supply for the period 2019 to 2024 is 2,490 homes. This is based on continuing the agreed programme of completions from existing effective housing sites with effect from 2021.
- 4.25 The scale of the effective housing land supply for the period 2024 to 2027 is 1,270 homes. This is based on continuing the agreed programme of completions from existing effective housing sites with effect from 2021.
- 4.26 This analysis is set out in the Annex 3 *Housing Land Audit 2014*.

Identifying the Completions from Constrained Sites

- 4.27 Figure 5 assumes that the proposed development strategy will deliver 642 completions from Constrained Sites for the period 2014 to 2019 and 3,716 completions from Constrained Sites for the period 2019 to 2024. The Council has not explained the rationale as to why this approach has been adopted.
- 4.28 The agreed Housing Land Audit 2014 confirms that both the Council and Homes for Scotland expect that there will be no completions from any Constrained Sites before 2021. The housing land audit period does not go beyond that date.
- 4.29 No evidence has been presented by the Council in the LDP Proposed Plan or any supporting paper that supports this assertion. The Council has not identified the interventions which are required to make these Constrained Sites effective. The agreed position between the Council and Homes for Scotland is that Constrained Sites will not contribute to the housing land supply before 2020.
- 4.30 The Council has not confirmed the effectiveness of these Constrained Sites in accord with SPP paragraphs 118 and 123 as well as PAN 2/2010.
- 4.31 The programming adopted by the Council for these Constrained Sites cannot be adopted until consultation has been undertaken with the house building sector through Homes for Scotland.
- 4.32 For the purposes of the LDP Proposed Plan, it remains the assumption that no completions will occur from Constrained Sites unless agreed with the house building sector through Homes for Scotland.

Identifying the Completions from Windfall Sites

- 4.33 The Council has adopted the assumption from SESplan Housing Land Supplementary Guidance *Technical Note* (2013) regarding Windfall allowance. This Windfall allowance is an average of 80 homes per annum. The Supplementary Guidance was based on Housing Land Audit 2012.
- 4.34 Given that the Figure 5 Windfall allowance can only begin in 2015, the Windfall allowance for the period 2015 to 2019 is therefore 320 homes (4 years). For the period, 2019 to 2024, the Council has identified the correct Windfall allowance of 400 homes (5 years). For the period 2024 to 2027, the Windfall allowance is 240 homes (3 years).

Identifying Demolitions

- 4.35 SESplan Supplementary Guidance *Technical Note* forecasts a total of 568 demolitions in West Lothian for the period 2009 to 2019 and 100 demolitions from 2019 to 2024. For the period 2024 to 2032, 160 demolitions are identified.
- 4.36 The Council has confirmed in the MIR that there were 448 demolitions from 2009/10 to 2012/13. Therefore for the period 2009 to 2019, 568 demolitions can be adopted. For the period 2019 to 2024, 100 demolitions can be adopted.
- 4.37 For the period 2024 to 2027, 20 demolitions per annum can be adopted. This equates to 60 demolitions during this period.

Identifying the Programming of Completions from Proposed Allocations

- 4.38 The Council's programming of proposed housing allocations is set out in Annex 2 *West Lothian Figure 5*. This assumes that over the period 2014 to 2024, all 4,106 homes will be built from the proposed allocations.
- 4.39 This is an entirely different assumption from that adopted during for the MIR.
- 4.40 This programming has not been agreed by the house building sector through Homes for Scotland. This represents only the Council's view of anticipated house completions, and does not accord with the requirements of PAN 2/2010.
- 4.41 This programming will need to be agreed with Homes for Scotland prior to submission to Examination of the LDP Proposed Plan.

Re-programming of the effective housing land supply

- 4.42 The Council has re-programmed completions from the agreed effective housing land supply set out in Housing Land Audit 2014. The Council has also identified programmed completions from Constrained Sites.
- 4.43 These assumptions about the effectiveness of the housing land supply have not been subject to consultation and agreement with the house building sector through Homes for Scotland.
- 4.44 The agreed Housing Land Audit 2014 presents the most up to date position on effective housing land between the Council and the house builders. This should have been adopted by the Council for assessing the LDP Proposed Plan.
- 4.45 Further, the programming of completions arising from proposed allocations in the LDP Proposed Plan is not agreed with the house building sector through Homes for Scotland. The programming of the new allocations needs to allow for lead in periods and commercial rates of house building accord the different locations in West Lothian.
- 4.46 The Council's expectation that all of the proposed allocations will be built out by 2024 is unfounded and is not agreed with the house building sector. This is contrary to the requirements of SPP and PAN 2/2010.

5.0 Recommendations for Proposed Plan

- 5.1 The Council's proposed development strategy as set out in the LDP Proposed Plan does not comply with the requirements of SESplan or of Scottish Ministers, as set out in SPP.
- 5.2 The LDP needs to identify a housing land requirement for the periods 2009 to 2019, 2019 to 2024 and 2024 to 2027 as well. This is set out in the table below:

	2009-2019	2019-2024	2024-2027
Housing Supply Target	11,420	6,590	2,784
Generosity Allowance (10%)	1,142	659	278
Housing Land Requirement	12,562	7,249	3,062

- 5.3 The methodology for identifying the housing land shortfall to be met by allocations in the LDP is defined in SESplan Policy 5. Analysis of the Council's proposed development strategy has been carried out in accord with the methodology set out in SESplan Policy 5.
- 5.4 This analysis includes a generosity allowance of 10%. There is no allowance for completions from Constrained Sites. Windfall assumptions and Demolitions allowances set out in this Assessment are as agreed in the SESplan Supplementary Guidance *Technical Note*. The assumptions on Windfall sites will need to be supported by a study prior to Examination of the Proposed Plan.
- 5.5 At present, the Assessment includes the Council's programming of proposed allocations to 2024. This is simply a contingent position. It is not agreed to and will be subject to challenge by the house building sector through Homes for Scotland.
- 5.6 For the purposes of the LDP Proposed Plan, Figure 5 West Lothian Housing Land Supply Target should be replaced with the table below, subject to agreement with Homes for Scotland:

	2009-2019	2019-2024	2024-2027	2009-2027
Setting the LDP Housing Land Supply Target				
LDP Housing Supply Target	11,420	6,590	2,784	20,794
Generosity Allowance (+10%)	1,142	659	278	2,079
LDP Housing Land Requirement	12,562	7,249	3,062	22,873
Meeting the LDP Housing Land Supply Target				
<i>minus</i> Effective Supply	4,802	2,490	1,270	8,562
<i>minus</i> Constrained sites coming forward	0	0	0	0
<i>minus</i> Completions (2009 to 2014)	2,440	0	0	2,440
<i>minus</i> Windfall	320	400	240	960
<i>plus</i> Demolitions	568	100	60	728
equals Total Supply from Existing Sources	6,994	2,790	1,450	11,234
equals Allocations Required	5,568	4,459	1,612	11,639
<i>minus</i> Programming of Proposed Allocations	1,496	2,610	0	4,106
equals Shortfall / Surplus	4,072	1,849	1,612	7,533

- 5.7 This analysis confirms that the number of homes to be allocated in the LDP Proposed Plan is 5,568 homes for the period 2009 to 2019. The number of homes to be allocated in the LDP Proposed Plan

for the period 2019 to 2024 is 4,459 homes. For the period 2024 to 2027, the Council is required to allocate land for 1,612 homes.

- 5.8 Over the entire LDP plan period 2009 to 2027, the Council is required to allocate additional effective housing land with a capacity of 11,639 homes.
- 5.9 Taking account of the programming of proposed allocations set out in the LDP Proposed Plan, which is not agreed by Homes for Scotland, the additional allocations required in the Proposed Plan over and above the proposed allocations already identified in the LDP Proposed Plan is 4,072 homes for the period 2009 to 2019. The further allocations required in the LDP Proposed Plan for the period 2019 to 2024 is 1,849 homes. For the period 2024 to 2027, the Council requires to allocate further land for 1,612 homes.
- 5.10 In total, additional housing land capable of becoming effective over the plan period from 2009 to 2027 is required to deliver 7,533 homes.
- 5.11 These additional allocations are necessary in order to ensure that the LDP Proposed Plan complies with the housing land requirement in full as required by SESplan.
- 5.12 It is apparent from this Assessment that there is still a significant and substantial shortfall in the housing land supply in the first plan period to 2019. This matter has been raised and agreed by Reporters in recent appeal decisions.
- 5.13 The Council's development strategy for the LDP Proposed Plan needs to focus on identifying sufficient effective housing land that can contribute to the effective housing land supply in the short term period to 2019, as well as its plan period to 2027.
- 5.14 The consequence of failing to make these additional allocations is that the Council will not be maintaining a 5 year effective housing land supply from the adoption of the LDP. This will mean that the housing land supply policies in the LDP will be considered out of date in accord with SPP paragraph 125. In these circumstances a presumption in favour of development that contributes to sustainable development will apply through the development management process as set out in SPP paragraphs 29 and 32 to 35.

Annex 1 Letter from Scottish Government



LEGACY 2014
XX COMMONWEALTH GAMES
SCOTLAND

Mr Stuart Salter

Your ref:
Our ref: 2015/0013280
5 May 2015

Dear Mr Salter

Thank you for your email of 8 April to Alex Neil MSP, Cabinet Secretary for Social Justice, Communities and Rights, about the Clydeplan Main Issues Report. Mr Neil has asked me to reply to you on his behalf.

In your letter you state your concern that the Clydeplan Housing Market Partnership has not sought the views of the housebuilding industry about the Housing Need and Demand Assessment (HNDA) and that you do not agree with the planning scenario which the Partnership proposes. You also request that the HNDA should not be given "robust and credible" status until proper consultation with housebuilders is undertaken and other scenarios explored.

As you indicate in your correspondence the Clydeplan Main Issues Report (MIR) was available for public consultation between 30 January and 27 March 2015. The MIR stage of the plan preparation process is a key part of effective engagement with interested parties, including the house building industry, in that it is at an early stage and it sets out alternative options as well as a preferred approach. All interested parties are able to respond to the consultation to make their views known. Scottish Government provided our response to the MIR setting out our views. It is for the Strategic Development Plan Authority to decide on the form of consultation to be undertaken and to have regards to all the responses made to the MIR to inform their settled view, which will be set out in their Proposed Plan.

HNDA Guidance does not require housing and planning authorities to consult with every individual stakeholder and instead to seek perspectives from a range of interests about the development of the HNDA. In this case, Clydeplan took the view that a more conversational approach would be undertaken with stakeholders in the development of the HNDA. Rather than attempting to consult with every developer, Clydeplan held two meetings with Homes for Scotland (HfS), who, as you know, represent a significant number of housebuilders in Scotland to take on board developers' views about assumptions that were being used and to

explain the way in which the HNDA would be taken forward. This was part of a process for agreeing a concordat with HfS on engagement when Clydeplan went to the HFS committee.

As you mention the Centre for Housing Market Analysis (CHMA) undertakes appraisals of all local and planning authority Housing Need and Demand Assessments (HNDA). The appraisals are undertaken in line with core outputs and process checklist published in the HNDA Guidance (2014). It is important to note that the appraisal relates to the process and methodology used for the HNDA not the housing estimates themselves, thus the estimates themselves may still, potentially, be scrutinised at a Planning Enquiry.

The CHMA undertook an appraisal of the Clydeplan HNDA January 2015 and advised Clydeplan in a formal letter of 5 March 2015 that the HNDA had the potential to be "robust and credible", based on Clydeplan actioning six recommendations.

The letter highlighted that the appraisal related to the requirements of the core outputs and processes only, as set out in HNDA Guidance. Thus the appraisal related specifically to the estimates of housing need as calculated by the HNDA Tool and that the CHMA had not therefore given any consideration to the Clydeplan HNDA Supporting Material: Technical Report 07 – Strategic Housing Estimates, as this related to a stage in the planning process beyond the HNDA.

Clydeplan subsequently responded to the appraisal querying why Technical Report 07 had been omitted from the appraisal. The CHMA responded advising that robust and credible status is awarded to HNDA content that follows the HNDA Guidance and, in particular, the robust and credible criteria set out therein. The reasons for this are two-fold. Firstly, this is the appraisal process agreed with Ministers and secondly, adhering to this process ensures a standard and fair approach is taken to all HNDA appraisals.

In terms of the GCV HNDA this means that we are able to confer robust and credible status to all the content, subject to undertaking the recommendations outlined in the original appraisal, but with the exception of Technical Report 07 and, in particular, the 'adjusted housing estimates' set out. 'Adjusted housing estimates' is not a term referred to in the HNDA Guidance and it is the CHMA's opinion that these go beyond the guidance by considering housing policy issues.

Policy factors such as these are considered after an HNDA, when setting Housing Supply Targets i.e. the amount of housing that is deliverable. The HNDA should remain a policy neutral evidence-base.

Scottish Ministers are committed to a plan led system in Scotland. You will be aware that since the publication of NPF3 and SPP the Scottish Government is monitoring development plans more closely as we want to see Ministerial priorities and policies being implemented through them. We want plans to be up-to-date and deliverable and which provide confidence to all stakeholders that the outcomes they set out to achieve can be delivered through their policies and proposals.

I hope you find this response helpful.

Yours Sincerely

Alan Ross
Housing Supply and Innovation Division

Highlander House 58 Waterloo Street Glasgow G2 7DA
www.gov.scot



Annex 2 West Lothian Figure 5

West Lothian Local Development Plan
PROPOSED PLAN

Housing Site Spreadsheet informing Fig. 5 in Proposed Plan

Settlement	HLA Site Ref	WLLP Ref	MIR Ref	LDP Ref	Site Name/Location	Developer (or Owner)	Area (Ha)	Brf/Grf	Latest Consent			Total Dwellings	Complete by Mar 14	Remaining at Apr 14	Expected Completions													
									Type	Date					14/15	15/16	16/17	17/18	18/19	14-19	19/20	20/21	21/22	22/23	23/24	19-24	Post 2024	
ADDIEWELL & LOGANLEA	26/7(2)	HAd6		H-AD 1	Muirhousedeyes Mains, (Ross Court)	ARH Homes Ltd	0.2	G	Full	11/01/11	5	0	5							0		2	3			5		
	26/8	HAd7		H-AD 2	Meadowhead Avenue (North)	WLC	1.0	G			20	0	20							0		20				20		
			LATE-0008	H-AD 3	Loganlea Road	Mr & Mrs T Doyle	0.4	G			5	0	5					5		5								
	26/6	HAd4		H-AD 4	Loganlea Crescent/Place	WLC	2.3	G			35	0	35							0		12	12	11		35		
ARMADALE	1/25	HAm8		H-AM 1	Muirfield, North Street	Centrex Estates	0.3	B	Outline	12/10/95	10	0	10							0		10				10		
	1/28	HAm10		H-AM 2	Heatherfield (West)	Dundas Estates	2.9	G			70	0	70							0	24	24	22			70		
	1/29c	HAm12c		H-AM 3	Nelson Park/Mallace Avenue	WLC	1.6	G	Pending		26	0	26				26		26									
	1/39			H-AM 4	High Academy Street (former nursery)	Lucas Land Purchases	0.20	B	Full	01/07/13	6	0	6		6					6								
	CS	CDA-CS		H-AM 5	Colinshiel (Site A)	WLC/Dundas	20.00	G			135	0	135							0	24	24	24	24	39	135		
	CS	CDA-CS		H-AM 6	Colinshiel (Site B)	W Jones	9.00	G			135	0	135							0	24	24	24	24	39	135		
	LT	CDA-LT		H-AM 7	Tarrareoch (Southdale Meadows)		3.00	G			85	0	85				13	24	24	61	24					24		
	LT	CDA-LT		H-AM 8	Tarrareoch (Remainder)		13.60	G	Outline		265	0	265				24	24	24	120	48	48	49			145		
	NH	CDA-NH		H-AM 9	Netherhouse, Phase 1, R1A East, (Ferrier Path)	Taylor Wimpey East Scotland	5.10	G	Full	15/03/11	86	73	13	13						13								
	NH	CDA-NH		H-AM 10	Netherhouse, Phase 1, R1B West, (Hanlin Park)	Bellway Homes Ltd Scotland	4.10	G	Full	15/03/11	105	79	26	26						26								
	NH	CDA-NH		H-AM 11	Netherhouse (Remainder)	Taylor Wimpey East Scotland	6.40	G	Outline		109	0	109	5	35	35	34			109								
	SN	CDA-SN		H-AM 12	Standhill (North)	W Jones	12.80	G			300	0	300				12	12	24	48	48	48	48	48	48	240	36	
	SS	CDA-SS		H-AM 13	Standhill (South)	W Jones	6.30	G			100	0	100				24	24	24	72	24	4				28		
	TF	CDA-TF		H-AM 14	Trees Farm	EWP	26.60	G			350	0	350				24	24	24	96	48	48	48	48	48	240	14	
	LB	CDA-LB		H-AM 15	Lower Bathville	Terrace Hill/EWP	27.60	G			400	0	400				24	24	24	72	48	48	48	48	48	240	88	
				ARM 8	H-AM 16	Mayfield Drive	WLC	0.80			20	0	20				20			20								
				EOI-0139	H-AM 17	Drove Road	WLC	3.30	G			26	0	26				26			26							
					H-AM 18	Stonerigg Farm	A & J Gilchrist	0.80	G	Outline		11	0	11				3	4	4	11							
BATHGATE	2/106			H-BA 1	Balmuir Road (former Woodthorpe Garden Centre)	I & H Brown	0.80	B	ARM	06/01/10	11	0	11					3	3	4	4				8			
	2/66(20)	HBg22/39		H-BA 2	Wester Inch, Land east of Meikle Lane	Taylor Wimpey	1.80	B	Outline	15/06/02	70	0	70			24	24	22		70								
	2/66(7)	HBg22		H-BA 3	Standhill (Site A), (Inchcross Grange)	Barratt East Scotland	13.00	B	MSC	20/11/12	180	3	177	24	24	24	24	24	120	24	24	9				57		
	2/66(7)	HBg22		H-BA 4	Standhill (Site B)	Barratt East Scotland	4.20	B	Outline	31/12/09	20	0	20			20			20									
	2/69	HBg24 &	EOI-0163	H-BA 5	Napier Avenue	JBB Developments Ltd	3.20	G	Full	28/08/13	10	0	10			5	5		10									
	2/98a	HBg29		H-BA 6	Easton Road/Balmuir Road (Sibcas site)	Sibcas Ltd	12.80	B	ARM	21/12/05	298	0	298						0	48	48	48	48	48	240	58		
	2/7e	HBg30		H-BA 7	Little Boghead (Remainder)	WLC	1.10	B			20	0	20						0	20						20		
	2/66(15)	HBg39		H-BA 8	Wester Inch, Area S,	Taylor Wimpey West Scotland	3.10	B	MSC	12/03/14	76	0	76	4	24	24	24		76									
	2/66(16)	HBg39		H-BA 9	Wester Inch, Areas X, Y, Z and AA, (Wester Grove and The Lays)	Taylor Wimpey East Scotland	9.30	B	Full	22/01/08	291	230	61	30	31				61									
	2/66(17)	HBg39		H-BA 10	Wester Inch, Areas U and V, (Queens Gait and Reiver Grange)	Persimmon and Charles Church	5.30	B	MSC	04/12/13	134	13	121	24	24	24	24	25	121									
	2/66(19)	HBg39		H-BA 11	Wester Inch, Phase 3	WLC	4.30	B	MSC	25/05/15	86	0	86			40	46		86									
	2/85b	HBg43b		H-BA 12	Main Street	Mr R Lawson	0.20	B			15	0	15						0	7	8					15		
	2/100	HBg45		H-BA 13	Jarvey Street	Ferguson	0.40	B			53	0	53				25	28	53									
	2/105a	HBg47a		H-BA 14	Windyknowe/Glasgow Road, (East)	Walker Group	0.70	G			14	0	14			7	7		14									
	2/105b	HBg47b		H-BA 15	Windyknowe/Glasgow Road, (West)	Sibbald Family Trust	1.30	G			46	0	46			15	15	16	46									
	2/101a	HBg48a		H-BA 16	Whitburn Road (Site A)(former foundry)	Maple Oak PLC	2.70	B	Full	20/09/13	170	0	170			30	40	40	150	20						20		
	2/101b	HBg48b		H-BA 17	Whitburn Road (Site B)(former foundry)	Maple Oak PLC	1.20	B	Outline	10/03/04	30	0	30				30		30									
	2/109			H-BA 18	9 Hardhill Road (former Creamery garage)	Mr Leyden	0.10	B	Full	11/10/10	14	0	14						0	14						14		
	2/110			H-BA 19	Bloomfield Place	Scotmid Co-op	0.11	B	Full	20/12/12	18	0	18			18			18									
	2/111		EOI-0056	H-BA 20	Mid Street/Rosemount Court	WLC	0.10	B	Full	21/08/13	30	0	30			30			30									
			EOI-0162	H-BA 21	Meadowpark, 13-15 Glasgow Road		0.10	B	Full	09/09/14	22	0	22				22		22									
			COU23	H-BA 22	Bathgate Community Education Centre	WLC	0.20	B			6	0	6				6		6									
			EOI-0182	H-BA 23	Wester Inch	WLC	3.50	B			50	0	50						0	24	26					50		
			EOI-0153	H-BA 24	Guildiehaugh Depot	WLC	4.40	B			100	0	100						0	24	24	26	26			100		

			EOI-0094	H-BA 25	Waverley Street Depot	WLC	0.30	B			8	0	8						0						8	8	
			LATE-0007	H-BA 26	Blackburn Road		0.40				10	0	10						0					10	10		
			LATE-0014	H-BA 27	Whitburn Road (former abbatoir)		6.50	B			100	0	100						0	24	24	26	26			100	
			MIRQLATE4	H-BA 28	Mid Street (site of former swimming pool)	WLC	0.10	B			10	0	10						0	10						10	
			MIRQLATE5	H-BA 29	14-20 Glasgow Road		0.50	B	Pending		53	0	53			24	24	5	53								
BLACKBURN	3/2(2)	Hb2		H-BB 1	Daisyhill Road	Meridian	1.50	B	Full	02/06/06	9	0	9					9	9								
	3/27	Hb6		H-BB 2	Ridochill Road	WLC	0.60	G			5	0	5					0	2	3						5	
	3/32	Hb10		H-BB 3	West Main Street (West)	WLC	0.20	B			6	0	6					0	6							6	
	3/33	Hb11		H-BB 4	West Main Street (East)	WLC	0.20	B			6	0	6					0	6							6	
	3/36	Hb18		H-BB 5	16 Bathgate Road	Braidwood Motor Company	0.20	B	Full	12/08/03	5	0	5					0	5							5	
	3/41			H-BB 6	11 East Main Street (former garage)	Mrs Zahid	0.10	B	Full	15/11/12	7	0	7	7				7									
	3/26	Hb5	EOI-0095	H-BB 7	Redhouse West	WLC	3.30	G	Full	02/12/08	74	0	74	37	37			74									
			BLA 31	H-BB 8	West Main Street (former adult training centre)	WLC	0.40	B			12	0	12					0	12							12	
			EOI-0185	H-BB 9	Ash Grove (Site A)		0.30	B			5	0	5					5	5								
			EOI-0185	H-BB 10	Ash Grove (Site B)		0.50	B			5	0	5					5	5								
BLACKRIDGE	31/5a	HBr5a		H-BL 1	Allison Gardens (Site A)	RBS West Register Property (Administrators)	6.50	G	Full	29/05/06	132	74	58			10	24	34	24							24	
	31/5d	HBr5d		H-BL 2	Allison Gardens (Site B)	WLC	0.50	G		29/05/06	19	0	19				19	19									
	31/12	HBr5c		H-BL 3	Westcraigs Road (south of railway line)	Buchanan Homes RBS West Register Property (Administrators)	1.00	G	ARM	05/03/07	10	0	10					0	3	3	4					10	
	31/13	HBr8		H-BL 4	Craiginn Terrace		14.00	G			210	0	210				24	24	24	24	42	48	48			186	
	31/11	HBr9		H-BL 5	Woodhill Road	WLC	0.90	G			30	0	30					0	10	10	10					30	
			EOI-0063	H-BL 6	South of Craiginn Terrace (part of H-BL 4)		1.00	G			10	0	10					10	10								
BREICH	21/4	Hb3		H-BR 1	Rashiehill Crescent	WLC	0.20				5	0	5					0	5							5	
	21/3	Hb5		H-BR 2	Woodmuir Road (West)	Mr and Mrs Tod	2.13	G	Full	07/07/04	30	27	3	1	1	1		3									
	21/5	Hb6		H-BR 3	Woodmuir Road (East)	Mr and Mrs Tod	4.10	G			70	0	70					0	24	24	22					70	
			MUB 1	H-BR 4	Woodmuir Community Hall	WLC	0.10	B			5	0	5				5	5									
			MUB 2	H-BR 5	Former Woodmuir Primary School	WLC	0.10	B			5	0	5				5	5									
			EOI-0215	H-BR 6	Blackhill Farm		2.60	G			30	0	30					5	5	5	5	5	5	5		25	
BRIDGEND	21/4	Hb2	EOI-0011	H-BD 1	Willowdean, (Site A)	Lord Rosebery	1.10	G			40	0	40					18	18	22						22	
			MIRQ0162	H-BD 2	Willowdean, (Site B)		6.20	G			90	0	90					0	18	24	24	24				90	
			EOI-0010	H-BD 3	Willowdean, (Bridgend Golf Course)		1.60	G			40	0	40				20	20	40								
			COU 3	H-BD 4	Auldhill		0.20	G	Full	25/05/15	5	0	5	5				5									
			EOI1-0065	H-BD 5	Bridgend Farm		2.40	G			30	0	30					0		15	15					30	
BROXBURN/UPHALL		HUb12		H-BU 1	Greenykes Road	Persimmon	2.80	B			50	0	50					0	24	26						50	
	4/22	HUb13		H-BU 2	Holmes North (Site B)	Mr & Mrs Turner	1.50	G			20	0	20					5	5	7	8					15	
	4/49	HUb29		H-BU 3	Holmes North (Site C)	WLC	0.30	G			8	0	8					4	4	4						4	
	4/39	HUb15		H-BU 4	Albyn	Bolland	22.40	B			350	0	350					24	24	24	48	48	48	48		216	110
	CW	HUb17		H-BU 5	Candleworks	WLC	4.40	B			100	0	100		24	24	24	72	28							28	
	4/38a	HUb20		H-BU 6	Holmes North (Site A)	WLC	1.00	G			15	0	15			5	5	10	5							5	
	4/56 *		BRO 3	H-BU 7	West Main Street (former Broxburn Primary School)	WLC	0.36	B	Full	04/04/13	18	0	18	18				18									
	GW		EOI-0138	H-BU 8	Greenykes Road (West)	Ashdale and Boland	31.80	G			590	0	590		24	24	24	72	48	48	48	48	48			240	278
	GE		EOI-0138d	H-BU 9	Greenykes Road (East)	Ashdale and Boland	7.10	G			135	0	135					0	24	24	24	24	39			135	
	WW		EOI-0138g	H-BU 10	West Wood	Balmoral	38.60	G	Pending		825	0	825		24	24	24	72	48	72	72	72	72			336	417
		HUb21	BRO 6	H-BU 11	Church Street Depot	WLC	0.30	B			10	0	10				10	10									
			EOI-0085	H-BU 12	Hillview Avenue	WLC	1.20	G			45	0	45				24	21	45								
			EOI-0086, EOI-0087, EOI-0143 & EOI-0144	H-BU 13	Kirkhill North	WLC	62.70	G	Outline	27/03/15	230	0	230	100	130				230								
			PJ-0008	H-BU 14	East Main Street (former Vion factory site)		7.70	B			200	0	200			24	24	48	96	48	48	8				104	
DECHMONT & BANGOUR	5/5	Hb1	EOI-0034	H-DE 1	Bangour Village Hospital	NHS	69.10	B			550	0	550					48	48	96	72	72	72	72	72	360	94
			EOI-0166	H-DE 2	Main Street		6.20	G	Pending		60	0	60			12	24	24	60								
			PJ-0006	H-DE 3	Burnhouse		7.70	G			120	0	120					0	24	24	24	24	24			120	

	GF	CDA-GF		H-LV 13	Gavieside Farm	Alan Graham/A and R Graham	121.20	G			1,900	0	1,900						0	72	72	72	72	72	360	1,540	
			EOI-0024	H-LV 14	Appleton Parkway South East (Elburn Park)		6.30		Y		80	0	80		24	24	24	8	80								
			EOI-0002, EOI	H-LV 15	Kirkton Business Centre		0.40	B	Pending		29	0	29			5	24		29								
			EOI-0158	H-LV 17	Almond Link Road, Civic Centre Junction		1.30				20	0	20			20			20								
	D128		EOI-0172	H-LV 18	Dedridge East Road (site of former Lammermuir House)		2.40	B	Full	18/06/15	62	0	62			62			62								
				H-LV 20	Glen Road/Broomyknowe Drive, Deans	Mr Scott Graham	0.20	B	Full	03/08/12	12	0	12		12				12								
			EOI-0180	H-LV 21	Glen Road (rear of New Deans House)		0.30				10	0	10			10			10								
			EOI-0209	H-LV 22	Kirkton Road North (site of former Buchanan House)		3.90	B			120	0	120				30	30	30	30	30				90		
			EOI-0221	H-LV 23	Houston Road (North)		5.80				130	0	130				10	10	24	24	24	24	24		120		
			PJ-0005	H-LV 24	Eagle Brae Depot		1.12	B			30	0	30					0	15	15					30		
			HLv137	H-LV 25	Deans South, Phase 1	WLC	1.70	B			50	0	50		50			50									
			HLv137	H-LV 26	Deans South,Phase 2	WLC	1.20	B			25	0	25		25			25									
			HLv137	H-LV 27	Deans South (Remainder)	WLC	5.00	B			165	0	165					0	21	48	48	48			165		
			LIV 12	H-LV 28	Deans South Road		0.30	B			5	0	5			5		5									
			TCU 1	H-LV 29	Howden South Road (former Trim Track)	WLC	1.30				36	0	36		36			36									
			EOI-0189	H-LV 30	Land south of Almondvale Stadium	WLC	1.10	B			20	0	20		20			20									
			LC2	H-LV 31	Murieston Valley Road	WLC	1.70	G			24	0	24					0	12	12					24		
LONGRIDGE	11/1	HLr3		H-LR 1	Curling Pond Lane	Price Waterhouse Cooper	27.60	G	Y		55	30	25		8	8	9	25									
	11/11	HLr6		H-LR 2	Fauldhouse Road (North)	Ecosse Regeneration Ltd	16.80	G			30	0	30			6	6	12	6	6	6				18		
			EOI-0120	H-LR 3	Land at Back O Moss/Main Street		2.50	G			20	0	20				10	10	10						10		
			LON 1	H-LR 4	Longridge Park		0.30				5	0	5			5		5									
MIDCALDER	99/4A & 99/4B	HLv134 & HLV 100		H-MC 1	New Calder Paper Mill		2.1				57	0	57		24	24	9	57									
PHILPSTOUN			COU 36	H-PH 1	Philpstoun Bowling Club	WLC	0.10	B			5	0	5		5			5									
POLBETH			MIRQLATE2	H-PB 1	West Calder High School, Limefield	WLC	10.30				120	0	120					0	24	24	24	24	24		120		
PUMPHERSTON	27/3			H-PU 1	Drumshoreland/Kirkforthar Brickworks	Dundas Estates and Development Co Ltd	40.00	B	Pending		600	0	600		24	24	48	48	144	72	72	72	72	72	360	96	
	27/5	HLv119		H-PU 2	Pumpherstun Golf Course	Young's Parrafin Light & Mineral Oil Company Ltd	1.40	B			25	0	25			6	6	6	18	7					7		
			COU 28	H-PU 3	Uphall Station Road (former Pumpherstun Primary School & Institute)	WLC	0.50	B	Full	10/03/15	14	0	14		14			14									
SEAFIELD			MIRQLATE3	H-SF 1	Old Rows		0.60				10	0	10		10			10									
STONEYBURN/BENTS	13/12	HSb6		H-SB 1	Stoneyburn Farm (East)	Gordon and Hilda Rennie and Sundial Properties	3.1				50	0	50					0	12	12	12	14			50		
	13/13	HSb7		H-SB 2	Stoneyburn Farm (West)	Gordon and Hilda Rennie	2.70				60	0	60					0	12	12	12	12	12		60		
	13/15	HSb8		H-SB 3	Stoneyburn Workshops, Foulshiels Road	Almond Housing	0.20				8	0	8		8			8									
			BEN 1	H-SB 4	Burnlea Place and Meadow Place		1.00				35	0	35			11	24	35									
			PJ-0002	H-SB 5	Foulshiels Road (Site A)		1.00				20	0	20					0	10	10					20		
			EOI-0119	H-SB 6	Meadow Road/Church Gardens		2.00				30	0	30				10	10	10	10					20		
			EOI-0084	H-SB 7	Foulshiels Road (Site B)		4.40	G			150	0	150					0	30	30	30	30	30		150		
WEST CALDER & HARBURN	CB	CDA-CB		H-WC 1	Cleugh Brae		12.10				120	0	120					24	24	24	24	24	24		96		
	MO	CDA-MO		H-WC 2	Mossend, Phase 1 (Site A)	Walker Group (Scotland) Ltd	7.00	G	Full		173	0	173	5	24	48	48	48	173								
	MO	CDA-MO		H-WC 3	Mossend, Phase 1 (Site B)	Walker Group (Scotland) Ltd	1.90	G	Full		58	0	58		29	29			58								
		CDA-MO		H-WC 4	Mossend, (Remainder)	Walker Group (Scotland) Ltd	18.10	G			189	0	189			30	30	30	90	30	30	30	9		99		
			EOI-0031	H-WC 5	Burngrange (west of West Calder Cemetery)	Mr Liam McCartney	2.70	G			25	0	25					0	12	13					25		
WESTFIELD	16/3 & 16/4	HWf1 & HWf2		H-WF 1	North Logie Brae and South Logie Brae	Parker Moore (Isle of Man) Ltd	34.00		Full	05/08/10	550	0	550					24	24	72	72	72	72	72	360	166	
WHITBURN	17/22(1)			H-WH 1	Polkemmet, Heartlands, (1)	Taylor Wimpey East Scotland	3.70	G	MSC	12/05/11	98	30	68	24	24	20		68									
	17/22(2)			H-WH 2	Polkemmet, Heartlands, Areas A, B & C	Bellway Homes Ltd Scotland	4.50	G	MSC	10/12/13	88	0	88	24	24	24	16		88								
	17/22			H-WH 3	Polkemmet, (Remainder)	Heartlands	66.90	B	Outline	05/12/02	2,683	0	2,683	24	24	48	48	48	192	96	96	96	96	96		480	2,011
	17/30	HWb11		H-WH 4	Whitdale, East Main Street	Almond Housing	1.40	B	Full	31/10/12	49	0	49		24	25		49									
			EOI-0019	H-WH 5	Dixon Terrace		2.5	B			50	0	50			25	25		50								
			EOI-0108	H-WH 6	Polkemmet Business Centre, Dixon Terrace		0.40	B			10	0	10					10	10								
			PJ-0004	H-WH 7	Murraysgate, West Main Street		2.60	B			60	0	60				24	24	48	12					12		
WILKIESTON	32/1	HWk1	EOI-0076	H-WI 1	Linburn		4.60	G			50	0	50					0	15	15	20				50		

Annex 3 Housing Land Audit 2014

Housing Land Audit 2014

Site Name	CAP	14/15	15/16	16/17	17/18	18/19	2014-19	19/20	20/21	21/22	22/23	23/24	2019-24	24/25	25/26	26/27	2024-27	Post 2027
Muirhousedyes Mains, (Ross Court)	5	0	2	3	0	0	5	0	0	0	0	0	0	0	0	0	0	0
South Couston Farm (Lowland Crofts)	4	0	1	1	1	1	4	0	0	0	0	0	0	0	0	0	0	0
Craigengall Farm (Lowland Crofts)	6	1	1	2	2	0	6	0	0	0	0	0	0	0	0	0	0	0
Former Nursery, High Academy Street	6	0	6	0	0	0	6	0	0	0	0	0	0	0	0	0	0	0
Colinshiel (Site A)	135	0	0	24	24	24	72	24	24	15	0	0	63	0	0	0	0	0
Lower Bathville	400	0	0	0	24	24	48	24	24	24	24	24	120	24	24	24	72	160
Tarrareoch	265	0	0	24	24	24	72	24	24	24	24	24	120	24	24	25	73	0
Tarrareoch (Southdale Meadows)	85	13	24	24	24	0	85	0	0	0	0	0	0	0	0	0	0	0
Netherhouse, Phase 1, R1A East, (Ferrier Path)	13	13	0	0	0	0	13	0	0	0	0	0	0	0	0	0	0	0
Netherhouse, Phase 1, R1B West, (Hanlin Park)	26	26	0	0	0	0	26	0	0	0	0	0	0	0	0	0	0	0
Netherhouse, (Balance)	109	5	35	35	34	0	109	0	0	0	0	0	0	0	0	0	0	0
Trees Farm	350	0	0	24	24	24	72	24	24	24	24	24	120	24	24	24	72	86
Standhill (North)	300	0	0	0	12	12	24	12	12	12	12	12	60	12	12	12	36	180
Standhill (South)	100	0	0	24	24	24	72	28	0	0	0	0	28	0	0	0	0	0
Little Boghead (6)	150	150	0	0	0	0	150	0	0	0	0	0	0	0	0	0	0	0
Standhill (Site A), (Inchcross Grange)	177	36	36	36	36	33	177	0	0	0	0	0	0	0	0	0	0	0
Standhill (Site B)	20	0	20	0	0	0	20	0	0	0	0	0	0	0	0	0	0	0
Wester Inch, Area S,	76	20	35	21	0	0	76	0	0	0	0	0	0	0	0	0	0	0
Wester Inch, Areas X, Y, Z and AA, (Wester Grove and The Lays)	61	30	31	0	0	0	61	0	0	0	0	0	0	0	0	0	0	0
Wester Inch, Areas U and V, (Queens Gait and Reiver Grange)	121	24	24	24	24	25	121	0	0	0	0	0	0	0	0	0	0	0
Wester Inch, Area W(2), (Royal Gardens)	11	11	0	0	0	0	11	0	0	0	0	0	0	0	0	0	0	0
Wester Inch, Phase 3	80	0	40	40	0	0	80	0	0	0	0	0	0	0	0	0	0	0
Wester Inch, Land east of Meikle Lane	70	0	24	24	22	0	70	0	0	0	0	0	0	0	0	0	0	0
Napier Avenue	10	0	0	5	5	0	10	0	0	0	0	0	0	0	0	0	0	0
Factory Road	19	19	0	0	0	0	19	0	0	0	0	0	0	0	0	0	0	0
Kaim Park Hotel Grounds	24	24	0	0	0	0	24	0	0	0	0	0	0	0	0	0	0	0
Garden Cottage, Boghead Estate	1	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
Former Edgar Allen Works, Whitburn Road (Site A)	170	0	30	40	40	40	150	20	0	0	0	0	20	0	0	0	0	0
Former Edgar Allen Works, Whitburn Road (Site B)	30	0	0	0	30	0	30	0	0	0	0	0	0	0	0	0	0	0
Windyknowe/Glasgow Road, (East)	14	0	7	7	0	0	14	0	0	0	0	0	0	0	0	0	0	0
Windyknowe/Glasgow Road, (West)	46	0	15	15	16	0	46	0	0	0	0	0	0	0	0	0	0	0
Bloomfield Place	18	0	18	0	0	0	18	0	0	0	0	0	0	0	0	0	0	0
Rosemount Court	30	0	30	0	0	0	30	0	0	0	0	0	0	0	0	0	0	0
Redhouse West	74	0	37	37	0	0	74	0	0	0	0	0	0	0	0	0	0	0
East Main Street (Former garage site)	7	0	7	0	0	0	7	0	0	0	0	0	0	0	0	0	0	0
Woodmuir Road (West)	27	3	1	1	1	0	6	3	0	0	0	0	3	0	0	0	0	18
Former Breich Inn	5	0	5	0	0	0	5	0	0	0	0	0	0	0	0	0	0	0
Holmes North (Site A)	15	0	0	0	5	5	10	5	0	0	0	0	5	0	0	0	0	0
Candleworks	100	0	0	0	24	24	48	24	28	0	0	0	52	0	0	0	0	0
Old Broxburn Primary School Site, West Main Street	18	0	18	0	0	0	18	0	0	0	0	0	0	0	0	0	0	0
Greendykes Road (West)	580	0	0	24	24	24	72	48	48	48	48	48	240	48	48	48	144	124

Westwood	825	0	0	24	24	24	72	48	48	48	48	48	240	48	48	48	144	369
Almondell, Phase 1, Sites MWc, MWd, MWf, MWe, LKa & LKb	63	0	20	20	23	0	63	0	0	0	0	0	0	0	0	0	0	0
Almondell, Phase 1, Sites LKa/LKc	107	18	35	35	19	0	107	0	0	0	0	0	0	0	0	0	0	0
Almondell, Phase 1, Sites MWf/LKb	110	12	24	24	24	26	110	0	0	0	0	0	0	0	0	0	0	0
Almondell, (Balance)	2,020	0	55	55	55	55	220	0	0	0	0	0	0	0	0	0	0	1,800
Raw Holdings West, (Seven Wells)	80	24	24	24	8	0	80	0	0	0	0	0	0	0	0	0	0	0
Raw Holdings West, (Balance)	410	0	24	24	24	24	96	24	24	24	24	24	120	24	24	24	72	122
Badgerwood (formerly Houston 3)(Plots)	4	2	1	1	0	0	4	0	0	0	0	0	0	0	0	0	0	0
Falla Hill Place, (Harthill Road)(Plots)	1	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
Eastfield Recreation Ground	30	0	15	15	0	0	30	0	0	0	0	0	0	0	0	0	0	0
Eastwood Park (East)	68	0	0	0	10	10	20	10	10	10	10	8	48	0	0	0	0	0
Braekirk Gardens	15	1	2	2	2	2	9	2	2	2	0	0	6	0	0	0	0	0
Stockbridge North (2)	14	7	7	0	0	0	14	0	0	0	0	0	0	0	0	0	0	0
Former Bus Depot, High Street	41	20	21	0	0	0	41	0	0	0	0	0	0	0	0	0	0	0
Westerlea Court, Friarsbrae	12	0	12	0	0	0	12	0	0	0	0	0	0	0	0	0	0	0
Deerpark Heights, Eagles View	28	20	8	0	0	0	28	0	0	0	0	0	0	0	0	0	0	0
Brucefield Industrial, (Limefields)	170	0	0	24	24	24	72	24	24	24	26	0	98	0	0	0	0	0
Glen Road/Broomyknowe Drive	12	0	12	0	0	0	12	0	0	0	0	0	0	0	0	0	0	0
Kirkton (North)	45	0	0	0	24	21	45	0	0	0	0	0	0	0	0	0	0	0
Murieston (South)(6A), (Murieston Gait)	56	24	24	8	0	0	56	0	0	0	0	0	0	0	0	0	0	0
43-48 Adelaide Street	6	0	6	0	0	0	6	0	0	0	0	0	0	0	0	0	0	0
Mossend, Phase 1 (Site A)	173	0	5	24	48	48	125	48	0	0	0	0	48	0	0	0	0	0
Mossend, Phase 1 (Site B)	58	0	0	29	29	0	58	0	0	0	0	0	0	0	0	0	0	0
Gavieside	46	0	0	23	23	0	46	0	0	0	0	0	0	0	0	0	0	0
Drumshoreland/Kirkforthar Brickworks (Site A)	625	0	0	24	24	24	72	24	24	24	24	24	120	24	24	24	72	361
West Mains Farm (Lowland Crofts)	8	1	1	1	1	1	5	1	1	1	0	0	3	0	0	0	0	0
Longford Farm (Lowland Crofts)	15	1	2	2	2	2	9	2	2	2	0	0	6	0	0	0	0	0
Former Freeport Retail Village	30	0	0	0	15	15	30	0	0	0	0	0	0	0	0	0	0	0
Polkemmet, Heartlands (1)	69	33	32	4	0	0	69	0	0	0	0	0	0	0	0	0	0	0
Polkemmet, Heartlands, Areas A ,B & C	88	26	26	26	10	0	88	0	0	0	0	0	0	0	0	0	0	0
Polkemmet, (Balance)	1,783	24	24	48	48	48	192	48	48	48	48	48	240	48	48	48	144	1,207
Whitdale, East Main Street	49	0	24	25	0	0	49	0	0	0	0	0	0	0	0	0	0	0
Glendevon (North), Block M, (Winchburgh Village)	111	28	26	26	26	5	111	0	0	0	0	0	0	0	0	0	0	0
Glendevon (North), (Balance)	852	0	24	48	72	72	216	48	48	48	48	48	240	48	48	48	144	252
Glendevon (South), Block K, Site A, (Churchill Brae)	77	30	30	17	0	0	77	0	0	0	0	0	0	0	0	0	0	0
Glendevon (South), Block K, Site B, (Glendevon Gait)	50	24	26	0	0	0	50	0	0	0	0	0	0	0	0	0	0	0
Glendevon (South), (Glendevon Steadings)	32	0	20	12	0	0	32	0	0	0	0	0	0	0	0	0	0	0
Glendevon (South), (Balance)	807	0	0	0	24	24	48	24	24	24	24	24	120	24	24	24	72	567
Myreside, Block AA, (Seton Park)	153	12	35	35	35	36	153	0	0	0	0	0	0	0	0	0	0	0
Myreside, (Balance)	267	0	0	24	24	24	72	24	24	24	24	24	120	24	24	27	75	0

Small Sites		40	50	50	50	50	240	50	50	50	50	50	250	50	50	50	150	
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Total	13,168	724	1,062	1,109	1,088	819	4,802	613	513	476	458	430	2,490	422	422	426	1,270	4,606
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Wallace Land – Representations to Proposed Plan Representation about Policy INF 1

POLICY INF 1 Infrastructure Provision and Developer Obligations

The council will only support development when identified infrastructure requirements have been addressed to its satisfaction.

Where the cumulative impact of new developments will generate a need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured. In calculating the impact of new developments the council will look at the cumulative long-term effect of new development. Contributions will be sought for the provision of facilities or the improvement of existing facilities and infrastructure necessary in the interests of comprehensive planning.

Development will not be permitted to commence until all necessary infrastructure is provided, or its funding is fully committed and the necessary works are capable of implementation or phasing to manage demand on infrastructure has been agreed.

Where infrastructure constraints, identified by the council in conjunction with relevant authorities, cannot be overcome, there will be a presumption against development.

Infrastructure requirements are set out in Chapter 6, Appendix Two and the Action Programme.

The requirements of this policy may be secured through legal agreements to deliver planning obligations in accordance with Scottish Government Circular 3/2013 Planning Obligations and Good Neighbour Agreements (and any subsequent legislation which emerges during the life of the Local Development Plan) and will be concluded between the applicant and the council, prior to the issue of planning permission.

Note: Supplementary Guidance explaining how Developer Obligations will be implemented will be developed during the Plan period.

Changes requested to the Proposed Plan

We recommend that the policy reads as set out below.

POLICY INF 1 Infrastructure Provision and Developer Obligations

*The council will only support development when identified **and necessary** infrastructure requirements have been addressed ~~to its satisfaction~~ **to mitigate the impacts of the proposal as a planning obligation (if required, consistent with Circular 3/2012).***

*~~Where the~~ **If** cumulative impact of new developments ~~will~~ generate a need for additional infrastructure provision ~~or community facilities~~, planning permission will only be granted where **these matters are addressed**. ~~contributions which are reasonably related to the scale and nature of the proposed development are secured. In calculating the impact of new developments the council will look at the cumulative long term effect of new development. Contributions will be sought for the provision of facilities or the improvement of existing facilities and infrastructure necessary in the interests of comprehensive planning.~~*

~~Development will not be permitted to commence until all necessary infrastructure is provided, or its funding is fully committed and the necessary works are capable of implementation or phasing to manage demand on infrastructure has been agreed.~~

Where infrastructure constraints, identified by the council in conjunction with relevant authorities and agreed by the developer, cannot be overcome, there will be a presumption against development.

Infrastructure requirements are set out in Chapter 6, Appendix Two and the Action Programme.

The requirements of this policy may be secured through legal agreements to deliver planning obligations in accordance with Scottish Government Circular 3/2013 Planning Obligations and Good Neighbour Agreements (and any subsequent legislation which emerges during the life of the Local Development Plan) and will be concluded between the applicant and the council, prior to the issue of planning permission.

Note: Supplementary Guidance explaining how Developer Obligations will be implemented will be developed during the Plan period.

Justification

Any developer contribution needs to meet the tests set out in paragraph 14 of Circular 3/2012:

- necessary to make the proposed development acceptable in planning terms (paragraph 15)
- serve a planning purpose (paragraph 16) and, where it is possible to identify infrastructure provision requirements in advance,
- should relate to development plans relate to the proposed development either as a direct consequence of the development or arising from the cumulative impact of development in the area (paragraphs 17-19)
- fairly and reasonably relate in scale and kind to the proposed development (paragraphs 20-23)
- be reasonable in all other respects (paragraphs 24-25)

It is not consistent with the Circular to ... *look at the cumulative long term effect of new development* ... in assessing the impact of development, nor to seek contributions for ... *the improvement of existing facilities*.

Developers should be involved in the process of identifying required infrastructure and potential solutions.

The intention to develop Supplementary Guidance on Developer Obligations during the Plan period does not promote delivery in the short term. It is regrettable that this Guidance is not available for review and comment alongside the Proposed Plan.

Wallace Land – Representations to Proposed Plan Representation about Policy EMG 3

POLICY EMG 3 Sustainable Drainage

Developers may be required to submit a Drainage Impact Assessment (DIA) to ensure that surface water flows are properly taken into account in the design of a development. With the exception of single houses, SuDS will be a required part of all proposed development as a means of treating/attenuating surface water and managing flow rates.

Developers will be required to ensure that adequate land to accommodate SuDS is incorporated within development proposals and that housing densities take into account the physical space for effective SuDS. The design of the system should meet best current practice. It is expected that surface water drainage systems, including sustainable drainage systems, for most will be vested in Scottish Water as drainage authority and will, as a consequence, be designed and constructed in accord with the most up to date edition of Scottish Water's Construction Standards and Vesting Conditions 'Sewers for Scotland' (3rd Edition) and at the same time comply with SEPA's Policy and Supporting Guidance on the provision of Waste Water Drainage in Settlements in promoting connection to the public sewerage system where possible.

Where new development (or the change of use of land or buildings) impacts on existing drainage arrangements, the council may require these arrangements to be upgraded and SuDS retrofitted as a condition of planning approval in order to avoid detriment to the water environment.

Where there are existing issues of capacity or flooding associated with combined drainage systems, developers may be required to invest in off-site works to provide additional capacity or reduce loadings on such drainage systems.

Private drainage systems for sewered areas will only be considered as a temporary measure where there is no capacity in the existing sewer system; Development relying on private sewage systems will only be permitted where there is no public system in the locality and where the council is satisfied that the proposal is acceptable in terms of the impacts on the water environment and on public health.

Developments involving private water supplies will only be permitted where there is no public supply in the locality and where the council is satisfied that there is sufficient water and that the proposal is acceptable in terms of the environment and public health.

The council will support in principle the incorporation of water conservation measures in new developments, including rainwater harvesting and systems for the recycling of "greywater".

Regard should also be had to other LDP policies in relation to drainage in new developments, SuDS, flood risk and the treatment of watercourses and proposals will require to contribute to the delivery of green infrastructure and the green network where this is considered appropriate.

Changes requested to the Proposed Plan

We recommend the policy reads as set out below.

POLICY EMG 3 Sustainable Drainage

*Developers ~~may be~~ **are** required to submit a ~~Drainage Impact Assessment (DIA)~~ **proposals** to ensure that surface water flows are properly taken into account in the design of a development. With the exception of single*

houses, SuDS will be a required part of all proposed development as a means of treating/attenuating surface water and managing flow rates on site.

Developers will be required to ensure that adequate land to accommodate SuDS is incorporated within development proposals and that housing densities take into account the physical space for effective SuDS. The design of the system should meet best current practice. It is expected that surface water drainage systems, including sustainable drainage systems, for most will be vested in Scottish Water as drainage authority and will, as a consequence, be designed and constructed in accord with the most up to date edition of Scottish Water's Construction Standards and Vesting Conditions 'Sewers for Scotland' (3rd Edition) and at the same time comply with SEPA's Policy and Supporting Guidance on the provision of Waste Water Drainage in Settlements in promoting connection to the public sewerage system where possible.

~~Where new development (or the change of use of land or buildings) impacts on existing drainage arrangements, the council may require these arrangements to be upgraded and SuDS retrofitted as a condition of planning approval in order to avoid detriment to the water environment.~~

~~Where there are existing issues of capacity or flooding associated with combined drainage systems, developers may be required to invest in off site works to provide additional capacity or reduce loadings on such drainage systems.~~

Private drainage systems for sewered areas will only be considered as a temporary measure where there is no capacity in the existing sewer system; Development relying on private sewage systems will only be permitted where there is no public system in the locality and where the council is satisfied that the proposal is acceptable in terms of the impacts on the water environment and on public health.

Developments involving private water supplies will only be permitted where there is no public supply in the locality and where the council is satisfied that there is sufficient water and that the proposal is acceptable in terms of the environment and public health.

The council will support in principle the incorporation of water conservation measures in new developments, including rainwater harvesting and systems for the recycling of "greywater".

Regard should also be had to other LDP policies in relation to drainage in new developments, SuDS, flood risk and the treatment of watercourses and proposals will require to contribute to the delivery of green infrastructure and the green network where this is considered appropriate.

Justification

Water Impact Assessments (WIA) and Drainage Impact Assessments (DIA) are requested by Scottish Water when necessary to ensure development will not cause detriment to its assets. They are used to help determine the scale of any mitigation work required to overcome development constraints. They should not be a requirement of the Council through the planning process.

Wallace Land – Representations to Proposed Plan Representation about Policy ENV 1

Policy ENV 1 Landscape character and special landscape areas

Development will not be permitted where it may significantly and adversely affect local landscape character. Where development is acceptable it should respect this landscape character and be compatible in terms of scale, siting and design. New rural development will be required to incorporate design elements to maintain the diversity and distinctiveness of local landscapes and to enhance landscape characteristics where they have been weakened.

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.

Development proposals which are likely to have a significant landscape impact must be accompanied by a landscape and visual impact assessment demonstrating that, with appropriate mitigation, a satisfactory landscape fit can be achieved.

The council will seek to protect and enhance landscape character and local landscape designations in accordance with Supplementary Guidance 'Landscape character and local landscape designations' and 'Green Networks'.

Changes requested to the Proposed Plan

We recommend that the policy reads as set out below.

Policy ENV 1 Landscape character and special landscape areas

*Development will not be permitted where it may significantly and adversely affect local landscape character **and this impact cannot be appropriately mitigated**. Where development is acceptable it should respect this landscape character and be compatible in terms of scale, siting and design. New rural development will be required to incorporate design elements to maintain the diversity and distinctiveness of local landscapes and to enhance landscape characteristics where they have been weakened.*

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.

Development proposals which are likely to have a significant landscape impact must be accompanied by a landscape and visual impact assessment demonstrating that, with appropriate mitigation, a satisfactory landscape fit can be achieved.

The council will seek to protect and enhance landscape character and local landscape designations in accordance with Supplementary Guidance 'Landscape character and local landscape designations' and 'Green Networks'.

Justification

The proposed reference to mitigation brings the policy wording into line with proposed Policy DES1: *Design Principles*, which refers to ... *significant adverse unmitigated impact on landscape character*.

Wallace Land – Representations to Proposed Plan Representation about Policy ENV 2

POLICY ENV 2 Housing development in the countryside

Housing development in the countryside will only be permitted where:

- a. the house is required for a full-time worker in agriculture, horticulture, forestry, countryside recreation or tourism or other rural business; or*
- b. the house is required for a retired farmer who wishes to remain on the farm but vacate the existing farmhouse to accommodate his successor; or*
- c. the proposal provides for the restoration of a brownfield site where there is no realistic prospect of it being returned to agriculture or woodland use and the site has no significant natural heritage value in its current condition; or*
- d. the proposal is for the replacement of an existing house in the countryside which is of a poor design or in a poor structural condition; or*
- e. the proposal is for infill development within the curtilage of an existing building group or infilling of gaps between existing houses of a single plot width; or*
- f. the proposal involves the conversion or rehabilitation of existing rural buildings which the council deems worthy of retention because of their architectural or historic merit; or*
- g. the proposal is supported by the council's lowland crofting policy.*

Where a proposal by virtue of its design, location and landscape setting makes an exceptional contribution to the appearance of countryside an exception to policy may be justified.

Proposals should make the best use of resources, integrate with services and facilities and demonstrate the highest standards in design and environmental quality to protect and enhance the established landscape character.

The detailed of Supplementary Guidance on "Development in the Countryside" and "Lowland Crofting" will apply.

Changes requested to the Proposed Plan

We recommend the policy reads as set out below.

POLICY ENV 2 Housing development in the countryside

Housing development in the countryside will only be permitted where:

- a. the house is required for a full-time worker in agriculture, horticulture, forestry, countryside recreation or tourism or other rural business; or*
- b. the house is required for a retired farmer who wishes to remain on the farm but vacate the existing farmhouse to accommodate his successor; or*
- c. the proposal provides for the restoration of a brownfield site where there is no realistic prospect of it being returned to agriculture or woodland use and the site has no significant natural heritage value in its current condition; or*
- d. the proposal is for the replacement of an existing house in the countryside which is of a poor design or in a poor structural condition; or*
- e. the proposal is for infill development within the curtilage of an existing building group or infilling of gaps between existing houses of a single plot width; or*
- f. the proposal involves the conversion or rehabilitation of existing rural buildings which the council deems worthy of retention because of their architectural or historic merit; or*

- g. *the proposal is supported by the council's lowland crofting policy.* or
- h. *it is a suitable site on the edge of a settlement and the development will contribute to the maintenance of a 5 year effective housing land supply, consistent with Policy HOU2.*

Where a proposal by virtue of its design, location and landscape setting makes an exceptional contribution to the appearance of countryside an exception to policy may be justified.

Proposals should make the best use of resources, integrate with services and facilities and demonstrate the highest standards in design and environmental quality to protect and enhance the established landscape character.

The detailed ~~of~~ Supplementary Guidance on "Development in the Countryside" and "Lowland Crofting" will apply where relevant.

Justification

There is a requirement from SPP and SESplan to ensure that the policy framework in a Local Development Plan will continue to maintain a 5 year effective housing land supply over the LDP period.

The Policy as drafted conflicts with proposed Policy HOU2, Policy 7 of the approved SDP, and with SPP (paragraph 29), which all recognise that greenfield sites outwith existing defined settlement boundaries may need to be released in the event of a shortfall in the 5-year effective housing land supply. Such sites will normally constitute 'countryside' in terms of LDP designation. Therefore Policy ENV2 should reflect the potential for the principle of such proposals to be justified in the countryside in these circumstances.

This approach and modification is in accord with the policy requirements of SESplan and SPP.

Wallace Land – Representations to Proposed Plan Representation about Policy ENV 4

POLICY 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:

- 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.*

Changes requested to the Proposed Plan

We recommend the policy reads as set out below.

POLICY 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:

- a. the development forms a key component of the spatial strategy set out in the LDP, ~~or~~ the site benefits from planning permission, or the site's development is justified on the basis of a shortfall in the 5-year effective housing land supply and accords with the guiding principles of sustainable development set out in SPP paragraph 29, and with Policy HOU3; ~~and~~ or*
- b. the proposal is necessary to meet locational need, for example for essential infrastructure; and*
- c. there are no other suitable sites available; ~~and~~ or*
- d. the proposal is for small-scale development directly linked to a rural business; ~~and~~ or*
- 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.*

The layout and design of proposals should minimise the amount of prime agricultural land required.

Justification

Presumably the 'and's in the policy are included in error and the majority should read 'or', otherwise the effect of the policy would be to allow almost no development as all of the policy criteria would have to be satisfied simultaneously.

There is a requirement from SPP and SESplan to ensure that the policy framework in a Local Development Plan will continue to maintain a 5 year effective housing land supply over the LDP period.

In the event of a failing housing land supply, there are unlikely to be enough suitable brownfield sites available that could be used to address the shortfall. Therefore, the development of greenfield sites is acceptable in principle. It is a fact that most of the land adjacent to West Lothian's settlements is of prime agricultural quality. Therefore it is inevitable that some prime quality land will be required to address any shortfall in the effective housing land supply.

The Plan's SEA Environmental Report (August 2014) notes the lack of brownfield/non-prime sites available in the West Lothian area (para 4.4.7). Indeed, many of the proposed allocations in the LDP are also prime agricultural land, reflecting the lack of available alternatives in meeting housing requirements.

SPP (para 80) notes that where it is necessary to use good quality land for development, the layout and design should minimise the amount of land that is required. This could be included within the policy.

This approach and modification is in accord with the policy requirements of SESplan and SPP.

Wallace Land – Representations to Proposed Plan Representation about Policy ENV 7

POLICY ENV 7 Countryside Belts and settlement setting

The following areas, as indicated generally on the Proposals Map are designated as Countryside Belt:

- Livingston;
- Bathgate/Whitburn;
- Winchburgh/Broxburn;
- East Calder/Kirknewton; and
- Linlithgow/ Philpstoun & Bridgend

The strategic purposes of Countryside Belts are to:

- maintain the separate identity and visual separation of settlements;
- protect the landscape setting of settlements;
- promote public access to green space for informal recreation; and
- enhance landscape and wildlife habitat.

Protection and enhancement of the landscape of these Countryside Belts will be sought and encouraged as part of the Central Scotland Green Network and other opportunities, through woodland planting and managed access.

Within designated Countryside Belts, development will not be permitted unless it can be demonstrated that the proposal satisfies following criteria:

- a. a proposal is environmentally acceptable and the criteria set out in the policies ENV 1 – ENV 6 of the LDP can be met;
- b. the proposal will not undermine any of the strategic purposes as set out above;
- c. the proposal will not give rise to visual or physical coalescence between settlements, sporadic development, or the expansion of existing clusters of houses (existing groups of houses in the countryside but not within a town or a village) by more than 20% of the number of houses within that group; and
- d. there is a specific locational need which cannot be met elsewhere and need for incursion into Countryside Belt can be demonstrated.

Changes requested to the Proposed Plan

We recommend the policy reads as set out below.

POLICY ENV 7 Countryside Belts and settlement setting

The following areas, as indicated generally on the Proposals Map are designated as Countryside Belt:

- Livingston;
- Bathgate/Whitburn;
- Winchburgh/Broxburn;
- East Calder/Kirknewton; and
- Linlithgow/ Philpstoun & Bridgend

The strategic purposes of Countryside Belts are to:

- maintain the separate identity and visual separation of settlements;
- protect the landscape setting of settlements;

- promote public access to green space for informal recreation; and
- enhance landscape and wildlife habitat.

Justification for designation of each area, including the strategic purposes of each, is set out in detailed Supplementary Guidance.

Protection and enhancement of the landscape of these Countryside Belts will be sought and encouraged as part of the Central Scotland Green Network and other opportunities, through woodland planting and managed access.

Within designated Countryside Belts, development will not be permitted unless it can be demonstrated that the proposal satisfies following criteria:

- a proposal is environmentally acceptable and the criteria set out in the policies ENV 1 – ENV 6 of the LDP can be met;
- the proposal will not undermine any of the strategic purposes as set out above;
- the proposal will not give rise to visual or physical coalescence between settlements, sporadic development, or the expansion of existing clusters of houses (existing groups of houses in the countryside but not within a town or a village) by more than 20% of the number of houses within that group; and
- there is a specific locational need which cannot be met elsewhere and need for incursion into Countryside Belt can be demonstrated. This may include a site that is justified on the basis of a shortfall in the 5-year effective housing land supply and which accords with the guiding principles of sustainable development set out in SPP paragraph 29, and with Policy HOU3.

Justification

There is no justification provided by the Council for these designations although they are partly included on landscape grounds. In comparison, candidate SLAs have been fully assessed and justified in landscape terms. It is not made clear what the purpose of countryside belt designation is in any given location and hence what development may and may not be acceptable. Supplementary Guidance should be provided and consulted on to justify and explain the designated areas.

Further, SESplan Policy 13 expects LDPs to ‘justify additions or deletions’ to countryside designations. The Council has failed to provide any specific justification for any of the proposed designations, although some of them have been similarly designated in previous Local Plans. The proposed *Linlithgow/Philpstoun & Bridgend Countryside Belt* is entirely new. It does not feature in the previous Local Plan and has been introduced without any justification, contrary to SESplan policy 13 (copied below).

There is a requirement from SPP and SESplan to ensure that the policy framework in a Local Development Plan will continue to maintain a 5 year effective housing land supply over the LDP period.

The scale of the housing requirement to be met through this LDP, and the likelihood of a failure of the 5-year effective housing land supply, means that Countryside Belts should not be drawn too tightly. If the policy is made too onerous these belts will constrain the ability to take action to address any shortfall in the supply by releasing additional housing sites. The Policy and designated areas, as proposed, would be tantamount to a ‘green belt’ type designation around a significant proportion of West Lothian’s settlements, particularly when considered alongside other designations including proposed Special Landscape Areas.

The Policy and designations as proposed therefore have the effect of significantly constraining the potential to address any housing land supply shortfall through the release of additional greenfield sites on the edge of settlements. This conflicts with the aims of Policy HOU2, which seeks to provide for action to be taken to ensure an effective housing land supply is maintained by allowing the release of additional sites in these circumstances.

SPP para 50 expects green belts to be drawn so as to have regard to sustainable locations for development in the longer-term, in other words not to be drawn too tightly so that they are of only short-term relevance. Similar principles might be expected to be applied to other designations performing a similar function to green belts such as countryside belts.

SESplan policy 13: OTHER COUNTRYSIDE DESIGNATIONS

Local Development Plans should review and justify additions or deletions to other countryside designations fulfilling a similar function to those of the Green Belt as appropriate. Opportunities for contributing to the Green Network proposals should also be identified in these areas.



Wallace Land – Representations to Proposed Plan Representation about Policy ENV 8

POLICY ENV 8 Green Network

The council will support proposals which help to deliver the green network as set out in the Green Network Plan and Supplementary Guidance. Where green network opportunities are relevant to a proposed development (as determined by the council), the development will be expected to contribute wholly, or in part, to their delivery.

The priority areas will be along strategic road corridors and in areas of development restraint and landscape protection including Special Landscape Areas and Countryside Belts. New woodland planting should be planned and designed to meet the criteria set out in the Edinburgh and Lothians Forestry and Woodland Strategy (2012). New woodlands for community use and planting for bio fuels will be supported where there is landscape and design integration, biodiversity enhancement and multi-use benefits including, where appropriate, public recreational access particularly near to communities.

Changes requested to the Proposed Plan

We recommend the policy reads as set out below.

POLICY ENV 8 Green Network

*The council will support proposals which help to deliver the green network as set out in the Green Network Plan and Supplementary Guidance. Where green network opportunities are relevant to a proposed development (as determined by the council **in consultation with landowners and other stakeholders, and detailed in adopted Supplementary Guidance**), the development will be expected to contribute wholly, or in part, to their delivery, **while meeting the tests of Circular 4/1998 and 3/2012, as appropriate.***

The priority areas will be along strategic road corridors and in areas of development restraint and landscape protection including Special Landscape Areas and Countryside Belts. New woodland planting should be planned and designed to meet the criteria set out in the Edinburgh and Lothians Forestry and Woodland Strategy (2012). New woodlands for community use and planting for bio fuels will be supported where there is landscape and design integration, biodiversity enhancement and multi-use benefits including, where appropriate, public recreational access particularly near to communities.

Justification

Any planning condition needs to meet the tests set out in paragraph 2 of Circular 4/1998. Conditions should only be imposed where they are:

- necessary
- relevant to planning
- relevant to the development to be permitted
- enforceable
- precise
- reasonable in all other respects.

Any developer contribution needs to meet the tests set out in paragraph 14 of Circular 3/2012:

- necessary to make the proposed development acceptable in planning terms (paragraph 15)
- serve a planning purpose (paragraph 16) and, where it is possible to identify infrastructure provision requirements in advance,

- should relate to development plans relate to the proposed development either as a direct consequence of the development or arising from the cumulative impact of development in the area (paragraphs 17-19)
- fairly and reasonably relate in scale and kind to the proposed development (paragraphs 20-23)
- be reasonable in all other respects (paragraphs 24-25)

Para 3.4 of the Plan states that a Green Network Plan is published alongside the Proposed Plan but this does not appear to be the case. The Supplementary Guidance is not yet available. There is a need for development requirements to be justified and detailed in this SG, which should be the subject to consultation with landowners and other stakeholders to ensure requirements are reasonable and justified in terms of the Circulars, and are deliverable.



Wallace Land – Representations to Proposed Plan Representation about Policy ENV 11

POLICY ENV 11 Protection of the water environment / coastline and riparian corridors

The council recognises the importance of the water environment in terms of its landscape, ecological, recreational and land drainage functions. Accordingly:

- a. there will be a general presumption against development which would have a detrimental effect on the integrity and water quality of aquatic and riparian ecosystems, or the recreational amenity of the water environment, or which would lead to deterioration of the ecological status of any element of the water environment. Where appropriate, development proposals adjacent to a waterbody should provide for a substantial undeveloped and suitably landscaped corridor to avoid such impacts;*
- b. there will be a general presumption against development which would have a detrimental effect on Groundwater Dependent Terrestrial Ecosystems (GWDTE);*
- c. there will be a general presumption against any unnecessary engineering works in the water environment including new culverts, bridges, watercourses diversions, bank modifications or dams;*
- d. opportunities to improve the water environment by opening out previously culverted water course, removing redundant water engineering installations, and restoring the natural course of watercourses should be exploited where possible;*
- e. there is a presumption against proposals which would undermine, through intrusive development, the landscape character and amenity of river valleys and other significant water courses. Development within riparian corridors which impacts on the ecological and landscape integrity will not be permitted unless a specific need for the development can be demonstrated;*
- f. the council will support the development of measures identified within the Forth Area River Basin Management Plan designed to improve the ecological status of the water environment and coastal areas;*
- g. the water environment will be promoted as a recreational resource (subject to the requirements of Natura 2000 sites) with existing riparian access safeguarded and additional opportunities for ecological enhancement, access and recreation encouraged where compatible with nature conservation objectives.*
- h. there is a general presumption in favour of sustainable development and use of the marine environment in the coastal zone where the proposals can satisfactorily demonstrate that they are compliant with the objectives of the National Marine Plan (2015). This principle is applicable to all marine activities, but is especially relevant to aquaculture, oil and gas, renewable energy activities and tourism. Generally:*
 - i. proposals must not have a significant impact, either individually or cumulatively, on the natural, built environment and cultural heritage resources either in the sea or on land;*
 - ii. the location, scale and design are such that proposals will not have a significant adverse impact;*
 - iii. proposals must not result in any deterioration in ecological status or potential for any water body or prevent it from achieving good ecological status in the future;*
 - iv. there will be no significant adverse impact on other users of marine resources and/or neighbouring land.*

Changes requested to the Proposed Plan

We recommend that the policy reads as set out below.

POLICY ENV 11 Protection of the water environment / coastline and riparian corridors

The council recognises the importance of the water environment in terms of its landscape, ecological, recreational and land drainage functions. Accordingly:

- a. there will be a general presumption against development which would have a detrimental effect on the integrity and water quality of aquatic and riparian ecosystems, or the recreational amenity of the water*

- environment, or which would lead to deterioration of the ecological status of any element of the water environment. ~~Where appropriate, development proposals adjacent to a waterbody should~~ **comply with SEPA's Guidance on buffer strips adjacent to water bodies** ~~provide for a substantial undeveloped and suitably landscaped corridor to avoid such impacts;~~
- b. there will be a general presumption against development which would have a ~~detrimental effect~~ **significant adverse impact** on Groundwater Dependent Terrestrial Ecosystems (GWDTE);
 - ~~c. there will be a general presumption against any unnecessary engineering works in the water environment including new culverts, bridges, watercourses diversions, bank modifications or dams;~~
 - d. opportunities to improve the water environment by opening out previously culverted water course, removing redundant water engineering installations, and restoring the natural course of watercourses should be ~~exploited~~ **considered** where **these are within the site boundary** ~~possible~~;
 - ~~e. there is a presumption against proposals which would undermine, through intrusive development, the landscape character and amenity of river valleys and other significant water courses. Development within riparian corridors which impacts on the ecological and landscape integrity will not be permitted unless a specific need for the development can be demonstrated;~~
 - f. the council will support the development of measures identified within the Forth Area River Basin Management Plan designed to improve the ecological status of the water environment and coastal areas;
 - g. the water environment will be promoted as a recreational resource (subject to the requirements of Natura 2000 sites) with existing riparian access safeguarded and additional opportunities for ecological enhancement, access and recreation encouraged where compatible with nature conservation objectives.
 - h. there is a general presumption in favour of sustainable development and use of the marine environment in the coastal zone where the proposals can satisfactorily demonstrate that they are compliant with the objectives of the National Marine Plan (2015). This principle is applicable to all marine activities, but is especially relevant to aquaculture, oil and gas, renewable energy activities and tourism. Generally:
 - i. proposals must not have a significant impact, either individually or cumulatively, on the natural, built environment and cultural heritage resources either in the sea or on land;
 - ii. the location, scale and design are such that proposals will not have a significant adverse impact;
 - iii. proposals must not result in any deterioration in ecological status or potential for any water body or prevent it from achieving good ecological status in the future;
 - iv. there will be no significant adverse impact on other users of marine resources and/or neighbouring land.

Justification

Any planning condition needs to meet the tests set out in paragraph 2 of Circular 4/1998. Conditions should only be imposed where they are:

- necessary
- relevant to planning
- relevant to the development to be permitted
- enforceable
- precise
- reasonable in all other respects.

Any developer contribution needs to meet the tests set out in paragraph 14 of Circular 3/2012:

- necessary to make the proposed development acceptable in planning terms (paragraph 15)
- serve a planning purpose (paragraph 16) and, where it is possible to identify infrastructure provision requirements in advance,
- should relate to development plans relate to the proposed development either as a direct consequence of the development or arising from the cumulative impact of development in the area (paragraphs 17-19)

- fairly and reasonably relate in scale and kind to the proposed development (paragraphs 20-23)
- be reasonable in all other respects (paragraphs 24-25)

The proposed wording regarding ... *substantial undeveloped and suitably landscaped corridor* ... is not precise and reasonable and does not meet the tests of the above Circulars. Including reference to SEPA's guidance on this matter in the policy would ensure that requirements for buffer strips are proportionate and justified.

The presumption against works such as bridges conflicts with placemaking and design principles in terms of delivering ... *connected places* (SPP para 38).

Improvements to the water environment should only be sought where feasible and appropriate, including that the relevant opportunity is within the site boundary.

Landscape character is covered by policy ENV1 and its inclusion in this policy represents unnecessary duplication.

Wallace Land – Representations to Proposed Plan Representation about Policy ENV 18

Policy ENV 18 Protection of Local and National Nature Conservation Sites

Development proposals within, or affecting areas classified as sites of national importance, including National Nature Reserves (NNR), Sites of Special Scientific Interest (SSSI), and locally designated nature conservation sites will not be permitted unless it can be satisfactorily demonstrated that it will not compromise the objectives or integrity of the designation.

In the case of national designations, development will only be supported where there is an over-riding national public interest that outweighs the designation interest.

Proposals for development within such areas will require an appropriate level of environmental or biodiversity assessment. The need for an Environmental Impact Assessment will (EIA) be considered against the EIA (Scotland) Regulations 1999.

Changes requested to the Proposed Plan

We recommend the policy reads as set out below.

Policy ENV 18 Protection of Local and National Nature Conservation Sites

*Development proposals within, or affecting areas classified as sites of national importance, including National Nature Reserves (NNR), Sites of Special Scientific Interest (SSSI), and locally designated nature conservation sites will not be permitted unless it can be satisfactorily demonstrated that it will not compromise the objectives or integrity of the designation, **taking account of the potential to appropriately mitigate any impacts.***

*In the case of national designations, development **that would have significant adverse impacts that cannot be mitigated** will only be supported where there is an over-riding national public interest that outweighs the designation interest.*

*Proposals for development within such areas will require an appropriate level of environmental or biodiversity assessment. The need for an Environmental Impact Assessment will (EIA) be considered against the **Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011** ~~EIA (Scotland) Regulations 1999~~.*

Justification

The policy should reflect the potential for mitigation.

The reference to the EIA regulations is incorrect and should be corrected.

Wallace Land – Representations to Proposed Plan Representation about Policy ENV 31

POLICY ENV 31 Historic Battlefields : Battle of Linlithgow Bridge (1526)

Proposals for the sensitive management and interpretation of battlefield sites such as Linlithgow Bridge will be supported in principle.

There is a presumption against development within a site listed in the Inventory of Historic Battlefields where it would have a significant adverse affect upon the archaeology, character, appearance, setting or the key landscape features of the battlefield.

Where it can be demonstrated that the overall integrity of the battlefield will not be compromised and there will be no adverse impact on the archaeology, character, appearance, setting or the key landscape features of the battlefield, proposals and developments affecting battlefield sites will require an appropriate level of mitigation, and measures (to be agreed with the Planning Authority). The siting, scale and design of any new development, or extensions to existing buildings, must preserve, conserve or enhance the key characteristics of the battlefield. These may include landscape characteristics, key viewpoints that assist in the understanding of the battle and historic assets (particularly archaeological deposits found in-situ). However, minor developments such as household extensions will in most cases be exempt.

Changes requested to the Proposed Plan

We recommend that the policy reads as set out below.

POLICY ENV 31 Historic Battlefields : Battle of Linlithgow Bridge (1526)

Proposals for the sensitive management and interpretation of battlefield sites such as Linlithgow Bridge will be supported in principle.

*There is a presumption against development within a site listed in the Inventory of Historic Battlefields where it would have a significant adverse affect upon the **battlefield relationships established through** archaeology, character, appearance, setting ~~or~~ **and** the key landscape features of the battlefield.*

*Where it can be demonstrated that the overall integrity of the battlefield will not be compromised and there will be no adverse impact on the archaeology, character, appearance, setting or the key landscape features of the battlefield, proposals and developments affecting battlefield sites ~~will~~ **may** require ~~an~~ appropriate ~~level~~ of mitigation, and measures (to be agreed with the Planning Authority, **and Historic Environment Scotland where it raises issues of national importance**). The siting, scale and design of any new development, or extensions to existing buildings, must preserve, conserve or enhance the key characteristics of the battlefield. These may include landscape characteristics, key viewpoints that assist in the understanding of the battle and historic assets (particularly archaeological deposits found in-situ). However, minor developments such as household extensions will in most cases be exempt.*

Justification

The proposed amendment would better reflect the importance of battlefields in terms of them being the locations of past events. Their special interest is in how their features can aid an understanding of these events and relationships.

Historic Environment Scotland will normally be a consultee and should be involved in defining appropriate mitigation where relevant.

Wallace Land – Representations to Proposed Plan Representation about Policy ENV 32

POLICY ENV 32 Archaeology

Development will not be permitted where it would adversely affect an identified regionally or locally important archaeological or historic site or its setting unless it can be demonstrated that:

- a. the proposal has been sited and designed to minimise damage to items or sites of archaeological and historic interest; and*
- b. there is no alternative location for the proposal.*

Archaeological remains should be preserved in situ. Where this is not possible, archaeological investigation and recording will be required and must be to the highest professional standards. These investigations will be carried out at the developer's expense, prior to the implementation of the development to include archaeological excavation, recording, analysis and publication of findings.

Changes requested to the Proposed Plan

We recommend that the policy reads as set out below.

POLICY ENV 32 Archaeology

*Development will not be permitted where it would **significantly** adversely affect an identified regionally or locally important archaeological or historic site or its setting unless it can be demonstrated that:*

- a. the proposal has been sited and designed to minimise damage to items or sites of archaeological and historic interest; and*
- b. there is no alternative location for the proposal.*

*Archaeological remains should be preserved in situ **wherever possible**. Where this is not possible, archaeological investigation and recording will be required ~~and must be to the highest professional standards~~. These investigations will be carried out at the developer's expense, prior to **or during** the implementation of the development, **as appropriate**, to include archaeological excavation, recording, analysis and publication of findings.*

Justification

The policy needs to take account of the significance of effects as development may be acceptable where it has adverse effects of low significance, particularly when balanced against other considerations such as the requirement to maintain an effective 5-year housing land supply.

SESplan policy 1B (copied below) uses the term ... *significant adverse impacts* ... and the proposed amendment would bring the LDP policy into line with this.

SPP sets out a clear hierarchy of relative importance of archaeological assets, stating that permission should only be granted for proposals that would have an adverse effect on a scheduled monument in exceptional circumstances, whereas for other designated sites and monuments these are to be preserved in situ "wherever possible" (para 150). Non-designated assets should be protected and preserved "as far as possible" (para 151). PAN2/2011 also confirms that consideration should be given to the importance of an archaeological feature in weighing this against other considerations (para 6).

Archaeological investigation will be carried out in accordance with relevant professional standards and it is not necessary to refer to this in the policy.

It will not always be reasonable or necessary to require archaeological investigation prior to development; in some circumstances it will be sufficient to carry this out during the course of development. SPP para 150 confirms this. The policy should be modified to reflect the position within SPP.

This approach and modification is in accord with the policy requirements of SESplan and SPP.

SESplan policy 1B: THE SPATIAL STRATEGY: DEVELOPMENT PRINCIPLES

Local Development Plans will:

- *Ensure that there are no significant adverse impacts on the integrity of international, national and local designations and classifications, in particular National Scenic Areas, Special Protection Areas, Special Areas of Conservation, Sites of Special Scientific Interest and Areas of Great Landscape Value and any other Phase 1 Habitats or European Protected Species;*
- *Ensure that there are no significant adverse impacts on the integrity of international and national built or cultural heritage sites in particular World Heritage Sites, Scheduled Ancient Monuments, Listed Buildings, Royal Parks and Sites listed in the Inventory of Gardens and Designed Landscapes;*
- *Have regard to the need to improve the quality of life in local communities by conserving and enhancing the natural and built environment to create more healthy and attractive places to live;*
- *Contribute to the response to climate change, through mitigation and adaptation; and*
- *Have regard to the need for high quality design, energy efficiency and the use of sustainable building materials.*

Wallace Land – Representations to Proposed Plan Representation about Policy HOU 1 and Figure 5

Changes requested to the Proposed Plan

More land should be allocated to ensure that the LDP accords with the requirements of SESplan and SPP. We recommend the inclusion of three additional sites to help ensure these requirements are met. These sites are detailed below:

1. Wellhead Farm, Murieston
2. Pumpherston Farm
3. Burghmuir, Linlithgow

These sites should be added to Appendix 2 and the Proposals Map and supported in principle under Policy HOU 1 *Allocated Housing Sites*.

In addition, Figure 5 *West Lothian Housing Land Supply Target* should be modified and replaced with the table below:

	2009-2019	2019-2024	2024-2027	2009-2027
Setting the LDP Housing Land Supply Target				
LDP Housing Supply Target	11,420	6,590	2,784	20,794
Generosity Allowance (+10%)	1,142	659	278	2,079
LDP Housing Land Requirement	12,562	7,249	3,062	22,873
Meeting the LDP Housing Land Supply Target				
<i>minus</i> Effective Supply	4,802	2,490	1,270	8,562
<i>minus</i> Constrained sites coming forward	0	0	0	0
<i>minus</i> Completions (2009 to 2014)	2,440	0	0	2,440
<i>minus</i> Windfall	320	400	240	960
<i>plus</i> Demolitions	568	100	60	728
<i>equals</i> Total Supply from Existing Sources	6,994	2,790	1,450	11,234
<i>equals</i> Allocations Required	5,568	4,459	1,612	11,639
<i>minus</i> Programming of Proposed Allocations	1,496	2,610	0	4,106
<i>equals</i> Shortfall / Surplus	4,072	1,849	1,612	7,533

The rationale for this is set out in the Assessment of the Housing Land Supply.

Justification

We object to Policy HOU 1 *Allocated Housing Sites* and *Figure 5* of the Proposed Plan on the basis that the Council's proposed development strategy as set out in the LDP Proposed Plan does not comply with the requirements of SESplan or Scottish Ministers, as set out in SPP.

The supporting *Assessment of the Housing Land Supply* demonstrates that the number of homes to be allocated in the LDP Proposed Plan is 5,568 homes for the period 2009 to 2019. The number of homes to be allocated in the LDP Proposed Plan for the period 2019 to 2024 is 4,459 homes. For the period 2024 to 2027, the Council is required to allocate land for 1,612 homes. Over the entire LDP plan period 2009 to 2027, the Council is required to allocate additional effective housing land with a capacity of 11,639 homes.

Taking account of the programming of proposed allocations set out in the LDP Proposed Plan, which is not agreed by Homes for Scotland, the additional allocations required in the Proposed Plan over and above the proposed allocations already identified in the LDP Proposed Plan is 4,072 homes for the period 2009 to 2019.

The further allocations required in the LDP Proposed Plan for the period 2019 to 2024 is 1,849 homes. For the period 2024 to 2027, the Council requires to allocate further land for 1,612 homes.

In total, additional housing land capable of becoming effective over the plan period from 2009 to 2027 is required to deliver 7,533 homes. The allocation of this scale of additional homes is necessary in order to ensure that the LDP Proposed Plan complies with the housing land requirement in full as required by SESplan.

It is apparent from our Assessment that there is still a significant and substantial shortfall in the housing land supply in the first plan period to 2019. This matter has been raised and agreed by Reporters in recent appeal decisions.

The Council's development strategy for the LDP Proposed Plan needs to focus on identifying sufficient effective housing land that can contribute to the effective housing land supply in the short term period to 2019, as well as its plan period to 2027.

The consequence of failing to make these additional allocations is that the Council will not be maintaining a 5 year effective housing land supply from the adoption of the LDP. This will mean that the housing land supply policies in the LDP will be considered out of date in accord with SPP paragraph 125. In these circumstances a presumption in favour of development that contributes to sustainable development will apply through the development management process as set out in SPP paragraphs 29 and 32 to 35.

Accordingly, more land should be allocated to ensure that the LDP accords with the requirements of SESplan and SPP. We recommend the inclusion of three additional sites to help ensure these requirements are met. These are as follows:

1. Wellhead Farm, Murieston. This site is proposed for development in three phases for a total of 680 homes plus community hub. Each phase is standalone and the site can be allocated in one, two or all three phases together. The whole site can be built out over the 10-year LDP period.
2. Pumpherston Farm. This site is proposed for a mixed use development incorporating up to 1,230 homes, with community hub, including a new Primary School if required by the Council. Separate phases of development would be delivered in phases of 200-300 homes. This site can be allocated in whole or in part with the potential to deliver 670 homes in Phases 1 to 3 in the LDP period.
3. Burghmuir, Linlithgow. This site is proposed for a phased mixed use development for around 600 homes, new motorway slips, and community facilities including hotel, care home, health centre, and sports provision. The whole site can be built out over the 10-year LDP period. Phase A for around 200 homes is capable of coming forward independently.

A separate *Supporting Statement* has been submitted for each of these three sites. These explain each proposal and its environmental impacts. They provide an updated SEA Site Assessment for each site, taking account of mitigation to be delivered by the proposal. They demonstrate that each of the three sites has acceptable environmental impacts and compares favourably with sites allocated in the Proposed Plan.

Each of the sites is suitable for allocation in the LDP. Public consultation for each site is described.

Wallace Land – Representations to Proposed Plan Representation about Policy HOU 2

POLICY HOU2 Maintaining an Effective Housing Land Supply

The council will endeavour to maintain a 5-year supply of land for housing that is effective or can be shown to be capable of becoming effective at all times throughout the lifetime of the plan. An annual audit of the housing land supply prepared on a sectoral basis (agreed with housing providers) will monitor and review, the land supply in accordance with the SPP 2014 and the Strategic Development Plan.

Proposals for housing development will require to accord with the proposed phasing detailed in Chapter 6 and the related LDP Action Programme. Sites identified in Chapter 6 for longer term expansion are embargoed from development during the period of the Local Development Plan and shall be safeguarded unless required to contribute to the five year effective supply and any infrastructure required as a result of the development is either committed or to be funded by the developer. Proposals coming forward in advance of any identification of a shortfall in the effective housing land supply will be treated as premature.

Changes requested to the Proposed Plan

We recommend that the policy reads as set out below.

POLICY HOU2 Maintaining an Effective Housing Land Supply

*The council will ~~endeavour to~~ maintain a 5-year supply of land for housing that is effective or can be shown to be capable of becoming effective at all times throughout the lifetime of the plan. An annual audit of the housing land supply prepared on a sectoral basis (agreed with housing providers) will monitor and review, the land supply in accordance with the SPP 2014 and the Strategic Development Plan. **Where it can be demonstrated that the Council is not maintaining a 5 year effective housing land supply at all times, residential development will be granted if the sustainability of the proposal accords with the guiding principles of sustainable development set out in SPP paragraph 29, and with LDP policy HOU3.***

~~Proposals for housing development will require to accord with the proposed phasing detailed in Chapter 6 and the related LDP Action Programme. Sites identified in Chapter 6 for longer term expansion are embargoed from development during the period of the Local Development Plan and shall be safeguarded unless required to contribute to the five year effective supply and any infrastructure required as a result of the development is either committed or to be funded by the developer. Proposals coming forward in advance of any identification of a shortfall in the effective housing land supply will be treated as premature~~ **only if they undermine the development strategy of the LDP.**

In addition, paragraph 5.52 states ... *Figure 5 is set out to comply with requirements of SPP 2010 and the SESplan Supplementary Guidance on Housing.* This reference to SPP 2010 should be amended to refer to the new SPP 2014.

Justification

Policy HOU2 as drafted does not indicate what action the Council will take in the event of a failure of the land supply and the proposed policy therefore will not have the effect of ensuring that a 5-year effective supply will be maintained. In the event of a failure in the 5-year effective housing land supply a presumption in favour of development that contributes to sustainable development will apply through the development management process as set out in SPP paragraphs 29 and 32-35 and this should be reflected in the Plan.

This approach and modification is in accord with the policy requirements of SESplan and SPP.

Wallace Land – Representations to Proposed Plan Representation about Policy HOU 4

POLICY HOU4 Windfall Housing Development in Linlithgow and Linlithgow Bridge

Linlithgow and Linlithgow Bridge are particularly sensitive to the impact of new infill housing development by virtue of unique historic character, environmental constraints (landscape setting, air quality and drainage), traffic congestion and the availability of education capacity.

Proposals for windfall housing development within the settlement boundary of Linlithgow/Linlithgow Bridge will therefore be subject to additional scrutiny and will only be supported where it can be demonstrated that their impact can be satisfactorily managed and would not singularly or cumulatively exacerbate these matters.

Changes requested to the Proposed Plan

We recommend that this policy is deleted.

If the policy is retained the supporting text should be reviewed and amended to provide greater clarity and to ensure the policy properly reflects the requirements of SESplan, proposed LDP Policy HOU2, and the principles of sustainable development set out in SPP para 29.

Justification

The policy is unnecessary as Policy HOU3 provides a context for the assessment of windfall proposals and other Plan policies adequately cover matters of historic environment, landscape setting, air quality, drainage, traffic impacts, and education capacity, and allow for a full assessment of the impact of proposals.

If brownfield sites within the town are not delivered within the timescales originally envisaged this may result in a failure in the 5-year effective housing land supply, or exacerbate any existing failure. The proposed 'sequential approach' set out at para 5.65 may represent a logical approach to selecting sites for allocation through the LDP preparation process but is not appropriate or justified in a development management context. It is not consistent with the potential need to take action to address any such failure in the housing land supply under Policy HOU2. In such circumstances it would be unreasonable to apply a sequential approach that prioritised the very sites that contributed to the failure in the land supply. The only realistic way to address the shortfall would be to release additional greenfield sites provided these comply with the sustainability principles of SPP para 29 and accord with SESplan and proposed LDP Policy HOU2.

The proposed 'sequential approach' also appears to contradict the text at para 5.67, which implies the potential for settlement expansion beyond current limits to be justified if sites within the town are undeliverable (or if they cannot be delivered without environmental harm).

Wallace Land – Representations to Proposed Plan Representation about Policy HOU 8

POLICY HOU 8 Healthcare and Community Facilities in New Housing Development

In locations where there is a shortfall in capacity, quality or location of health service provision identified by NHS Lothian and/or community facilities identified by the council, an appropriate developer contribution may be sought to improve the quantity or quality of such provision commensurate with the impact of the new development.

The contribution will be a proportionate one, the basis of which will be set out in Supplementary Guidance. In circumstances where facilities cannot be improved or provided physically the development will not be supported. Similarly, development involving the loss of valuable health or other community facilities will not be supported unless appropriate alternative provision is to be made.

Changes requested to the Proposed Plan

We recommend that references to the NHS and healthcare are removed from the policy such that it reads as set out below.

POLICY HOU 8 ~~Healthcare and~~ Community Facilities in New Housing Development

In locations where there is a shortfall in capacity, quality or location of ~~health service provision identified by NHS Lothian and/or~~ community facilities identified by the council, an appropriate developer contribution may be sought to improve the quantity or quality of such provision commensurate with the impact of the new development.

The contribution will be a proportionate one, the basis of which will be set out in Supplementary Guidance. In circumstances where facilities cannot be improved or provided physically the development will not be supported. Similarly, development involving the loss of valuable ~~health or other~~ community facilities will not be supported unless appropriate alternative provision is to be made.

Justification

Any developer contribution needs to meet the tests set out in paragraph 14 of Circular 3/2012:

- necessary to make the proposed development acceptable in planning terms (paragraph 15)
- serve a planning purpose (paragraph 16) and, where it is possible to identify infrastructure provision requirements in advance,
- should relate to development plans relate to the proposed development either as a direct consequence of the development or arising from the cumulative impact of development in the area (paragraphs 17-19)
- fairly and reasonably relate in scale and kind to the proposed development (paragraphs 20-23)
- be reasonable in all other respects (paragraphs 24-25)

Funding of the NHS in Scotland is the statutory responsibility of the Scottish Government and it would not therefore be appropriate or consistent with Circular 3/2012 to seek developer contributions for this.

As noted at paragraphs 5.93 – 5.96 of the Plan, ... *the responsibility for health care provision in the Lothians falls to NHS Lothian. Further, ... the delivery and implementation of new provision is ultimately dependent on business decisions of individual practices and those of the NHS and Community Health Care Partnership. The development plan can however allocate land for new health centres, and assist in joint working to provide new facilities.* The proposed policy is at odds with the text in this paragraph.

These modifications are necessary to ensure that any planning obligation is in accord with Circular 3/2012 and is not an unreasonable demand by the Council.