

WEST LOTHIAN LOCAL DEVELOPMENT PLAN – PROPOSED PLAN
SUBMISSION ON BEHALF OF HALLAM LAND MANAGEMENT LIMITED
PROPOSED HOUSING DEVELOPMENT AT SEAFIELD ROAD, BLACKBURN
MIR SITE REF: EOI-0136 (PART ONLY)

INTRODUCTION

This submission has been prepared by Chartered Town Planning Consultants, John Handley Associates Ltd, on behalf of Hallam Land Management. It sets out the advantages and opportunities of the proposed development of around 120 new family homes on a 6.5 hectare site as part of a small-scale extension of Blackburn.

It is submitted in response to the Council's failure to allocate this 6.5 hectare site at Seafield Road, Blackburn as a new housing proposal in the Proposed LDP.

EOI AND MIR SUBMISSIONS

This submission expands upon earlier submissions made by Hallam Land Management at the EOI and MIR stages.

The site assessed in the MIR extended to 54.0 hectares and had capacity for 700 units (*Site EOI-0136 Redhouse, Blackburn*).

We would request that the Council reconsiders a small part (6.5 ha) of this larger site as a suitable housing proposal for the new West Lothian Local Development Plan (WLLDP).

SITE DETAILS

The smaller site focusses on 6.5 hectare of unused agricultural land which lies immediately adjacent to the existing settlement boundary and falls within the built-up area of Blackburn.

Full details of the site and its planning history are set out in the attached Supporting Planning Statement which was submitted in response to the MIR in October 2014. This confirms that the site has a number of benefits and advantages which make it ideally placed to accommodate new housing land in the Blackburn Area. It is immediately available for development, and is an appropriate location for new housing development. It can also be favourably considered against relevant planning policies and advice.

The site is effective and free from ownership, physical or infrastructure constraints. It can be readily serviced and there are no constraints to its development for housing which would contribute to the housing land supply and would help achieve a continuous 5-year supply of effective housing land at all times as required by planning policy.

Whilst the site presently comprises agricultural land, it is not prime quality farm land and the development of this particular site would not lead to a loss of valuable agricultural land or land that is in short supply.

The site therefore provides an attractive location, has good access and has the potential to create an excellent residential amenity set within a landscaped framework.

The site would provide a high quality development in terms of layout and landscaping, offering a range of densities and dwelling sizes. It has capacity for around 120 units, including the provision of affordable housing, and provides an opportunity to develop an attractive gateway into Blackburn which would enhance the settlement's existing urban edge.

2012 PLANNING APPLICATION & 2013 PLANNING APPEAL

This smaller site is well known to the Council and was the subject of a planning application in 2012 (Application Ref: 0704/P/12) and a subsequent planning appeal in 2013 (Appeal Ref: PPA-400-2036).

During the application and appeal process, both West Lothian Council and the Scottish Government Reporter accepted that the proposed development on this smaller site would be in keeping with the scale and character of the settlement and the local area; would not undermine green belt objectives; would not constitute sporadic development or lead to coalescence; and could be accepted as an extension to the built-up area.

The Appeal Reporter also confirmed that the proposed development of this smaller site accords with the SESplan spatial strategy; and apart from a perceived lack of short term education capacity, meets the requirements of SESplan Policy 7.

The primary reason for the refusal of planning permission was a concern over prematurity in the context of uncertainties in the precise extent of the effective housing land supply within West Lothian, and the preparation of the new Local Development Plan.

These concerns over prematurity have since been resolved through the publication of the SESplan Supplementary Guidance on Housing Land and the publication of the WLLDP Proposed Plan which confirms the scale of new housing land that is required throughout West Lothian. Prematurity is no longer a valid reason to reject the proposed housing development on this site.

EDUCATION CAPACITY

In terms of Education facilities, Blackburn is extremely well-placed in terms of existing school facilities and is home to three primary schools (Murrayfield, Blackburn and Our Lady of Lourdes) and a secondary school (St Kentigern's Academy). It is also well-located in relation to Bathgate Academy.

Blackburn can therefore be considered to be strategically well-located in terms of existing education facilities. One of these, Blackburn Primary School, is significantly under-utilised with less than 30% of available places taken up. New housing development should therefore be directed to settlements in West Lothian where there are existing education facilities, and particularly areas where there are "spare" school places. Blackburn is such a settlement.

Furthermore, the Council confirmed in the Main Issue Report that *"the availability of infrastructure, strategic location, and existing facilities makes the town an attractive option for development"*.

COMMUNITY REGENERATION STRATEGY

The Council also acknowledged that Blackburn is a one of the key settlements in the west of West Lothian where new development should be directed to assist community regeneration initiatives. The Council is seeking private sector investment in this settlement which would help to provide a wider range and mix of housing in a sustainable and accessible location, which would in turn allow for further investment in local education facilities, creating new employment opportunities and enhanced open space and recreational facilities.

The allocation of the site at Seafield Road would accord with the Council's aims and objectives for the settlement, and could make a small, but effective contribution to the West Lothian housing land supply.

The development of the Seafield Road site for new housing would also help provide a different housing mix through the allocation of sites for private sector investment and assist in achieving a more balanced community. In doing so, this would help to contribute towards the Council's Community Regeneration Strategy which seeks to address a number of key outcomes of reducing inequality, improving health and well-being, increasing employment opportunities, improving education and skills and carrying out environmental improvements.

Our client's proposals would therefore accord with the Council's regeneration objectives for Blackburn.

DETAILED PACKAGE OF SUPPORTING INFORMATION

Full details on the background to this site; its recent planning history and its consideration as part of the MIR process are set out in the attached Supporting Planning Statement which was submitted in response to the MIR in October 2014.

A detailed package of supporting information was also submitted in support of our MIR submission. This information was originally prepared in support of the planning application for the site in 2012, with additional education, ecology and marketing information provided in support of the planning appeal in 2013. This information is equally relevant to the assessment and consideration of the site through the LDP process.

This includes a number of detailed technical assessments which provides full justification for the proposed development and addresses the comments raised by the Council in its SEA appraisal of the site.

We would therefore request that this information is assessed as part of this submission on the Proposed LDP. We can provide further electronic or hard copies of these reports should this be required. The full set of documents submitted in support of this representation is confirmed below:

- Supporting Planning Statement (John Handley Associates Ltd);
- Site Location Plan;
- Indicative Masterplan (Addergrove);
- Design & Access Statement (Addergrove);
- Education Capacity Assessment (John Handley Associates Ltd)
- Education Impact Analysis (TPS Planning);
- Pre-Application Consultation Report (John Handley Associates Ltd);
- Landscape & Visual Appraisal (Brindley Associates);
- Landscape Masterplan (Brindley Associates);
- Ecological Report (Brindley Associates);
- Bat Inspection Note (Brindley Associates);
- Noise Assessment (JMP);
- Transport Assessment (JMP);
- Flooding & Drainage Assessment (JMP);
- Phase 1 Environmental Site Assessment (A2 Environmental Consultants);
- Coal Mining Risk Assessment (A2 Environmental Consultants);
- Housing Market Report (Rettie & Co);
- Letter from Persimmon Homes confirming interest in site; and
- Appeal Decision Notice Ref: PPA-400-2036; dated 30 October 2013.

EFFECTIVE HOUSING SITE

The package of supporting information provides a detailed assessment of the proposed development and confirms that there are no technical or physical constraints to developing the site for the proposed residential use. The various assessments also confirm that there is no adverse landscape, visual or environmental impacts arising from the proposed development.

This supporting information confirms that the proposals would provide a high quality residential development, along with investment in drainage improvements; noise attenuation; new open space, landscaping and tree planting; significant road safety improvements; and bio-diversity and ecological improvements.

In the accompanying technical reports, we have also assessed infrastructure capacity – including transport, drainage and education – and these assessments have confirmed that there is sufficient capacity for this scale of development in Blackburn.

In addition, a detailed landscape and visual impact assessment has been undertaken which confirms that this reduced scale of development on a substantially smaller site can be absorbed into the local landscape without any adverse landscape impact or visual intrusion.

As noted above, these findings have been further confirmed through the planning application and appeal process. The conclusions from the appeal decision have confirmed that the proposed development on this smaller site would accord with the spatial strategy for new development in West Lothian; and can be viewed positively in terms of the development's relationship with the character of the settlement and local area and the availability of infrastructure.

The Reporter also confirmed that the local road network is capable of adequately accommodating the extra traffic that the proposed development would create, and infrastructure is available to service the proposed development.

In terms of education capacity, the appeal findings have also confirmed that that whilst there are perceived capacity constraints at secondary school level, these are "*short term*" and "*are capable of being addressed*". Education capacity is therefore linked to the availability of funding for planned education improvements and can be addressed by way of developer contributions.

SUMMARY OF BENEFITS & ADVANTAGES OF SEAFIELD ROAD SITE

The proposed development of the smaller site at Seafield Road, Blackburn would help West Lothian Council comply with the policy requirements of SESplan and the updated SPP including the Government's specific objective to provide a generous supply of housing land.

There is a need to maintain an effective 5 year housing land supply at all times, and the site at Seafield Road is an effective and deliverable site that can contribute to the Council's stated objective of encouraging private sector investment and development which supports the community regeneration of settlements such as Blackburn.

As confirmed in the 2013 appeal decision, the site is an accessible, logical and natural extension to the settlement and would expand the existing settlement in a sustainable manner in accordance with the spatial strategy for new development in West Lothian.

The site is not within the green belt and is not subject to any specific countryside or landscape designation or protection. The appeal decision confirmed that the proposed development could be contained comfortably into the landscape, permitting a high quality development in terms of design, layout and landscaping.

Allocating this site for new housing development would therefore represent a sustainable approach to development, which takes advantage of existing infrastructure capacity, including existing education facilities in Blackburn. It would accord with the guidance and objectives of the Proposed LDP; SESplan and SPP and would help to deliver the requirement for the release of further housing land in a marketable, accessible, sustainable and viable location.

CONCLUSION & RECOMMENDATION

In conclusion, and on behalf of Hallam Land Management, we would therefore request that the merits and advantages of this 6.5 hectare site at Seafield Road, Blackburn are reconsidered.

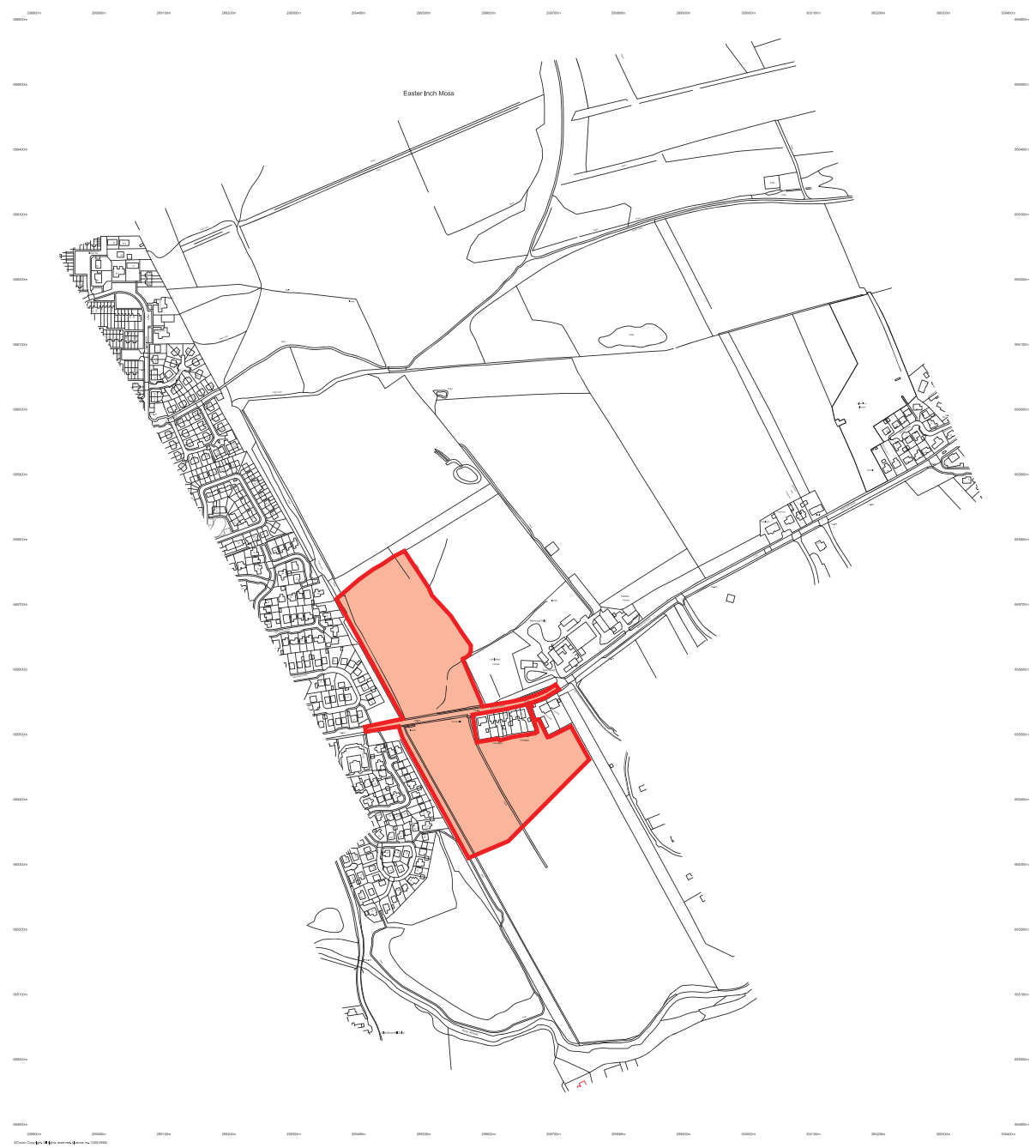
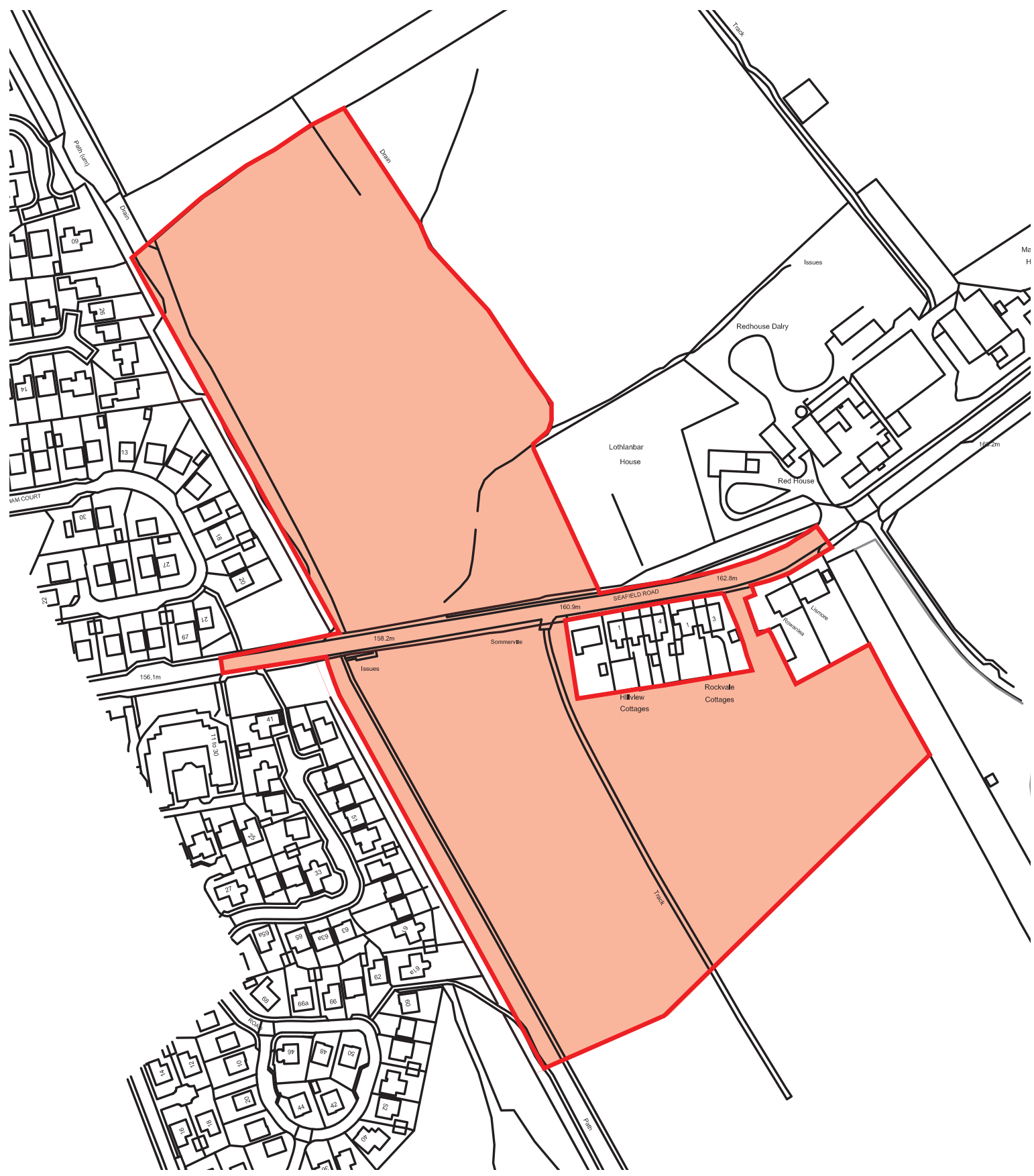
As a result, the site should be removed from its current countryside designation and allocated as a new housing proposal with capacity for around 120 units in the Local Development Plan.


Should this matter proceed to an LDP Examination, we would request that the Reporter is provided with a full set of supporting information listed above. We can provide further copies of this information should this be required.


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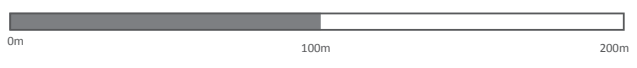
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 Scale: 1:10000 @ A3


 Scale: 1:2500 @ A3

Key:
 Extent of Application Site



**Proposed Development at
 Blackburn, West Lothian
 Application Location**

West Lothian Local Development Plan Main Issues Report 2014



Proposed Housing Development
Part of Site EOI – 0136
Land at Seafield Road, Blackburn

Supporting Planning Statement

Submission on behalf of:
Hallam Land Management Limited

JOHN HANDLEY ASSOCIATES LTD

Chartered Town Planning Consultants

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October 2014

West Lothian Local Development Plan Main Issues Report (2014) – Response to Questions 12, 15, 19, 38 & 48

Proposed Residential Allocation on Part of Site Ref: EOI – 0136 Land at Seafield Road, Blackburn

Hallam Land Management Limited

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- 7.0 Consideration of Site within SEA & EOI Report
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- 10.0 Summary of Benefits and Advantages of Site
- 11.0 Conclusions & Recommendations for the West Lothian Proposed LDP

Other Supporting Documents:

- Site Location Plan
- Indicative Masterplan (Addergrove);
- Design & Access Statement (Addergrove);
- Education Capacity Assessment (John Handley Associates Ltd) and Education Impact Analysis (TPS Planning);
- Pre-Application Consultation Report (John Handley Associates Ltd);
- Landscape & Visual Appraisal (Brindley Associates);
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- Housing Market Report (Rettie & Co);
- Letter from Persimmon Homes confirming interest in site; and
- Appeal Decision Notice Ref: PPA-400-2036; dated 30 October 2013.

1.0 Introduction & Purpose of Statement

- 1.1 This Supporting Planning Statement has been prepared by Chartered Town Planning Consultants, John Handley Associates Ltd, on behalf of Hallam Land Management Ltd, the strategic land and planning promotion arm of the Henry Boot Group of Companies. It sets out the advantages and opportunities of the proposed development of around 120 new family homes on a 6.5 hectare site as part of a small-scale extension of the existing settlement of Blackburn which is controlled by Hallam Land Management.
- 1.2 The purpose of this Planning Statement is to provide West Lothian Council with an overview of the site's potential and its planning merits in the lead up to the preparation of the new West Lothian Local Development Plan (WLLDP) which is scheduled to be issued as a Proposed Plan in 2015.
- 1.3 More specifically, this Statement responds to the publication of the WLLDP Main Issues Report and the invitation to submit comments to the Council in advance of the publication of the Proposed Plan.
- 1.4 Whilst we have reviewed the full MIR, and are aware of the range of separate Consultation Questions being posed by the Council, this submission is restricted to matters relating to the proposed housing allocations and development within Blackburn in particular.
- 1.5 On this basis, and in specific response to Questions 12, 15, 19, 38 & 48 of the Main Issues Report, this Supporting Planning Statement expands upon submissions made by Hallam Land Management at the earlier EOI stage, and requests that the Council reconsiders the particular merits of **part of Site EOI-0136** at Redhouse, Blackburn. The site assessed in the MIR extended to 54.0 hectares and had capacity for 700 units. On behalf of our clients, we would request that the Council reconsiders a small part (6.5 ha) of this larger site as a suitable housing opportunity for the new WLLDP.
- 1.6 This smaller site is well known to the Council and was the subject of a planning application in 2012 (Ref: 0704/P/12) and a subsequent planning appeal in 2013 (Ref: PPA-400-2036). The smaller site focusses on 6.5 hectare of unused agricultural land which lies immediately adjacent to the existing settlement boundary and falls within the built-up area of Blackburn.

- 1.7 This smaller site is the subject of an on-going planning appeal which is currently being reviewed in the Court of Session. The outcome of this appeal will be significant and should be reflected in the emerging LDP.
- 1.8 During the application and appeal process, both West Lothian Council and the Scottish Government Reporter accepted that the proposed housing development of this smaller site would be in keeping with the scale and character of the settlement and the local area; would not undermine green belt objectives; would not be sporadic development or lead to coalescence; and could be accepted as an extension to the built-up area.
- 1.9 The Appeal Reporter also confirmed that the proposed development of this smaller site accords with the SESplan spatial strategy; and apart from a perceived lack of short term education capacity, meets the requirements of SESplan Policy 7.
- 1.10 The primary reason for the refusal of planning permission and the dismissal of the subsequent appeal (which is currently being challenged in the Court of Session) was a concern over prematurity in the context of uncertainties in the precise extent of the effective housing land supply within West Lothian. This matter has now been resolved through the publication of new Supplementary Guidance and the publication of the WLLDP Main Issues Report which confirms the scale of new housing land that is required throughout West Lothian. Prematurity is no longer a relevant reason to reject the proposed housing development on this site.
- 1.11 **On behalf of Hallam Land Management Limited, we would therefore request that the merits and advantages of this smaller site are reconsidered in light of this new information, and the site is removed from its current countryside designation and allocated as a specific housing development opportunity with capacity for around 120 units in the new LDP.**
- 1.12 Further details on the background to this site; its recent planning history; its consideration as part of the MIR process; and its range of benefits and advantages are set out below. A detailed package of supporting information has also been submitted in support of this request, and is summarised in this Statement.

2.0 Site & Surrounding Area

Proposed Site (Part of EOI-0136)

- 2.1 The site being promoted for development as part of this submission on the WLLDP MIR extends to 6.5 hectares. It is located on the eastern edge of Blackburn and lies north and south of the A705 Seafield Road. The location and context of the site is confirmed in the aerial photographs and location plan set out in Figures 1 and 2 below.
- 2.2 The site is currently in limited agricultural use as part of a larger farm unit which is operated out of the adjacent Redhouse Farm to the east. The site has been the subject of intensive farming for a considerable number of years, but its development would not lead to a loss of agricultural land which is in short supply.
- 2.3 The site is bordered by existing housing development to the west (Happy Valley Road; Graham Court and Pinewood Place) and the established housing at Redhouse Cottages and Redhouse Farm to the east. Seafield Road runs through the site and farm land forms the site's northern and southern boundaries.



Figure 1: Aerial Photograph of Site

2.4 The site is located on the edge of the existing urban area and is well connected to existing and established residential development. Whilst the site currently falls out with the existing settlement boundary (as shown in the Adopted Local Plan), it does fall within the existing entrance to Blackburn, and within the 30 mph speed limit. The site therefore appears as part of the existing built-up area of Blackburn as approached from the east. This includes the series of existing residential properties that sit along the A705 – Hillview and Rockvale Cottages; Lothianbar House, Redhouse Farm and Marbert House.

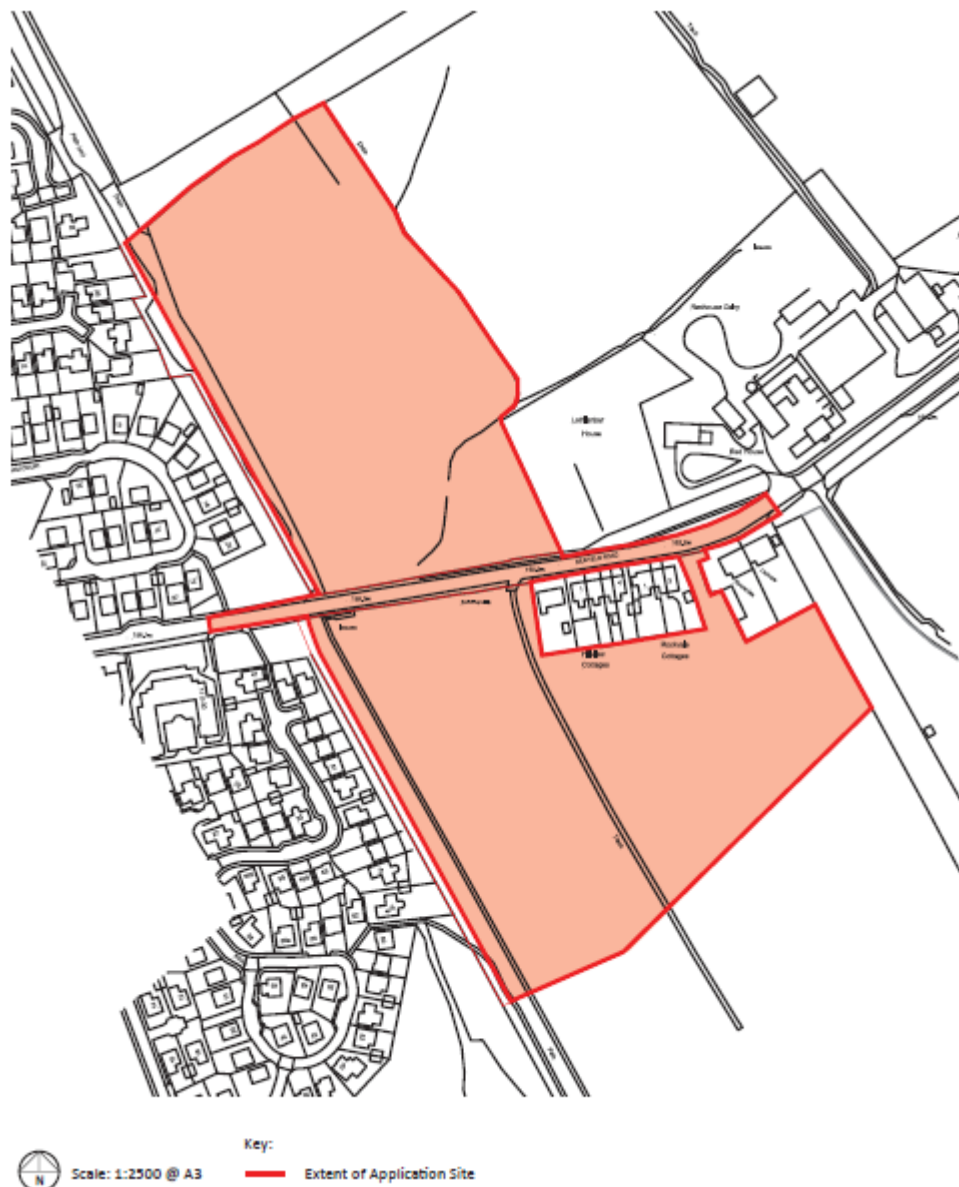


Figure 2: Location Plan of Proposed Site

- 2.5 The site fits well into the landscape and has well defined boundaries. The site is, in physical and landscape terms, an infill site and is contained between the new housing areas at Graham Court and Happy Valley to the west and the established housing and farm steading buildings to the east. Further to the east are the established buildings around Blackburn House, and the more recent lowland crofting developments at Riverside Lea.
- 2.6 The site is currently accessed from Seafield Road (A705), a main distributor road, which links directly with the town centre and the local schools, services and facilities to the west and Seafield and Livingston to the east. The site is also well located in terms of accessibility to existing employment, retail and community uses in Livingston.
- 2.7 The site is not subject to any landscape, environmental, ecological or heritage designations, and is not located within any Sensitive Areas.
- 2.8 The site slopes north to south with the Seafield Road running through the site. It enjoys a generally southerly aspect that would aid energy efficiency through passive solar gain. It provides an attractive location, has good access and has the potential to create an excellent residential amenity set within a landscaped framework. It provides an opportunity to develop an attractive gateway into Blackburn and to enhance the settlement's existing urban edge.



Fig 3: View along Seafield Road with site to right (north) and left (south).

- 2.9 Photographs of the site and its relationship with the existing housing along Seafield Road are shown in figures 3 and 4. Full details of the site area and its general character are set out and described in the accompanying Design, Access and Landscape Statements.



Figure 4: View along Seafield Road.

Benefits & Advantages of New Housing in this Location

- 2.10 The site has a number of benefits and advantages which make it ideally placed to accommodate any requirement for new housing land in the Blackburn Area. It is immediately available for development, and is an appropriate location for new housing development. It can also be favourably considered against relevant planning policies and advice.
- 2.11 The site is effective and free from ownership, physical or infrastructure constraints. It can be readily serviced and there are no constraints to its development for housing which would contribute to the housing land supply and would help achieve a continuous 5-year supply of effective housing land at all times as required by planning policy.
- 2.12 The site lends itself towards residential development and would be a natural and logical extension of the existing housing development along Seafield Road.
- 2.13 Whilst the site presently comprises agricultural land, it is not prime quality farm land and the development of this particular site would not lead to a loss of valuable agricultural land or land that is in short supply.
- 2.14 The site therefore provides an attractive location, has good access and has the potential to create an excellent residential amenity set within a landscaped framework. The size of the site would permit a high quality development in terms of layout and landscaping, offering a range of densities and dwelling sizes. It has capacity for around 120 units, including the provision of affordable housing.

- 2.15 The location and nature of the site, including its ability to be accessed and its relationship with existing residential development, confirm it as entirely suitable for new house building. It provides an opportunity to develop an attractive gateway into Blackburn and to enhance the settlement's existing urban edge.

3.0 Proposed Development

- 3.1 The proposal for this site would provide new housing, along with a new access and associated road improvements on Seafield Road; significant new tree planting and landscaping and a SUDS pond.
- 3.2 The proposed development would be fully compatible with the immediately adjacent uses and would be of a scale, density and character in keeping with the established housing directly adjacent.
- 3.3 The Indicative Masterplan shows the provision of approximately 120 new homes including 15% affordable housing units, as well as other amenities such as new open space, play areas and integrated landscaped and SUDS spaces to provide a sustainable extension to this part of Blackburn.
- 3.4 The Indicative Masterplan (see Figure 5) provides a conceptual framework for the proposed development of the site. It has been prepared to reflect best practice in the planning and design of new housing development. This is a holistic approach that integrates urban design, land use, housing, transportation, ecology, landscape, conservation and energy efficiency.
- 3.5 The Indicative Masterplan and Design Statement confirms that the design objective behind the proposal is to adopt the principles of “Designing Streets & Places” to create a distinctive, welcoming, safe and pleasant environment, by introducing a variety of housing sizes and tenures, to form a balanced community, utilising sustainable, energy efficient materials.
- 3.6 The indicative sketch housing layout demonstrates how a low to medium density design can be modelled around landscaped central greens/squares/pond to create an attractive living environment. This concept is based on the need to provide a range of 2, 3 & 4 bedroom family housing, creating a more balanced mix of accommodation and to bring a greater variety of choice into the community with better social integration.

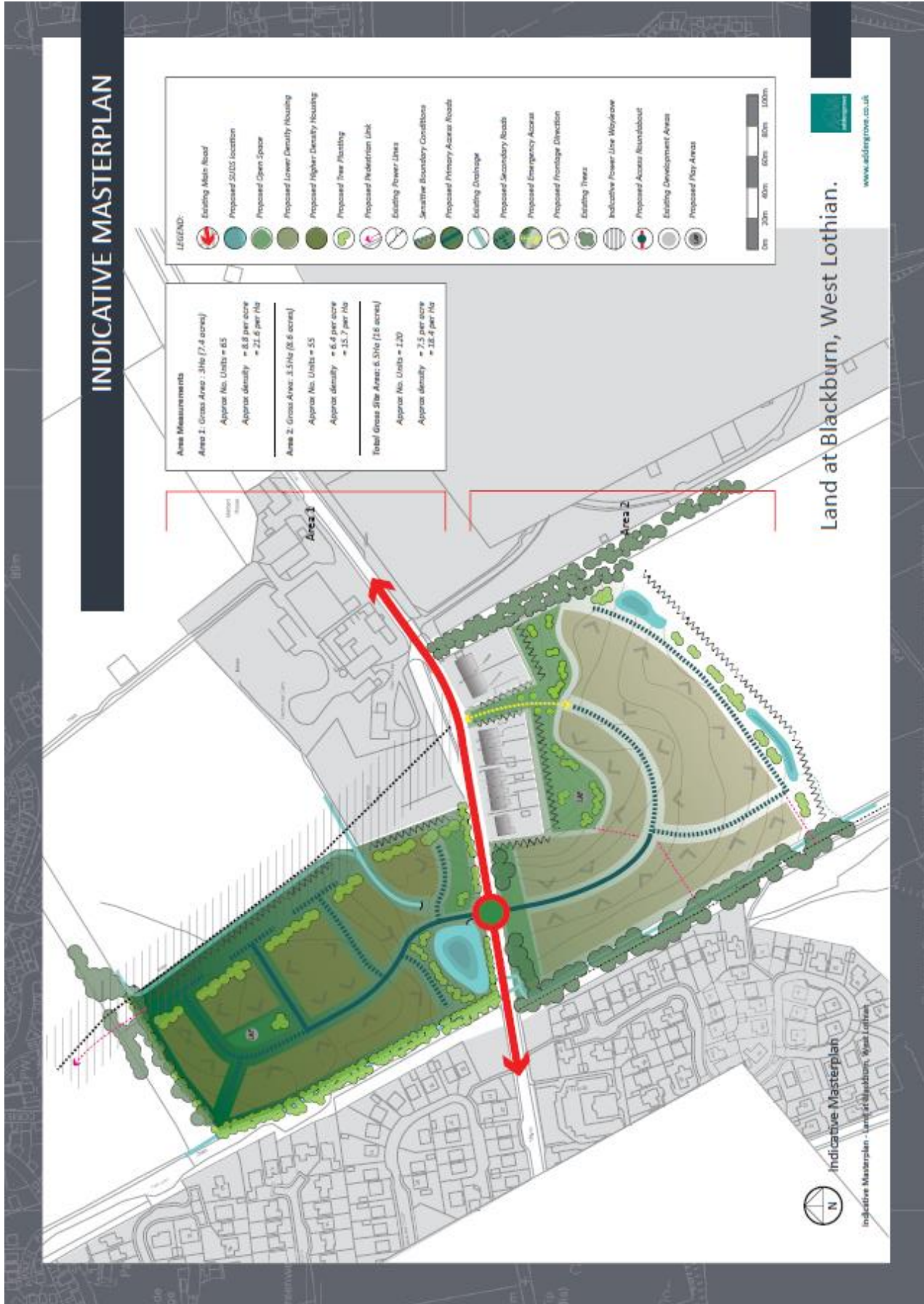


Figure 5: Indicative Masterplan

Effective & Deliverable Housing Site

- 3.7 The proposed development is deliverable and viable, and this is considered to be an effective housing site which benefits from its location directly adjacent to existing development, services and utilities.
- 3.8 Hallam Land Management is the strategic land and planning promotion arm of the Henry Boot Group of Companies. Hallam Land has been acquiring, promoting, developing and trading in strategic land since 1990, and has an impressive track record in resolving planning and technical problems in order to secure planning permissions and to release land for a variety of developments. The parent company, Henry Boot plc is one of the leading property and construction organisations in the UK and has been operating for over 125 years.
- 3.9 The proposals are therefore being advanced by a well-respected, experienced development company that has considerable expertise in delivering housing sites throughout Scotland.
- 3.10 The indicative layout plan confirms that the site has capacity to deliver around 120 new housing units. The size and type of housing has not been fixed at this stage, but it is assumed that this will be predominantly family housing varying in sizes from 2 bed to 4 bed houses. An element of 1 bed housing is also assumed, but the final mix of sizes will be confirmed at the detailed design stage.

Provision of Affordable Housing

- 3.11 The proposed development would be phased, and a further key element of the proposals for the site is the provision of affordable housing. In recognition of the demand for affordable housing in the local area, Hallam Land Management will work in partnership with the Council and its housing team to provide advice and guidance on the provision of affordable housing throughout the development. The mix, location and house types for the affordable units will be agreed with the Council to ensure that the affordable element forms an integral part of the development.
- 3.12 The affordable units would be designed to meet the Lifetime Home standards as required by the Council. This accords with the affordable housing requirements and represents a significant contribution to meeting the demand for affordable housing within the Blackburn area.

4.0 Package of Supporting Information

4.1 In support of the proposed development of this smaller site, Hallam Land Management commissioned a number of detailed technical assessments. This information was originally submitted in support of the planning application in 2012, with additional education, ecology and marketing information provided in support of the subsequent planning appeal in 2013. Whilst this information was prepared to support the planning application and appeal, it is equally relevant to the assessment and consideration of the site through the LDP process.

4.2 This package of documents provides full justification for the proposed development and satisfies the various policy requirements as well as addressing the comments raised by the Council in its SEA appraisal of the site. In particular, it confirms that the proposed development can be accommodated without adverse landscape, environmental or infrastructure impacts.

4.3 This full set of documents includes the following reports, and an indicative development proposal and landscape masterplan which shows the form of residential development possible on this site:

- Site Location Plan
- Indicative Masterplan (Addergrove);
- Design & Access Statement (Addergrove);
- Education Capacity Assessment (John Handley Associates Ltd) and Education Impact Analysis (TPS Planning);
- Pre-Application Consultation Report (John Handley Associates Ltd);
- Landscape & Visual Appraisal (Brindley Associates);
- Landscape Masterplan (Brindley Associates);
- Ecological Report and Bat Inspection Note (Brindley Associates);
- Noise Assessment (JMP);
- Transport Assessment (JMP);
- Flooding & Drainage Assessment (JMP);
- Phase 1 Environmental Site Assessment (A2 Environmental Consultants);
- Coal Mining Risk Assessment (A2 Environmental Consultants);
- Housing Market Report (Rettie & Co); and
- Letter from Persimmon Homes confirming interest in site.

4.4 Each of these reports is summarised below.

Indicative Masterplan & Design Statement

- 4.5 In order to confirm that the proposed development can be accommodated on the site and to provide a full design philosophy for the proposal, an Indicative Masterplan and Design Statement has been prepared by Addergrove Urban Designers. This explains how the proposed residential use could be introduced on the site to provide a form of development that integrates with and consolidates the existing built-up area on this eastern edge of Blackburn.
- 4.6 The Indicative Masterplan and Design Statement provides a conceptual framework for the proposed development of the site. It has been prepared to reflect best practice in the planning and design of new housing development. This is a holistic approach that integrates urban design, land use, housing, transportation, ecology, landscape, conservation and energy efficiency.
- 4.7 The masterplan concept is the collaborative outcome of a professional team employed by Hallam Land Management, as well as extensive and wide ranging local public consultation. The Design Statement confirms that the design objective behind the residential proposal is to adopt the principles of “Designing Streets & Places” to create a distinctive, welcoming, safe and pleasant environment, by introducing a variety of housing sizes and tenures, to form a balanced community, utilising sustainable, energy efficient materials.
- 4.8 The indicative sketch housing layout demonstrates how a low to medium density design can be modelled around landscaped central greens/squares/pond to create an attractive living environment. The proposed layout encourages through movement and a more active street presence, resulting in a safer and more secure environment. Housing blocks would be orientated along street frontages and around squares to create a more visually attractive place with individual pockets of identity.

Landscape & Visual Appraisal and Landscape Masterplan

- 4.9 As part of the masterplanning process, landscape architects, Brindley Associates, have carried out a detailed site appraisal and landscape strategy for the development of the site. This has informed the preparation of the indicative masterplan.
- 4.10 The Landscape & Visual Assessment and accompanying indicative landscape plans confirm that there is no fundamental restriction on the development of the site for housing, and there are opportunities within the site to contribute positively to the wider environment of the town and countryside.

- 4.11 The landscape proposals confirm that there is a very real opportunity to create an improved settlement edge for Blackburn which mitigates the effects of the A705 and connects with the existing residential area along Seafield Road. The proposals promote a development that is well-connected and fits well within its landscape context. The central focus is strong a landscaped structure which provides a greenspace feature that gives added value to the adjacent properties as well as opportunity for functions such as play and passive recreation. This will ensure that the development provides a positive contribution to the local environment.
- 4.12 A substantial screen planting/buffer edge along the western boundary separates the proposed development from the existing housing. Pockets of greenspace are located throughout the development from the entrance statement feature on Seafield Road, and the SUDS Pond on the western edge. Particular attention has been paid to the character, amenity and identity of the existing properties at Hillview and Rockvale.
- 4.13 The Landscape Appraisal confirms that the site fits well into the landscape, has well defined boundaries and can be developed with no adverse landscape impact. It is considered that there is no landscape argument for not developing the site and through appropriate mitigation measures, the development of the site for housing would not adversely affect the local landscape character.

Ecological Report & Bat Inspection Note

- 4.14 As an integral part of the new masterplan and landscape appraisal, a detailed ecological study was carried out by Brindley Associates. The ecological report and subsequent Bat Inspection Note confirms that the proposed residential development of the site can be fully supported in terms of the development's potential impact on the natural environment.
- 4.15 The Study confirms that the site is of low ecological value and the proposed development will not have a significant effect on local protected species or species of conservation concern. In contrast, the Study considers that the new development could enhance the bio-diversity of the site. The new wildlife habitat creation area will include a linear belt of woodland along the western boundary of the site and an area of wetland habitat creation along the western boundary of the site. These features will enhance the existing off-site area of broad-leaved woodland and the off-site hedgerow along the western boundary of the site. The planting within these wildlife areas would comprise locally-native species. The development is therefore likely to increase the value of the site for wildlife such that the overall impact of the development is beneficial.

Noise Assessment

- 4.16 Consulting Engineers, JMP, have prepared a Noise Assessment to examine the noise exposure of the site and assesses the noise in relation to accepted criteria and guidance.
- 4.17 This Noise Assessment confirms that the acoustic environment within the development is influenced by road noise from the adjacent A705 Road and the M8 motorway which is located some distance to the north of the site. The new housing development would be designed to comply with relevant noise requirements and can be accommodated on the site in line with accepted noise levels.
- 4.18 The Noise Assessment assisted in determining the proximity of the house locations adjacent to this boundary, and coupled with the installation of noise attenuation barriers and structural planting, the traffic noise shall be appropriately mitigated, so that the level of noise shall not adversely affect the amenity of the new residents, and should improve conditions for existing residents.

Transport Assessment

- 4.19 Transport Consultants, JMP, have carried out a detailed examination of the traffic generation and distribution for the proposed residential use of the site. The Transport Assessment (TA) provides an overview of the proposed development details, a review of national and local policy related to the site, existing transport provision in the area and future transport proposals relevant to the development.
- 4.20 The TA concentrates on the wider transport impacts of the development in terms of site accessibility issues and provides details of supporting information in terms of the development's impact on the road network and road safety. The TA has considered the accessibility of the site by all modes of transport including walking, cycling, public transport and by car. The accessibility by all modes is considered to be good, with bus services operating in close proximity to the site linking into Blackburn town centre, Seafield and Livingston.
- 4.21 The development will incorporate '*Designing Streets*' principles to ensure that travel by the most sustainable modes are maximised with measures put in place to reduce the necessity for private car trips.
- 4.22 A review of access options for the development have been presented to determine the most suitable access arrangement and the extent of required road safety measures. The proposed mitigation measures to improve the road safety conditions for all road users have been considered and include:

- A new compact roundabout on the A705 between the north and south sites to be designed in accordance with the standards provided in the Design Manual for Roads and Bridges (DMRB), “Designing Streets”, and the standards provided in West Lothian Development Guidelines.
 - A new pedestrian footway along the south side of the A705 Seafield Road.
 - The widening of the existing footway on the north side of Seafield Road along the development frontage.
 - New dropped kerbs will be provided to support pedestrian crossing movements from the south site to the footway located on the north site of the A705 Seafield Road.
 - Integration of the proposed development with the existing pedestrian network to ensure excellent access to the site for those on foot.
- 4.23 The results of the assessments have shown that the proposed development can be integrated with the existing transport network and vehicular impacts accommodated so that there is no material detriment to existing road users, and could improve the current situation.
- 4.24 The Transport Assessment has shown that the development site is well located for both local and strategic traffic and currently enjoys a good level of accessibility by sustainable modes of transport. The proposed development site is considered suitable for the development proposals.

Flooding & Drainage Assessment

- 4.25 JMP have also conducted a detailed drainage and flooding assessment for the proposed development. This has included consultations with West Lothian Council, SEPA and Scottish Water to define the standards to which the surface water drainage system should comply.
- 4.26 The drainage assessment provides outline proposals for the new development and these have been reflected in the indicative masterplan for the site. Full design of the drainage strategy would be prepared in conjunction with SEPA at the detailed design stage.
- 4.27 JMP have also carried out a flooding assessment for the proposed development site. This includes a high level assessment of the SEPA Flood Map. The work indicates that the site is not within any flood risk areas.

- 4.28 The report has confirmed that the development of the site will deal with any localised flooding arising from the existing field drainage system. JMP have confirmed that any existing land drainage system which may currently drain the un-developed site, will have to be considered during any development of the site. Proposals will have to ensure that the new site buildings are protected from surface flows within the site, and any overland flow is captured and diverted from any existing properties. This could provide a significant improvement on the current situation and will address existing field drainage problems which were raised as part of the local consultation exercise.

Phase 1 Environmental Site Assessment

- 4.29 A2 Environmental Consultants have undertaken a detailed land quality appraisal of the site to assess any geotechnical or contaminated land issues relating to the location. This assessment has confirmed that whilst there are historical mine workings to the north of the site, no material constraints have been identified on the site and it is suitable for development for residential use.

Coal Mining Risk Assessment

- 4.30 A2 Environmental Consultants have also undertaken a separate Coal Mining Risk Assessment to satisfy the requirements of the Coal Authority. This additional assessment has confirmed that whilst the site falls within the West Lothian Coal Mining Development Referral Area, there is no recorded evidence that mining activities have taken place on or beneath the site.

Pre-Application Consultation Report

- 4.31 A detailed Pre-Application Consultation (PAC) Report was prepared in support of the earlier planning application. This Report provides a summary of the extensive community consultation undertaken by Hallam Land Management to gauge local reaction to the proposed development.
- 4.32 As demonstrated in the PAC Report, the opinion on the proposals was polarised with immediately adjacent residents generally opposed to any new development on their boundary. However, the majority view, from wider Blackburn residents confirmed support for new housing and particular support for this site which was considered to be a “good location for new family housing”.
- 4.33 There was also support for the proposed layout, form, density and approach to development on this site, and recognition of the benefits that could be gained from a high quality housing development such as that being proposed.

Education Capacity Assessment & Education Impact Analysis

- 4.34 In response to comments received during the consultation events, an Education Capacity Assessment of the proposed development was undertaken. This assessment reviewed the education requirements for the proposed development and examined options for addressing any existing capacity issues.
- 4.35 The Education Capacity Assessment, and subsequent Education Impact Analysis by TPS Education Consultants, provide an overview of the education capacity within Blackburn and the impact that the proposed new development at Seafield Road will have on existing and planned education provision within the area. The assessment has been informed by information received from West Lothian Council's Education Officers, and a staged approach has been adopted in line with the recommendations of the Council's *SPG: Planning for Education*.
- 4.36 These education assessments confirm that with appropriate developer contributions there is sufficient current capacity within the existing local schools to accommodate the proposed phased development at Seafield Road.

Housing Market Report & Letter from Persimmon Homes

- 4.37 In response to comments received during the application process, Hallam Land obtained detailed market advice from leading property experts, Rettie & Co to further demonstrate the market demand for the type of housing proposed for the site. This information was submitted in support of the planning appeal and confirmed that the site is in a marketable location, and the type of housing to be built there will be in demand.
- 4.38 The conclusions from Rettie's assessment of the site confirm that it is well placed to make a small, but early contribution towards meeting the accepted housing land shortfall in the West Lothian LDP area.
- 4.39 The attractiveness of the site to the house building industry was further confirmed in the letter received from Persimmon Homes East Scotland Ltd which confirmed their interest in developing the site.

Summary

- 4.40 The package of supporting information submitted with the original planning application and subsequent appeal provides a detailed assessment of the proposed development and can now be utilised in support of this MIR submission. These documents provide full justification for the proposals and confirm that there are no technical or physical constraints to developing the site for the proposed residential use.
- 4.41 The various site and technical assessments also confirm that there are no adverse infrastructure, landscape or environmental impacts arising from the proposed development.
- 4.42 The supporting information confirms that the proposals would provide a high quality residential development, along with investment in drainage improvements; noise attenuation; new open space, landscaping and tree planting; significant road safety improvements; and bio-diversity and ecological improvements.
- 4.43 In the accompanying technical reports, we have assessed infrastructure capacity – including transport, drainage and education – and these assessments have confirmed that there is sufficient capacity for this scale of development in Blackburn. In addition, Hallam Land Management has undertaken a detailed landscape and visual impact assessment and design statement which confirms that this site can readily absorb the scale and level of development being proposed. The site is considered to be an effective and deliverable housing site which has attracted specific interest from one of the UK's largest housebuilders. It is capable of development to meet the LDP's housing land requirements.

5.0 Background & Planning History

- 5.1 As noted above, this site has a significant planning history and was promoted for new housing development through the previous local plan, a recent planning application and an-ongoing planning appeal.
- 5.2 The proposed development of this site was promoted at the last local plan inquiry in 2006, but was not released for development as West Lothian Council considered that there was no strategic requirement for additional housing land in Blackburn, at that time.
- 5.3 More recently, a planning application for the proposed development (Application Ref: 0704/P/12) was refused by West Lothian Council in April 2013 largely on the grounds of prematurity in advance of the preparation of the new Local Development Plan. The Council's reasons for refusal were based on the consideration that the release of the site for development was premature pending outcome of the examination of SESplan and consideration of spatial strategy options in the emerging West Lothian Local Development Plan.
- 5.4 This decision was appealed (Appeal Ref: PPA-400-2036) in July 2013 with the Reporter's Decision Notice issued in October 2013. The Reporter decided to dismiss the appeal, again principally on the basis that the proposed development was premature. This was summed up by the Reporter in his penultimate paragraph (para 118) which concluded that:
- "My earlier findings, in particular regarding housing land supply and availability of school places, mean that any need to permit housing on the appeal site is not pressing and does not justify approval in advance of adoption of the local development plan. It is national policy that the planning system should be genuinely plan-led (Scottish Planning Policy, paragraph 8). I conclude that the prematurity argument carries weight in the present case".*
- 5.5 The Reporter therefore took the decision that the release of this site for development should await the progression of the new Local Development Plan.
- 5.6 We are now at this stage, and these prematurity arguments have been addressed through the publication of new Supplementary Guidance on the Strategic Housing Land Requirements and the publication of the WLLDP Main Issues Report which confirm the scale of new housing land that is required throughout West Lothian.

- 5.7 Prematurity is no longer a relevant reason to reject the proposed housing development on this site.
- 5.8 It should also be noted that this Appeal Decision is the subject on an on-going review in the Court of Session with a full hearing scheduled to take place in early November 2014. The appeal process has not concluded.
- 5.9 It is therefore appropriate to reassess the particular merits and advantages of this site in light of this new information. The conclusions from the Appeal Decision Notice are helpful to the consideration of the particular site specific planning merits of this site and are summarised below. This sets out some key conclusions on the assessment of the proposed development in relation to: the spatial strategy for new development in West Lothian; availability of education capacity in this area; the development's impact on the character of the settlement and local area; traffic impact; and availability of other infrastructure.

Spatial Strategy for New Development in West Lothian

- 5.10 At paragraph 12 of his Appeal Decision Notice, the Reporter confirmed that the SESplan directs new housing land development towards *"the smaller settlements in west West Lothian which may provide for additional growth"*.
- 5.11 At paragraph 17, the Reporter confirmed that: *"the proposed development accords in broad terms with SESplan spatial strategy in that it is within a strategic development area and that it is located beside one of west West Lothian's smaller settlements"*.
- 5.12 This was further confirmed at paragraph 106 where the Reporter concluded that: *"the proposed development accords in broad terms with the SESplan spatial strategy"*.

Availability of Education Capacity in this area

- 5.13 Whilst the application and appeal were rejected on the grounds that there was a perceived lack of capacity within existing secondary schools serving the Blackburn area, both the Council's decision and that of the Reporter, indicated that this was a short term **timing** matter, with solutions available.
- 5.14 The response from the Council's Education Services on the original planning application advised that: *"at this point in time Education Planning would recommend an objection to the development of this site"*, but also confirmed the level of developer contributions expected *"should it gain consent"*.

5.15 Within the Appeal Decision Notice the Reporter notes the following key conclusions in respect of education capacity. These all confirm that there are no capacity issues at primary school level, and the availability of secondary school capacity is a matter related to timing of funding for school extensions and catchment reviews.

- *“The Council submits that there is need for additional primary school capacity to serve the proposed development. The Council would require at least three years from the grant of planning permission to have the additional capacity in place”;* (para 40).
- *“If extension of Bathgate Academy does go ahead, it will not be complete until 2017-18. No houses on the appeal site should be occupied until the extension is complete”;* (para 40).
- *“I note that there is considerable spare capacity at Blackburn Primary School”;* (para 46).
- *“...from the lack of reference to Our Lady of Lourdes Primary School in the reasons for refusal of planning permission, I conclude that capacity to accommodate pupils from the proposed development could be made available. This might require developer contributions”;* (para 50).
- *“My overall conclusions regarding provision of primary education are that there are capacity constraints, that these are capable of being addressed and that the process of addressing them could delay the stage at which any of the proposed houses should be available for occupation”;* (Para. 51).
- *“The Appellant places some reliance on measures that the Council has in mind, such as increasing the capacity of Bathgate Academy and commencement of construction of a third denominational secondary school. In view of the various uncertainties surrounding any rearrangement of educational provision, including need not to pre-empt statutory consultation and the difficult state of local authority finances, I attach little weight to the possibility that new capacity will become available at Bathgate Academy and St Kentigern’s Academy in the short-term”;* (para. 85).
- *“If permission for the Appellant’s development were to be granted, the site would not be immediately effective. Time would be required to address, as far as possible, lack of school places for the proposed development’s school-age residents”;* (para. 88).

In keeping with the character of the settlement and local area

5.16 The Reporter's findings on the proposed development's impact on the character of the local area are also supportive. The Reporter notes the following key conclusions in respect of the site's ability to accommodate the proposed level of new housing development:

- *“Criterion (a) in SESplan policy 7 requires development to be in keeping with the character of the settlement and local area. In its response to the appeal (paragraph 2.34), the Council does not suggest that the proposed development infringes this criterion”; (para. 53).*
- *“Structure planting on site boundaries would provide visual integration and a more robust boundary between the urban areas and the adjacent agricultural land than that which currently exists”; (para. 55).*
- *“I conclude that the proposed development would have some adverse effect on local character, but not to an extent that would justify refusal of permission if other considerations demonstrated clear need for the development to proceed”; (para. 62).*
- *“I find that the proposed development would not lead to coalescence, Seafield being about one kilometre away to the east. As there would be no coalescence, development does not need to be justified by specific locational need”; (para. 94).*
- *“In that the appeal site is adjacent to the built-up area of Blackburn and that the proposed development would in effect be an extension of the built-up area, I find that the development would not be sporadic”; (para. 95).*
- *“Supporting text for policy ENV 23 says, in relation to the Livingston Countryside Belt, “it protects agricultural land, forestry and land of natural heritage value from development”. I find that the wording of policy ENV 23 does not reflect this intention. My conclusion is that the proposed development does not conflict with policy ENV 23”; (para. 96).*
- *“I conclude that effect on wildlife is not a determining issue in the present appeal”; (para. 112).*

Traffic Impact

5.17 The Reporter's findings on the proposed development's impact on the local road network further confirm the suitability of the site to accommodate the proposed level of development. The Reporter notes the following key conclusions in respect of traffic impact:

- *"Representations include concerns about additional traffic on the local road network. From submissions, including the Appellant's Transport Assessment and the consultation response from the Council's Roads and Transportation Manager, I find that the local road network is capable of adequately accommodating the extra traffic that the proposed development would create"; (para. 109).*
- *"Representations also express concern about the proposed roundabout: it would be dangerous, cause congestion and prevent access to existing property. I find that the roundabout would reduce traffic speed at the appeal site and that this would be beneficial to safety. The Transport Assessment indicates that the roundabout would have sufficient capacity to deal with the volume of traffic. For this reason, I find that the roundabout would neither cause congestion nor impede access to nearby property"; (para. 110).*

Availability of Infrastructure

5.18 The Reporter's findings on the availability of infrastructure to serve the proposed development are also helpful to the consideration of the site as part of the new LDP. The Reporter notes the following key conclusions in respect of infrastructure:

- *"In the representations, concern is expressed about infrastructure. Availability of school places is considered above. Regarding water supply and waste water treatment, I note that Scottish Water has raised no objection to the proposed development. I find that, apart from education, infrastructure is available to service the proposed development"; (para. 113).*

Summary

5.19 The consideration of the Seafield Road site through the recent application and appeal process has confirmed that the proposed development on this site would accord with the spatial strategy for new development in West Lothian; and can be viewed positively in terms of the development's relationship with the character of the settlement and local area and the availability of infrastructure.

- 5.20 In terms of education capacity, the appeal findings have confirmed that that whilst there are perceived capacity constraints at secondary school level, these are “*short term*” and “*are capable of being addressed*”. Education capacity is therefore linked to the availability of funding for planned education improvements. It is not a problem unique to Blackburn and the Council is now actively seeking solutions to a West Lothian wide issue.
- 5.21 Education capacity is a key matter for the new LDP and the Council has acknowledged this as Main Issue 4 and questions 38 to 41 of the MIR Questionnaire. The Council’s preferred approach to infrastructure provision, in particular education provision, is confirmed in the MIR. The Council want to: “*promote additional growth which can for the most part utilise existing infrastructure capacity, and minimise additional significant new infrastructure requirements over and above existing planned upgrades and requirements. Developer contributions will continue to be sought, the basis for which will be set out in a combination of generic and specific supplementary guidance. The council’s preferred approach to infrastructure delivery is supported by Policy 9 of the SDP. The preferred approach is also to further develop funding mechanisms and supplementary guidance to assist in delivery*”.
- 5.22 As Hallam Land have repeatedly stated as part of their submissions on the earlier application and appeal, any development on the Seafield Road site would be accompanied by an appropriate level of developer contributions to address any confirmed education capacity issues. This was acknowledged by the Council’s Education Service in its response to the original planning application, and it was confirmed that: “*if the Council was minded to support the application it would be appropriate to attach planning conditions and seek developer contributions for any required extensions*”. This is now the preferred approach of the Council as set out under Main Issue 4 of the MIR and Hallam Land would welcome the opportunity to agree an appropriate funding mechanism to assist the Council achieve its stated objective to improve education provision in this area.
- 5.23 It should also be noted that the settlement of Blackburn is home to three existing primary schools and one secondary school. It is therefore well-placed to benefit from the Council’s proposed development of funding mechanisms to improve and extend education provision as set out at pages 42 to 45 of the MIR
- 5.24 An overview of the MIR as it relates to Blackburn and the Council’s assessment of this site is set out in the following chapters.

6.0 Overview of Main Issues Report

- 6.1 Main Issue 2 of the MIR covers the topic of Community Regeneration, and paragraph 3.32 on page 23 of the MIR confirms that:

“The council is embarking upon a long term regeneration strategy for West Lothian over the next twenty years, linked to the West Lothian Economic Strategy. This provides an opportunity to set out a longer term vision for the area addressing a number of key outcomes of reducing inequality, improving health and wellbeing, increasing employment opportunities, improving education and skills and carrying out environmental improvements. This is particularly applicable to communities located in the west of West Lothian”.

- 6.2 Paragraph 3.34 of the MIR further confirms that:

“Many of the communities in west West Lothian are former mining communities with an imbalance between public and private sector housing. Achieving a different housing mix by allocating sites for private sector investment may assist in addressing this and achieve more balanced communities. Initiatives such as Tax Incremental Funding (TIF) may provide further opportunities to encourage investment and the opening up of development opportunities. Additional measures are the potential for school catchment reviews to achieve a more balanced mix of backgrounds for households feeding each of the schools”.

- 6.3 The preferred approach of the Council is set out on page 23 and this confirms that:

*“The council’s preferred approach to community regeneration is to focus regeneration initiatives on areas identified in the Scottish Index of Multiple Deprivation 2012. This principally includes the smaller settlements in the west of West Lothian identified as Armadale, **Blackburn**, Blackridge, Fauldhouse, Stoneyburn and Whitburn. Other areas include Bathgate and Boghall and settlements within the Breich Valley where headline levels of disadvantage including unemployment, financial exclusion, poor health and lower education attainment have been identified. These communities are often characterised by a range of factors which can include high levels of unemployment, low income, lower levels of education attainment, and access to services. To create more balanced communities, address issues of multiple deprivation and to attract private sector investment it is proposed to seek to identify initiatives to generate more investment in these communities”.*

6.4 This is exactly what Hallam Land have been proposing through the development of their 6.5 hectare site at Seafield Road over the past two years; i.e. significant private sector investment which would help to provide a wider range and mix of housing in a sustainable and accessible location, which would in turn allow for further investment in local education facilities, creating new employment opportunities and enhanced open space and recreational facilities.

6.5 More specifically in terms of Blackburn, the MIR provides an overview of the settlement at page 126, and this is copied below. The MIR confirms the strategic benefits of providing more housing land in this location and specifically notes that:

“the availability of infrastructure, strategic location, and existing facilities makes the town an attractive option for development”.

6.6 In terms of Priorities for Blackburn, the MIR confirms that these should include a *“review of settlement envelope”*.

BLACKBURN - Settlement Map 8

Blackburn developed in the 1790s as a cotton spinning town until the 1870s. Thereafter coalmining dominated until closure of the mines in the late 1960s and early 1970s. The village expanded rapidly in the 1960s to accommodate overspill from Glasgow and workers at British Leyland, Bathgate. The population doubled to over 9,000 in 1968, but economic, social and housing problems caused huge difficulties in the 1970s and 1980s. Several private housing developments are underway, but Blackburn remains one of the more disadvantaged communities in West Lothian.

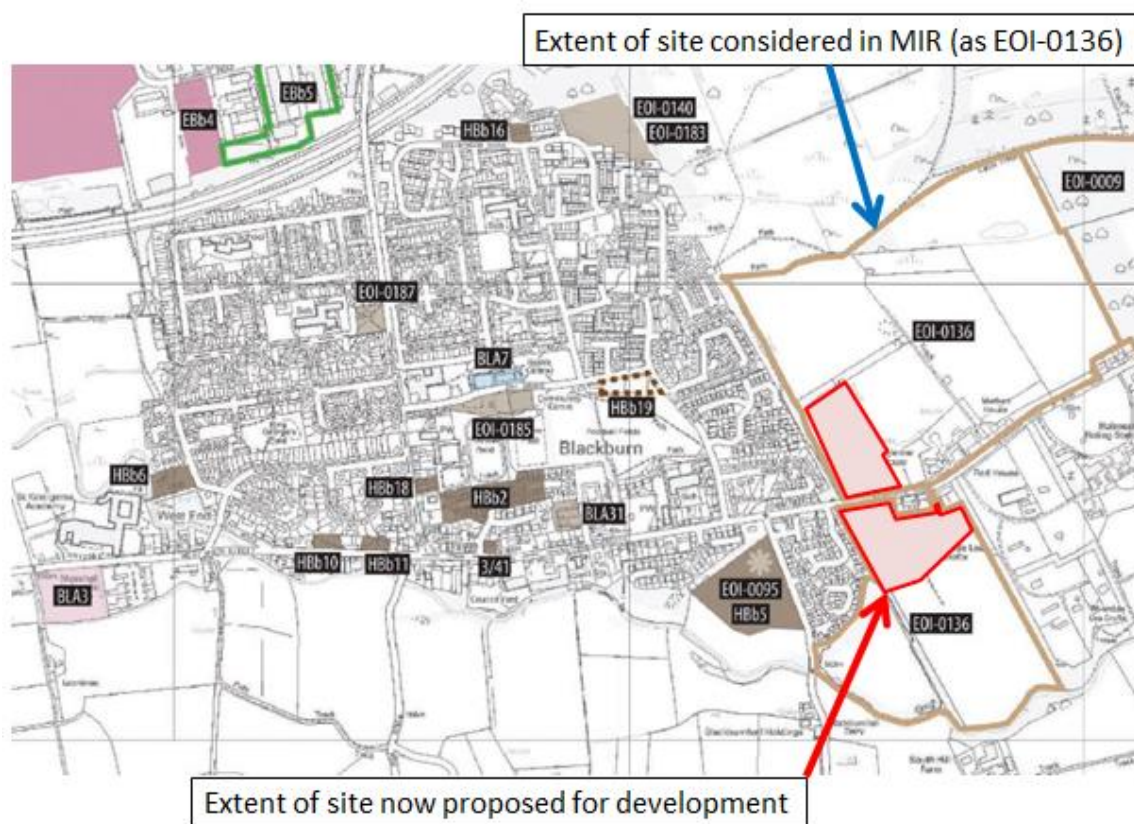
| |
|---|
| Population in 2012 |
| 5,478 (GROS estimate) |
| Issues |
| Promote and maintain the employment base, tackle areas of social deprivation; education capacity issues at secondary school level. |
| Infrastructure considerations |
| Served by three primary schools - Blackburn, Murrayfield and Our Lady of Lourdes and at secondary school level, Bathgate Academy and St Kentigern's High School, Blackburn. |
| Spatial strategy considerations |
| The availability of infrastructure, strategic location, and existing facilities makes the town an attractive option for development. |
| Priorities |
| Delivery of a new partnership centre; address issues of social deprivation; upgrade and review of open space and footpath links; upgrade of civic spaces; review settlement envelope. |

Extract from WLLDP MIR page 126 confirming opportunities and priorities at Blackburn

- 6.7 However, and despite acknowledging *“the availability of infrastructure, strategic location, and existing facilities which makes Blackburn an attractive option for development”*, and confirming that the priorities for the LDP should include *“reviewing the settlement envelope”*, the MIR is recommending only a single new housing site for 45 units at Beechwood Road. All other preferred housing sites within Blackburn are existing sites which are either carried forward from the existing Local Plan or are small scale (c. 10 units) brownfield sites which already benefit from planning permissions or approved planning briefs. In addition to this lack of new opportunities for housing development in Blackburn, an existing allocated site with capacity for 20 units at Ashgrove Grove (East) is being recommended for deletion as the owner is no longer promoting its development.
- 6.8 There is therefore very limited opportunities identified within Blackburn and there has been no proper review of the settlement boundary. This contradicts the stated community regeneration requirements for Blackburn and fails to recognise the acknowledged strategic benefits of releasing further housing growth in this location.
- 6.9 We would therefore recommend that the particular merits of allocating further housing growth in Blackburn should be reconsidered and this should include a reassessment of our client’s smaller site at Seafield Road, Blackburn which (as we have confirmed in section 5.0 above) has been found to be an acceptable location for accommodating new housing of the scale now being proposed.
- 6.10 The allocation of the site at Seafield Road would accord with West Lothian Council’s aims and objectives for the settlement, and could make a small but effective contribution to the West Lothian housing land supply.
- 6.11 The allocation and development of the Seafield Road site for new housing would help provide a different housing mix through the allocation of sites for private sector investment and assist in achieving a more balanced community. In doing so, this would help to contribute towards the Council’s emerging Community Regeneration Strategy which seeks to address a number of key outcomes of reducing inequality, improving health and well-being, increasing employment opportunities, improving education and skills and carrying out environmental improvements.
- 6.12 The Council’s assessment of the larger, 54.0 hectare site is reviewed in the following chapter.

7.0 Consideration of Site within SEA & EOI Report

- 7.1 The Seafield Road site has been included and assessed in the MIR as **part of** “Site EOI-0136 – Redhouse”.
- 7.2 However, and as shown below, the MIR has assessed a much larger 54.0 hectare site and the extract from Settlement Map 8 is copied below showing the extent of the originally assessed site (EOI-0136) and the reduced area that is now being promoted for development (6.5 hectares).



Extract from WLLDP MIR Map 8 with difference between assessed site & reduced site highlighted

- 7.3 The Council has therefore assessed this site as part of the much larger “Redhouse” site within the accompanying *Strategic Environmental Assessment - Environmental Report*. The assessment of the larger site is set out pages 245 to 247 within *Appendix 1: Environmental Baseline Report*. A further assessment of the larger site is also set out on pages 439 to 442 of the separate *Expression of Interest Report* which provides a summary of the consultation responses received by the Council in the lead up to the preparation of the MIR document.

- 7.4 The conclusions from these assessments have been used to inform the status of the larger site in the MIR and this concludes that Site Ref: EOI – 0136 is “not preferred” for development within the Proposed LDP.
- 7.5 The SEA and EOI Report assessments (extract copied below) concluded that the development of the larger 54 hectare site for 700 units would “constitute an intrusive physical expansion of Blackburn beyond the limit of beyond the limit of development which is already provided for in the adopted West Lothian Local Plan. It would also be visually and environmentally intrusive”.

| | |
|---|---|
| EOI-0136 | Not Preferred |
| Land at Redhouse, Blackburn | Status Current |
| HALLAM LAND MANAGEMENT LTD | 18 July 2014 |
| Residential, circa 450 units to north, 250 units to south. Site area 54ha in total (northern site is 37ha and southern site is 17ha) | |
| Yes Prime Quality Agric Land | |
| Conclusions: | Greenfield Class Description 3.1 |
| Development of the site is not in accordance with the council’s preferred development strategy which supports development within the core development areas and other strategic locations. There are other more suitable sites available for development. | |
| Development would constitute an intrusive physical expansion of Blackburn beyond the limit of development which is already provided for in the adopted West Lothian Local Plan. It would also be visually and environmentally intrusive. | |
| There is no education capacity to support development of the site and other infrastructure issues which impact on development. | |
| Development of the site would result in visual intrusion into the countryside. | |
| There are other more suitable developments within urban areas or which are brownfield. There are also infrastructure constraints in the local catchment schools. | |
| A planning application for housing on part of the site was refused in 2013 and appeal against that refusal was dismissed in 2014. | |

Extract from WLLDP MIR Expressions of Interest Report (page 439)

- 7.6 It was also stated in the EOI Report that: “development of the site would result in visual intrusion into the countryside”, and “a planning application for housing on part of the site was refused in 2013 and appeal against that refusal was dismissed in 2014”.
- 7.7 The SEA report similarly concluded in relation to the larger 54 hectare site that: “The sites would constitute an intrusive physical expansion of Blackburn well beyond the settlement boundary and recent development in Blackburn. It is recommended that the proposed sites should not be supported as future residential development sites”.

- 7.8 Clearly these assessments do not reflect the extent of the much reduced site, and it must be noted that the current submission covers a significantly reduced area of only 6.5 hectares and a significantly reduced scale of development of only 120 houses.
- 7.9 The conclusions reached as part of the MIR Site Assessment exercise cannot therefore be considered to reflect the current submission. As such, this site assessment should be reviewed in light of the reduced site and reduced level of development now being proposed.
- 7.10 As we have set out in section 4.0 above, the package of supporting information submitted with the original planning application and subsequent appeal provides a detailed assessment of the proposed development and these documents confirm that there are no technical or physical constraints to developing the site for the proposed residential use.
- 7.11 The various site and technical assessments prepared for Hallam Land also confirm that there are no adverse landscape, visual or environmental impacts arising from the proposed development.
- 7.12 This supporting information confirms that the proposals would provide a high quality residential development, along with investment in drainage improvements; noise attenuation; new open space, landscaping and tree planting; significant road safety improvements; and bio-diversity and ecological improvements.
- 7.13 In the accompanying technical reports, we have also assessed infrastructure capacity – including transport, drainage and education – and these assessments have confirmed that there is sufficient capacity for this scale of development in Blackburn.
- 7.14 In addition, Hallam Land Management has undertaken a detailed landscape and visual impact assessment which confirms that this reduced scale of development on a substantially smaller site would not give rise to adverse landscape or visual impact concerns.
- 7.15 These findings have been further confirmed through the recent planning application and appeal process, and as we have demonstrated in section 5.0 above, the conclusions from the recent appeal decision have confirmed that the proposed development on this smaller site would accord with the spatial strategy for new development in West Lothian; and can be viewed positively in terms of the development's relationship with the character of the settlement and local area and the availability of infrastructure. We have further confirmed that this reduced scale of development can be absorbed into the local landscape without any adverse landscape impact or visual intrusion.

- 7.16 The Reporter in the recent appeal also confirmed that the local road network is capable of adequately accommodating the extra traffic that the proposed development would create, and infrastructure is available to service the proposed development.
- 7.17 In terms of education capacity, the appeal findings have also confirmed that that whilst there are perceived capacity constraints at secondary school level, these are “*short term*” and “*are capable of being addressed*”. Education capacity is therefore linked to the availability of funding for planned education improvements. It is not a problem unique to Blackburn and the Council is now actively seeking solutions to a West Lothian wide issue as confirmed in Main Issue 4 of the MIR.
- 7.18 As confirmed above, the conclusions reached as part of the MIR Site Assessment exercise cannot therefore be used to assess the current submission. As such, this site assessment should be reviewed in light of the reduced site and reduced level of development now being proposed.
- 7.19 Given the findings of the technical assessments carried out in support of this scale of development, and the conclusions from the recent appeal decision which we have reviewed in section 5.0, we would recommend that the Council reconsiders the merits and advantages of this smaller site and includes this as a preferred housing allocation in the Proposed LDP when it is published next year. The site is an effective housing site which can be supported by relevant planning policy. These matters are reviewed in the following sections of this Supporting Planning Statement.

8.0 Effective Housing Site

- 8.1 The smaller site is effective and free from ownership, physical or infrastructure constraints. It can be readily serviced and there are no significant constraints to its development. Its development for housing would contribute to the housing land supply. This includes the provision of new family housing and affordable housing.
- 8.2 The proposed development is deliverable and viable, and benefits from its location directly adjacent to existing housing development, services, utilities and access roads.
- 8.3 There are no physical constraints to the development of housing and the site is effective in terms of the criteria contained at paragraph 55 of PAN 2/2010. These are as follows:
- ownership: the site is in the ownership or control of a party which can be expected to develop it or to release it for development. Where a site is in the ownership of a local authority or other public body, it should be included only where it is part of a programme of land disposal;
 - physical: the site, or relevant part of it, is free from constraints related to slope, aspect, flood risk, ground stability or vehicular access which would preclude its development. Where there is a solid commitment to removing the constraints in time to allow development in the period under consideration, or the market is strong enough to fund the remedial work required, the site should be included in the effective land supply;
 - contamination: previous use has not resulted in contamination of the site or, if it has, commitments have been made which would allow it to be developed to provide marketable housing;
 - deficit funding: any public funding required to make residential development economically viable is committed by the public bodies concerned;
 - marketability: the site, or a relevant part of it, can be developed in the period under consideration;
 - infrastructure: the site is either free of infrastructure constraints, or any required infrastructure can be provided realistically by the developer or another party to allow development; and

- land use: housing is the sole preferred use of the land in planning terms, or if housing is one of a range of possible uses other factors such as ownership and marketability point to housing being a realistic option.
- 8.4 It is noted that paragraph 55 of the PAN specifically states that: *“To assess a site or a portion of a site as being effective, it must be demonstrated that within the five-year period beyond the date of the audit the site can be developed for housing (i.e. residential units can be completed and available for occupation), and will be free of constraints”.*
- 8.5 Addressing the requirements of the PAN in turn the following is confirmed: the site is in the control of Hallam Land Management and they wish to proceed to develop the site as soon as the necessary consents are in place. Hallam Land Management is the strategic land and planning promotion arm of the Henry Boot Group of Companies, one of the leading property and construction organisations in the UK and has been operating for over 125 years. The proposals are being advanced by a well-respected, experienced development company that has considerable expertise of delivering housing sites such as the appeal site.
- 8.6 Hallam Land has obtained detailed market advice from leading property experts, Rettie & Co to further demonstrate the market demand for the type of housing proposed for the site. This Housing Market Report demonstrates that the Seafield Road site is in a marketable location, and that the type of housing to be built there will be in demand.
- 8.7 As confirmed in the package of detailed technical reports submitted with this representation, there are no known slope, aspect, flood risk, ground stability, contaminated land or vehicular access constraints which would preclude the site’s successful and viable development. The site enjoys a generally south facing slope which aids passive solar gain and has a pleasant aspect in terms of adjacent land uses.
- 8.8 The proposal is for a relatively small-scale housing development which, unlike some of recent large scale housing releases, has no significant infrastructure requirements. The existing primary schools in the town have spare capacity and would benefit from more housing development, and the capacity constraints at the secondary schools serving this location are being addressed by the Council. The site is an effective, viable, available and unconstrained site which can provide an element of the housing land requirements in the local development plan period.

- 8.9 As confirmed in the Rettie Housing Market Assessment, the site is therefore well placed to make a small, but early contribution towards meeting the accepted housing land shortfall in the West Lothian area.
- 8.10 The attractiveness of the site to the house building industry is further confirmed in the letter received from Persimmon Homes East Scotland Ltd which confirms their interest in developing the site.
- 8.11 In terms of infrastructure capacities, the various supporting technical studies undertaken by Hallam Land have confirmed that this relatively small scale development can be supported in terms of the availability of infrastructure in this location, and this includes available and planned education capacity.
- 8.12 These studies confirm that there is existing, sufficient infrastructure in place to accommodate this housing development, and the site can be readily serviced due to its location immediately adjacent to existing development and services.
- 8.13 All consultees on the recent planning application, with the exception of education, have confirmed support for the proposed development and there are no infrastructure constraints to its delivery.
- 8.14 Particular attention has been placed on education infrastructure, and the Education Capacity Assessment has confirmed that there is sufficient current capacity within the existing local schools to accommodate the proposed phased development at Seafield Road. The Council's Education Officers have confirmed that *"if the Council was minded to support the application it would be appropriate to attach planning conditions and seek developer contributions for any required extensions"*. This is normal practice, and Hallam Land has confirmed its acceptance to this as part of the previous application and appeal process.

9.0 Planning Policy Context

- 9.1 The requested allocation of our client's site would accord with the policies, objectives and requirements of the Scottish Planning Policy and the recently approved SESplan which allows LDPs to allocate well-located, greenfield sites within Strategic Development Areas to help maintain an effective five years land supply at all times.

National Planning Framework 3 (NPF3)

- 9.2 The third National Planning Framework (NPF3) provides the statutory framework for Scotland's long-term spatial development. It sets out the Scottish Government's spatial development priorities for the next 20 to 30 years. Planning authorities are required to take the Framework into account when preparing development plans and it is a material consideration in the determination of planning applications.
- 9.3 NPF3 confirms that the Scottish Government's central purpose is to create a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth. To achieve this, the Government Economic Strategy aims to share the benefits of growth by encouraging economic activity and investment across all of Scotland's communities, whilst protecting our natural and cultural assets.
- 9.4 In terms of the vision for Scotland, NPF3 confirms that this includes a vision where Scotland is a successful, sustainable place with a growing economy which provides opportunities that are more fairly distributed between, and within, all communities. The objective is to provide high quality, vibrant and sustainable places with enough, good quality homes. Our living environments foster better health and we have reduced spatial inequalities in well-being. There is a fair distribution of opportunities in cities, towns and rural areas, reflecting the diversity and strengths of our unique people and places.
- 9.5 Section 2 of NPF3 sets out the Government's strategy to achieve the vision of "a *successful, sustainable place*". The strategy is to ensure that all parts of Scotland make best use of their assets to build a sustainable future, and to create high quality, diverse and sustainable places that promote well-being and attract investment. NPF3 notes that the financial climate has reduced the amount of new housing built in recent years, but the Scottish Government is committed to a significant increase in house building to ensure housing requirements are met across the country.

- 9.6 NPF3 encourages high quality, diverse and sustainable developments that promote well-being and attract investment. It confirms that there is a need for a significant increase in house building to ensure housing requirements are met across the country and more ambitious and imaginative planning is needed to ensure a generous and effective supply of housing land.
- 9.7 The allocation of the site at Seafield Road would accord with the aims of NPF3 through the provision of new housing land in an accessible and sustainable location.

Scottish Planning Policy

- 9.8 Full support for this suggested allocation can also be taken from the updated Scottish Planning Policy (SPP) which was published alongside the new NPF in June 2014 and sets out the policy that will help to deliver the objectives of NPF3. The SPP emphasises the importance of the delivery of new housing through the development plan to support sustainable mixed communities. It is a key objective of the Scottish Government to create successful places and high quality residential development. There is a requirement for the development of well designed, energy efficient, good quality housing in sustainable locations which should help promote the development of existing communities. The SPP also emphasises the importance of allocating a generous supply of housing land through the development planning process.
- 9.9 The SPP is a statement of Scottish Government policy on how nationally important land use planning matters should be addressed across the country. It is a material consideration that carries significant weight in the preparation of development plans and the determination of planning applications and appeals.
- 9.10 The new SPP confirms that the Scottish Government's central purpose is to focus on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth. Sustainable economic growth is defined as: *"Building a dynamic and growing economy that will provide prosperity and opportunities for all, while ensuring that future generations can enjoy a better quality of life too"*.
- 9.11 Paragraph 15 explains that by locating the right development in the right place, planning can provide opportunities for people to make sustainable choices and improve their quality of life. Well-planned places promote well-being, a sense of identity and pride, and greater opportunities for social interaction. Delivering high-quality buildings, infrastructure and spaces in the right locations helps provide choice over where to live and style of home, choice as to how to access amenities and services and choice to live more active, engaged, independent and healthy lifestyles.

- 9.12 The new SPP confirms the introduction of a presumption in favour of development that contributes to sustainable development. SPP explains that the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term.
- 9.13 SPP explains that policies and decisions should be guided by a number of principles, including:
- giving due weight to net economic benefit;
 - responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
 - supporting good design and the six qualities of successful places;
 - making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;
 - supporting delivery of accessible housing, business, retailing and leisure development;
- 9.14 In relation to housing development SPP sets out the Government's approach towards "Enabling Delivery of New Homes" and confirms the need to facilitate new housing development, particularly in areas within our cities network where there is continuing pressure for growth. SPP also confirms that house building makes an important contribution to the economy, and planning can help to address the challenges facing the housing sector by providing a positive and flexible approach to development.
- 9.15 SPP confirms that the planning system should: identify a generous supply of land; maintain at least a 5-year supply of effective housing land at all times; and enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places. In addition SPP confirms the local development plans should indicate the number of new homes to be built over the plan period, and this figure should be increased by a margin of 10% to 20% in order to ensure that a generous supply of land for housing is provided. Local development plans should provide for a minimum of 5 years effective land supply at all times.
- 9.16 SPP explains that planning authorities and developers should work together to ensure a continuing supply of effective land and to deliver housing, taking a flexible and realistic approach.

- 9.17 The proposals put forward for the Seafield Road site would provide an element of residential development to meet West Lothian's housing requirement and will contribute to the Council's priority of improving housing mix in Blackburn. The allocation of the site at Seafield Road is therefore consistent with the Scottish Government Guidance provided through NPF3 and SPP.

SESplan Strategic Development Plan

- 9.18 The South East Scotland Strategic Development Plan (SESplan) was approved by Scottish Ministers in June 2013. The Strategic Development Plan states that South East Scotland is the main growth area and the key driver of the Scottish economy.
- 9.19 SESplan has a clear aim of promoting sustainable development, whilst creating opportunities for satisfying the full range of housing needs. The Vision set out in SESplan includes the aims to:
- Set out a strategy to enable delivery of housing requirements to support growth and meet housing need and demand in the most sustainable locations.
 - Integrate land use and sustainable modes of transport, reduce the need to travel and cut carbon emissions by steering new development to the most sustainable locations.
 - Conserve and enhance the natural and built environment.
- 9.20 In terms of spatial strategy, the SESplan identifies 13 strategic development areas ("SDAs"). Blackburn falls within the West Lothian SDA. The SESplan confirms that within this SDA there is a need for a significant level of new homes. The SESplan confirms that such allocations will be focused in sustainable locations where infrastructure is either available or can be provided and in locations where there are no environmental constraints. The SESplan specifically advises that: "*the smaller settlements in west West Lothian may also provide for additional growth*" (paragraph 93 of the Proposed Plan). This includes Blackburn.
- 9.21 The allocation of the Seafield Road site therefore accords with the spatial strategy of SESplan.
- 9.22 SESplan also confirms the need for a generous supply of housing land to be available at all times. The allocation of land for residential development at Seafield Road would help to contribute to the housing land supply in West Lothian.

9.23 SESplan Policy 6 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.”

9.24 Sites such as Seafield Road can make an effective contribution to the five year housing land supply in West Lothian. The nature of the site makes it deliverable within the short term as it is small scale in nature, and capable of early delivery.

9.25 SESplan Policy 7 also confirms that:

“Sites for greenfield housing development proposals either within or outwith the identified Strategic Development Areas may be allocated in Local Development Plans....., subject to satisfying each of the following criteria:

- a. The development will be in keeping with the character of the settlement and local area;*
- b. The development will not undermine green belt objectives; and*
- c. Any additional infrastructure required as a result of the development is either committed or to be funded by the developer”.*

9.26 As we have reviewed above, the Seafield Road site meets these criteria in that the scale of development would be in keeping with the character of the settlement and local area; the site is not within the green belt; and (as confirmed in the MIR) there is available infrastructure capacity in Blackburn to accommodate new housing development, with developer contributions available to address any additional infrastructure requirements. The allocation of this site in the new LDP would therefore accord with Policy 7 of the SESplan.

10.0 Summary of Benefits and Advantages of Site

- 10.1 The proposed development of the smaller site at Seafield Road, Blackburn will enable West Lothian Council to comply with the policy requirements of SESplan and the updated SPP including the Government's specific objective to provide a generous supply of housing land.
- 10.2 There is a need to maintain an effective 5 year housing land supply at all times, the site at Seafield is an effective and deliverable site and can contribute to the Council's stated objective of encouraging private sector investment and development which supports the community regeneration of settlements such as Blackburn.
- 10.3 The site is an accessible, logical and natural extension to the settlement and would expand the existing settlement in a sustainable, viable and effective manner. This has been confirmed in the recent appeal decision which concluded that the proposed development of the site would accord with the spatial strategy for new development in West Lothian; and can be viewed positively in terms of the development's relationship with the character of the settlement and local area and the availability of infrastructure.
- 10.4 As confirmed in the recent appeal decision, the site can be developed without any apparent physical or environmental constraints. In particular, the proposed residential development of this site could be contained comfortably into the landscape, permitting a high quality development in terms of design, layout and landscaping.
- 10.5 The development site is not within the green belt and is not subject to any specific countryside or landscape designation or protection.
- 10.6 New residential development at this location would not only provide a desirable location to live but would also represent a sustainable approach to development, which takes advantage of existing infrastructure capacity.
- 10.7 The site is well located, taking access directly from Seafield Road and benefits from an accessible location close to existing bus stops and major transport corridors.
- 10.8 The site is effective, can be readily serviced and there are no constraints to its development. The size of the site would permit a high quality development in terms of the design, layout and landscaping, offering a range of densities and dwelling size. The location and nature of the site, including its ability to be accessed confirm it as entirely suitable for private house building. It would also contribute towards the provision of affordable housing in a much needed location.

- 10.9 The site would provide for the release of further housing land in a marketable, accessible, sustainable and viable location.
- 10.10 Allocating this site for new housing development would accord with the guidance and objectives of the SESplan and SPP and would help to deliver the requirement for new family housing in popular locations.

11.0 Conclusion & Recommendation

- 11.1 On behalf of our client, Hallam Land Management Limited, we would therefore request that the merits and advantages of this smaller site are reconsidered by West Lothian Council in light of the additional information submitted with this representation.
- 11.2 As a result, the site should be removed from its current countryside designation and allocated as a specific housing development opportunity with capacity for around 120 units in the LDP Proposed Plan.
- 11.3 This proposed allocation of our client's site in the new Local Development Plan would provide scope for a mix of new housing development in a suitable and highly accessible location. This will maximise the benefits and advantages of the site's accessibility, and effectively "round-off" development in this particular area. It would make use of available infrastructure and accord with the Council's stated objective to focus new housing growth within Community Regeneration Areas, including Blackburn.
- 11.4 We trust the above comments will be taken into account in the preparation of the new LDP and we would welcome the opportunity to meet with the Council and its Planning Officers to review our client's proposals prior to the publication of the LDP Proposed Plan.
- 11.5 We trust this additional information in support of this site will be of assistance to West Lothian Council as part of the preparation of the Proposed Local Development Plan, and would respectfully request that this site is allocated for housing development in the Proposed Local Development Plan when it is issued for further public consultation next year.

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