

West Lothian Council
Planning Services
West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

20th November 2015

Dear Sirs

**WEST LOTHIAN LOCAL DEVELOPMENT PLAN PROPOSED PLAN
REPRESENTATIONS ON BEHALF OF ASHDALE LAND AND PROPERTY**

I refer to the above and on behalf of my client, Ashdale Land and Property Company Limited, I am pleased to attach for your attention and consideration, my representations relative to the terms of the Proposed Plan.

On behalf of my client, I would welcome the opportunity of meeting with the relevant officials of the Council to discuss the various matters raised within these representations with a view to reaching an acceptable resolution thereto in advance of the Plan going to its Examination stage.

Finally, I would ask that I be kept fully informed as to all future stages in the preparation of the emerging Plan in order that any further submissions can be prepared and lodged timeously with the Council.

I thank you for your attention in this regard and look forward to hearing from you further in due course.

Yours faithfully

ANDREW BENNIE
Director



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Consultation Response Form*

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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

Please use this form for sections: Foreword; Background; Context; Role and Purpose of Plan; Vision Statement and Aims; The Spatial Strategy (including Policy Framework); Appendices; Glossary; Proposal Maps; Strategic Environmental Assessment (SEA) Environmental Report; Equalities and Human Rights Impact Assessment (EQHRIA); Strategic Flood Risk Assessment (SFRA); Habitats Regulations Appraisal; Transport Appraisal (TA); and Action Programme.

Section title	<input type="text"/>		
Page nos.	<input type="text"/>	Paragraph nos.	<input type="text"/>
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Please use this form for sections: The Spatial Strategy and Development by Settlement

Settlement	<input type="text"/>		
Site address / location	<input type="text"/>		
Site Ref	<input type="text"/>	Page nos.	<input type="text"/>
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Additional comments

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

A large, empty rectangular box with a thin black border, intended for the respondent to write any additional comments not covered by the questionnaire. The box is currently blank.

Section Title: 5: The Spatial Strategy

Page No: 10

Paragraph: 5.1 – 5.9

Comment:

1. As noted in paragraph 5.1, the approved Strategic Development Plan (SDP) establishes the context for the preparation of the emerging Local Development Plan (LDP), with Policies 1A and 1B of the SDP, the Spatial Strategy, setting out the broad policy principles which require to be considered when implementing the SDP strategy at a local level.
2. Paragraph 79 of Circular 6/2013: Development Planning advises that the *“Scottish Ministers expect LDPs to be concise, map-based documents, making use of plain language and a range of graphical techniques to convey the strategy and individual policies and proposals in an accessible way.”*
3. Whilst there is nothing inherently wrong with the approach that the Council within Section 5, it is considered that the Plan’s strategy could be better explained if, in line with the terms of Circular 6/2013, the text within the section were to be supported by a series of maps/graphics to illustrate the key spatial/locational aspects of the Plan’s various policies and proposals.



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

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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

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- Yes
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Enter EOI (Expression of Interest) reference here

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

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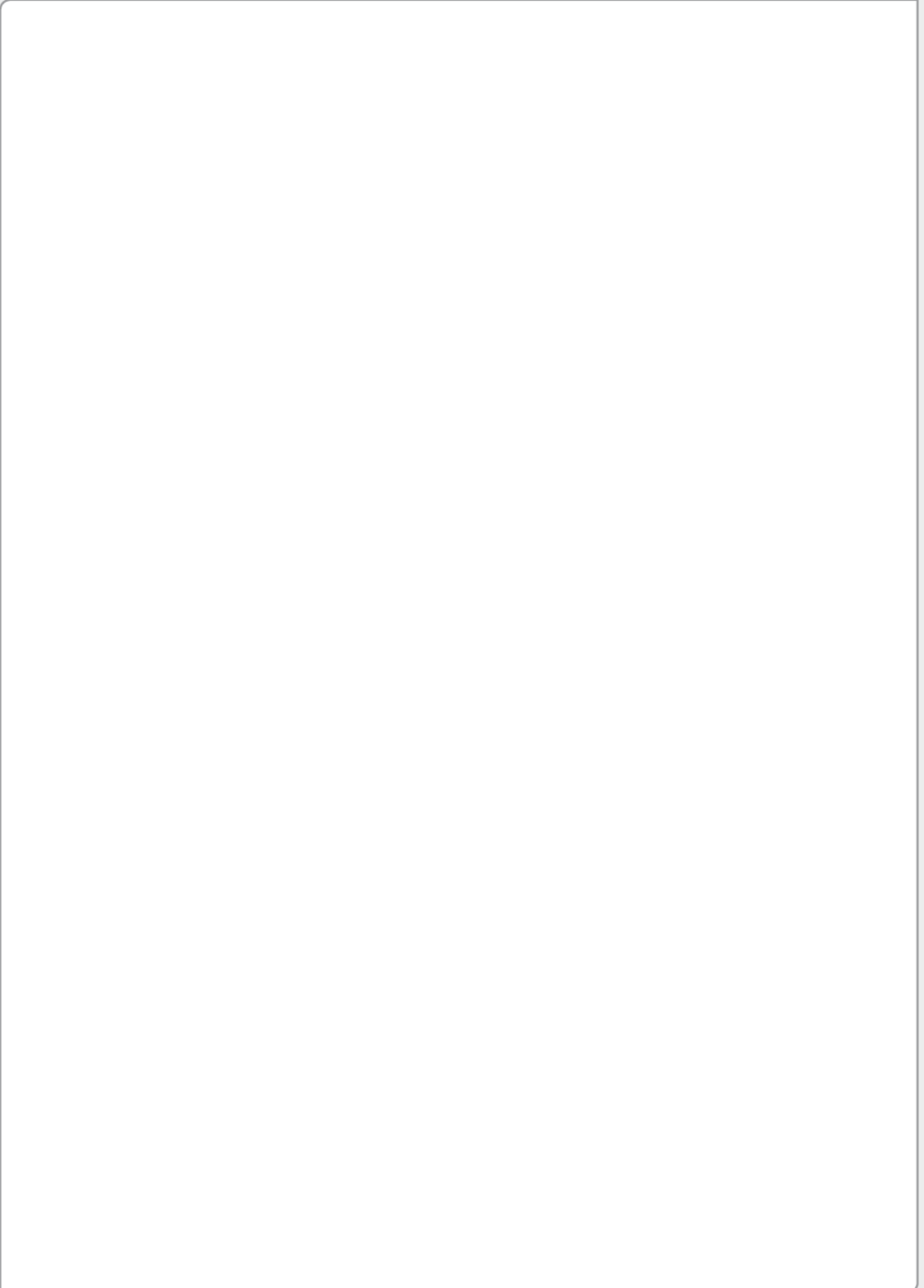
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Section Title: 5: The Spatial Strategy – Housing Growth, Delivery and Sustainable Housing Locations, Housing Land requirements for the LDP

Page No: 10

Paragraph: 5.36 – 5.49

Comment:

1. Paragraph 119 of Scottish Planning Policy states that: *“Local development plans in City Regions should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement of the strategic development plan up to year 10 from the expected year of adoption. They should provide for a minimum of 5 years effective land supply at all times. In allocating sites, planning authorities should be confident that land can be brought forward for development within the plan period and that the range of sites allocated will enable the housing supply target to be met.”*
2. Given the stage that the emerging LDP has now reached, and in light of the terms of the West Lothian Development Plan Scheme No.7, it is clear that the adoption of the LDP is not likely to take place until some time during 2017.
3. Consequently, to accord with the provisions of SPP, as highlighted above, the LDP should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement of the strategic development plan up to year 10 from the expected year of adoption, which would result in the required 10 year period running from 2017 – 2027.
4. As matters stand at present, the LDP seeks only to address the period from 2014 – 2024.
5. The matter of which period LDPs within the SDP area should address has already been the subject of a Further Information Request as part of the ongoing Examination of the Proposed Edinburgh Local Development Plan.
6. In the case of the Edinburgh LDP the plan period was stated, within the Proposed Plan, as being 2014 – 2024 and in light of an anticipated adoption date of sometime during the second half of 2016, the Examination Reporter has sought clarification as regards the consistency of the Plan with the terms of paragraph 119 of SPP what this means in terms of the relevant timeframe and the basis for calculating the 5 year land supply.
7. Given that both the Edinburgh LDP and the West Lothian LDP fall within the same SDP area, it would be reasonable to assume that in due course, the Reporter appointed to conduct the

Examination into the West Lothian LDP will seek clarification on exactly the same issue, this being especially so in light of the fact that potential adoption date of the West Lothian LDP is some 12 months behind that of the Edinburgh LDP and hence much further into the SDP plan period.

8. It is therefore submitted that in its present form, the West Lothian Local Development Plan Proposed Plan fails to accord with the requirements of SPP, and in particular with the terms of paragraph 119, insofar as it does not make adequate provision for the allocation of a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement of the strategic development plan up to year 10 from the expected year of adoption.
9. Accordingly, it is submitted that the Proposed Plan be modified so as to address the relevant 10 year period, which will run from 2017 – 2027, and in so doing, ensure that adequate provision is made to provide an effective and generous supply of housing land to cover the period whole of the 10 year period and in particular the period from 2022 – 2027.



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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.

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- **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)

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Section Title: 5: The Spatial Strategy, Figure 5: West Lothian Housing Land Supply Target

Page No: 22

Paragraph:

Comment:

1. The terms of Figure 5 of the Proposed LDP raise a number of issues of concern.
2. First of all, and standing the representations which have been submitted in respect of the relevant 10 year period which, in relation to housing land supply considerations, the LDP should address, it is submitted that the terms of Figure 5 must be updated to reflect the appropriate 5 year periods, which would be 2017 – 2022 and 2022 – 2027.
3. Standing the above submission, it is further submitted that as it stands at present, the terms of Figure 5 demonstrate clearly that the LDP does not make adequate provision for the maintenance of an effective 5 year supply of housing land at all times and that in order to address the significant shortfall which is noted to arise relative to the period from 2009 – 2019, the LDP will require to make suitable provision for the identification and allocation of a sufficient amount of further housing land, which is immediately effective, to address this shortfall in full and hence ensure that the LDP is in a position to meet the housing land obligations placed on it under the terms of SPP.
4. Secondly, neither within the footnotes to Figure or within the supporting text is any explanation given as to why how the generosity allowance of 10% is arrived at. This figures sits at the bottom of the suggested generosity range, which is detailed within SPP.
5. Given the shortfall which is noted to exist during the period from 2009 – 2019, which from the terms of Figure 5 can to a large degree be attributed to the effect of the non performance of constrained sites, the application of a higher generosity allowance would allow for the identification and allocation of further new sites which do not suffer from any constraints and hence would be able to come forward for immediate development.
6. To this end, it is submitted that the generosity allowance detailed under row (B) of Figure 5 should be increased to 20%.
7. This increase in the generosity allowance would assist in addressing the identified shortfall that exists in the period 2009 – 2019.

8. Finally, it is evident from Figure 5 that at the end of the period 2009 – 2024, the Council has indicated that the overall land supply will be in surplus to the extent of 33 units. This provides no flexibility to take account of the possibility of sites not performing as expected and gives no margin for error on the part of the allocated sites either in terms of the number or timing of the actual housing output therefrom.

9. Evidence drawn both from the LDP area and from other authority areas across Scotland indicates clearly that allocated housing sites seldom if ever perform as expected by local authorities and as a consequence of this, it is submitted that LDPs require to adopt a more flexible approach to the overall issue of housing land allocations and in so doing, provide for an over supply of housing land which will have the effect of providing the necessary flexibility to deal with the potential non performance of allocated sites.



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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:

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- 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

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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

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Additional comments

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Section Title: 5: The Spatial Strategy, Effective Housing Land and Generous Supply

Page No: 23

Paragraph: 5.50 – 5.53

Comment:

1. Whilst the sub-heading which proceeds paragraphs 5.50 – 5.53 indicates that said paragraphs will address, amongst other things, the generosity aspect of the housing land supply, this matter is not within the paragraphs in question and accordingly, no explanation or justification is provided to demonstrate why the Council has chosen to apply a generosity allowance of only 10% to its housing land requirement. This figure represents the lowest possible allowance set down under SPP and provides little flexibility in the overall land supply equation to take account of the possibility of sites not performing in the manner anticipated by the Council.
2. To this end, it is submitted that the terms of paragraphs 5.50 -5.53 must be amended to provide an explanation as to the justification for the generosity allowance which is set down within Figure 5 and that standing the submission made in respect of the Figure 5, that the terms thereof be adjusted to provide for a Generosity Allowance of 20%.



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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.

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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)
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Section Title: 5: The Spatial Strategy, Effective Housing Land and Generous Supply, Policy HOU2

Page No: 23

Paragraph:

Comment:

1. The terms of paragraph 119 of SPP are clear that planning authorities are required *"provide for a minimum of 5 years effective land supply at all times"*.
2. The present wording of Policy HOU2, and in particular the use of the phrase *"will endeavor to"* indicates that the Council envisage the possibility that they may not be able to maintain the required minimum 5 years effective supply at all times.
3. As such, it is submitted that the terms of Policy HOU2 must be amended to make clear that the Council, in line with the clear requirements of SPP, will maintain a minimum 5 years effective supply of housing land at all times and further, that the terms of the Policy be expanded to set out the mechanism that will be followed by the Council to address any shortfall in the 5 year effective supply which may be identified.



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

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Signature Date

FOR OFFICE USE ONLY

Proposed Plan reference

Please use this form for sections: Foreword; Background; Context; Role and Purpose of Plan; Vision Statement and Aims; The Spatial Strategy (including Policy Framework); Appendices; Glossary; Proposal Maps; Strategic Environmental Assessment (SEA) Environmental Report; Equalities and Human Rights Impact Assessment (EQHRIA); Strategic Flood Risk Assessment (SFRA); Habitats Regulations Appraisal; Transport Appraisal (TA); and Action Programme.

Section title	<input type="text"/>	
Page nos.	<input type="text"/>	Paragraph nos. <input type="text"/>
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Please use this form for sections: The Spatial Strategy and Development by Settlement

Settlement	<input type="text"/>		
Site address / location	<input type="text"/>		
Site Ref	<input type="text"/>	Page nos.	<input type="text"/>
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Additional comments

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

A large, empty rectangular box with a thin black border, intended for the user to provide additional comments. The box is currently blank.

Section Title: 5: The Spatial Strategy, Strategic Allocations (including previously identified Core Development Area Allocations), Policy CDA1

Page No: 25

Paragraph: 5.57 – 5.61

Comment:

1. Whilst full support remains for the continued allocation of the identified Core Development Areas, and in particular for the East Broxburn/Winchburgh CDA, due regard must be had to the significant challenges that are presented both the land owners and developers in terms of the actual delivery of these major developments.
2. The LDP presents a policy framework for the delivery of these sites based upon the current understanding of the various issues which relate to each of the identified CDAs and as such, cannot take fully into account any change in circumstances which may arise over time in respect of any of these sites.
3. Such changing circumstances could have the potential to threaten or otherwise effect the delivery of the allocations.
4. Accordingly, it is submitted that it would be of benefit if the terms of Policy CDA1 were to be amended to make suitable provision for the potential modification of agreed master plans and site specific infrastructure requirements as a means of addressing any material change in circumstances relating to any of the identified CDAs.



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

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FOR OFFICE USE ONLY

Proposed Plan reference

Please use this form for sections: Foreword; Background; Context; Role and Purpose of Plan; Vision Statement and Aims; The Spatial Strategy (including Policy Framework); Appendices; Glossary; Proposal Maps; Strategic Environmental Assessment (SEA) Environmental Report; Equalities and Human Rights Impact Assessment (EQHRIA); Strategic Flood Risk Assessment (SFRA); Habitats Regulations Appraisal; Transport Appraisal (TA); and Action Programme.

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Page nos.	<input type="text"/>	Paragraph nos.	<input type="text"/>
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Please use this form for sections: The Spatial Strategy and Development by Settlement

Settlement	<input type="text"/>		
Site address / location	<input type="text"/>		
Site Ref	<input type="text"/>	Page nos.	<input type="text"/>
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Additional comments

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

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Settlement: Broxburn

Site Address/Location: East Broxburn CDA/Albyn

Site Ref:

Page Nos: 84

Comment:

1. As part of the consortium of land owners who control the majority of the housing land which falls within the boundary of the East Broxburn portion of the wider East Broxburn/Winchburgh CDA, Ashdale Land and Property Company Limited (Ashdale) remains fully committed to planning promotion and delivery of this major development site and wishes to make clear their desire and willingness to work openly and constructively with all relevant parties to secure the early and successful delivery of this development.
2. It is however evident from the terms of recent discussions with planning officials of West Lothian Council that there are a number of factors outside the control of those parties responsible for the promotion of the wider East Broxburn development which indicate that it may not prove possible to deliver the form of development which is currently envisaged for the eastern portion of the CDA allocation.
3. These factors relate to concerns regarding the impact that the "black mould" from the adjacent distillery and noise from a nearby industrial site could have upon the ability of sections of the West Wood site and that section of the Ashdale land holding which sits to the south of the canal safely to accommodate residential development.
4. Based upon these discussions, it is most likely that it will not be possible for the West Wood site to accommodate the number of residential units set down within the table, which appears on page 84 of the Proposed Plan. It is understood that as a consequence of the probable significant reduction of the residential capacity of the West Wood site, the full extent of which remains to be established, some doubts have been raised as regards the commercial viability of the overall West Wood site for residential development.
5. It is also the case, as with the West Wood site, that the noise issues associated with the operation of the scrap metal processing site which sits at the north east corner of the East Mains Industrial Estate, has the effect of significantly limiting the residential development potential of that part of the Ashdale land holding which lies to the south of the canal, with it again being the case that the full implications and likely period of this constraint remain to be established.

6. It is clear from the matters outlined above that significant revisions may require to be made to the currently tabled composite master plan in order suitably to reflect the implications of these two constraints.
7. These revisions will of necessity require a redistribution of the housing numbers, which are set down within the Core Development Table, which appear on page 84 of the Proposed Plan.
8. A revision will also require to be made to the Housing Table on page 84 to reflect the fact that due to the significant nature of the contamination/geotechnical constraints which affect the Albyn site (H-BU 4), it is not commercially viable to bring forward residential development on this part of the wider site and that first, a different solution requires to be brought forward to deal with this part of the site (which is likely to be based on a landscape led remediation strategy) and second, that the residential units that are "lost" from this site require to be reallocated elsewhere to the west, within the wider East Broxburn site.
9. Whilst remaining fully committed to the delivery of the wider East Broxburn development, as currently envisaged within the Proposed Plan, Ashdale is of the view that if in due course it proves not to be possible to bring forward this development, as would be the case if, hypothetically, the scale of the West Wood residential development were to be significantly reduced or indeed not brought forward, the most responsible course of action that the Council could take would be to build into the Plan, sufficient flexibility within the East Broxburn allocation to allow it to accommodate the allocated scale of development on land, within the Ashdale ownership, which is not presently identified/allocated for development.
10. This could be achieved by the allocation of longer term reserve land to the west side of the current boundary of site H-BU 8 and north of site H-BU 9, which could be brought forward for development if further land were required to accommodate the housing numbers which are set down within the Proposed Plan.
11. Ashdale has considerable experience in the preparation and delivery of community lead master plans and is of the view that such an exercise could be undertaken in relation to their wider land holding known as the Strathbrock Estate.
12. Such an exercise would establish clearly how this land could, over time, be brought forward for development in a way that offered maximum benefit to the local community and which involved the local community and other key stakeholders with interests and knowledge of the place, in its planning and design from the outset.

13. The identification of this longer term development potential within the LDP would provide the certainty which would be required to enable resources and funding to be devoted to this outline master planning process now. This would also enable consideration to be given to any reconfiguration of the wider East Broxburn master plan to be addressed at the same time.

14. It is therefore submitted that the Proposed Plan be amended to make provision for the identification of longer term reserve land to the west side of the current boundary of site H-BU 8 and north of site H-BU 9, which could be brought forward for development if further land were required to accommodate the housing numbers which are set down within the Proposed Plan.

15. The timing of the "release" of this reserve land would be confirmed within subsequent reviews of the LDP.

WEST LOTHIAN LOCAL DEVELOPMENT PLAN
PROPOSED PLAN
SUBMISSION ON BEHALF OF
ASHDALE LAND AND PROPERTY COMPANY LTD

Prepared by:

Andrew Bennie Planning Limited



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2.0 Pro-Forma Response Forms

1.0 INTRODUCTION

- 1.1 This submission has been prepared by Andrew Bennie Planning Limited, on behalf Ashdale Land and Property Company Limited and is lodged in response to the West Lothian Local Development Plan Proposed Plan, which was issued for consultation purposes by the Council on 12th October 2015.

- 1.2 This statement should be read in conjunction with the submissions, which was made on behalf of Ashdale Land and Property Company Limited at the earlier stages of the ongoing preparation of the emerging Local Development Plan.

2.0 PRO-FORMA RESPONSE FORMS