



West Lothian Council

THE WEST LOTHIAN LOCAL DEVELOPMENT PLAN (LDP)

CONSULTATION RESPONSE PORTAL

Have Your Say on the Proposed Plan

Introduction

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

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

You do not need to complete this questionnaire in a single visit. Just simply put your Survey Reference Number (CODE) in the top right corner of the screen to allow you to continue with your submission at a later date.

If you need assistance with completing or submitting your representation online please call the Customer Service Centre (CSC) on 01506 280000. Please advise the Customer Service Centre that your enquiry relates specifically to the Local Development Plan and ask for it to be logged and directed to the Development Plan and Environment Team. Someone will contact you. Alternatively you can email us at wlldp@westlothian.gov.uk We will endeavour to respond as quickly as possible but in any event within 3 working days of receiving your enquiry.

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

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

Data Protection Statement

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

We are also required to pass these details to the Scottish Government's Directorate of Planning and Environmental Appeals (DPEA). This is because they may at a later date wish to invite you to an Examination in Public of the Proposed Plan to discuss your representation.

Before using the consultation portal you should also note that any information posted may be subject to disclosure under the Freedom of Information (Scotland) Act 2002. West Lothian Council will not be liable for any loss or damage arising from or in connection with the disclosure of any information including the disclosure of user generated content.

1. GENERAL INFORMATION

Your Details

Please indicate in what capacity you are making this submission: *

Please note that this is a mandatory field

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

Please complete the following contact information: *

Please note that this is a mandatory field

Title

First Name

Surname

Email Address

Telephone

Postal Address

Organization Name

Client's Name

Is this the first time you have made a written representation on the Proposed Plan? *

Please note that this is a mandatory field

- yes
- no

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

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

Enter EOI (Expression of Interest) reference here

Enter MIRQ (Main Issues Report) reference here

Please enter your survey reference number in the text box below. *

Survey Reference Number (CODE) can be found in the top right corner of this screen
 Survey Reference Number (CODE) will allow you to save your responses and return to finish the survey later

Please keep a note of your Survey Reference Number (CODE) for future reference

Please note that this is a mandatory field

2. FOREWORD (page 4)

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

Do you wish to make a comment?

- yes
- no

Please use the text box below for comments.

Your comments should be concise and limited to no more than 2,000 words. You should fully explain the issues you wish to be considered when the Proposed Plan is presented to Scottish Ministers for Examination. Please indicate whether you are seeking a change to the Proposed Plan (i.e. your representation is an objection) or if your representation supports the Proposed Plan as written.

2. Drummond Homes supports the general aims of the Vision Statement set out at the beginning of the Proposed Plan. In particular, and in relation to infrastructure requirements set out in the Plan in relation to new residential development at Kirknewton, it is essential that contributions are sought on a proportional basis. This must be in line with the tests set out in paragraph 14 of Scottish Government Circular 3-2012 Planning Obligations and Good Neighbour Agreements such that -

- the scale of development or investment required is proportional and directly related to that which is necessary
- any one development should not be held up by others due to deficit funding or;
- any one development should not be forced to carry a disproportional burden in advance of other development.

3. As noted in paragraph 5.1 of the Local Development Plan Proposed Plan this can include the use of development phasing as a mechanism for delivery of sites and supporting new infrastructure whilst maximising the capacity within existing infrastructure.

4. Drummond Homes supports the statement in Appendix Two that all housing proposals within the catchment of Kirknewton Primary School will make a financial contribution to the cost of extending the school.

5. However, the Proposed Plan is not clear on the role of the Council or other third party funding mechanisms to deliver new or expanded infrastructure required to enable the construction of housing where a deficit remains once a proportional contribution has been made by a site or sites in question. Without the delivery of the infrastructure to enable the housing in the first place, the Council places itself at risk of not meeting the Scottish Planning Policy requirement to maintain a five year housing land supply at all times.

6. Representation is lodged to the statement made in paragraph 5.53 that “where there is an infrastructure constraint, such as education capacity, this will require to be addressed by housing providers in the first instance”. It is untenable, in the context of Kirknewton, that the burden of a full school expansion be directed towards the first relevant development site that seeks to gain planning permission. The Council must act in partnership with developers to proactively enable such development using access to borrowing facilities such as Scottish Futures Trust and / or City Deal funding as well as its Local Infrastructure Fund.

7. Whilst paragraphs 5.78-84 set out the principles that infrastructure must be paid for, this cannot be funded by developers alone, and the actual mechanisms to achieve this are not clear from either the Local Development Plan or Action Programme. In relation to the expansion of Kirknewton Primary school, this is shown in the Action Programme as “to be agreed” between the Council, landowner and developer. This must be set out within the Local Development Plan itself in greater detail. Representation is lodged to the lack of detail provided as part of paragraphs 5.78-84 and the Action Programme in that respect.

8. Representation is lodged to Policy IIF1 as this does not recognise the proportional contributions to infrastructure on a site by site basis. An alternative, amended wording is set out below -

The council will support development on an individual site by site basis when identified infrastructure requirements have been addressed on a proportional basis and in line with the requirements of Circular 3-2012 (or successor legislation) to its satisfaction.

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

Where a funding deficit exists, the Council shall examine all reasonable alternative funding mechanisms available to it to allow development to proceed. Development will not be permitted to commence until all necessary infrastructure is provided, or its funding is fully committed and the necessary works are capable of implementation or phasing to manage demand on infrastructure has been agreed.

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

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

The requirements of this policy may be secured through legal agreements to deliver planning obligations in accordance with Scottish Government Circular 3/2012 Planning Obligations and Good Neighbour Agreements (and any subsequent legislation which emerges during the life of the Local Development Plan) and will be concluded between the applicant and the council, prior to the issue of planning permission.

Note: Supplementary Guidance explaining how Developer Obligations will be implemented will be developed to address this matter as quickly as possible by the Council following publication of the Local Development Plan Proposed Plan.

3. BACKGROUND (page 6, paragraphs 1.1-1.5)

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

Do you wish to make a comment?

- yes
- no

Please use the text box below for comments.

Your comments should be concise and limited to no more than 2,000 words. You should fully explain the issues you wish to be considered when the Proposed Plan is presented to Scottish Ministers for Examination. Please indicate whether you are seeking a change to the Proposed Plan (i.e. your representation is an objection) or if your representation supports the Proposed Plan as written.

4. CONTEXT (page 7, paragraphs 2.1-2.2)

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

Do you wish to make a comment?

- yes
- no

Please use the text box below for comments.

Your comments should be concise and limited to no more than 2,000 words. You should fully explain the issues you wish to be considered when the Proposed Plan is presented to Scottish Ministers for Examination. Please indicate whether you are seeking a change to the Proposed Plan (i.e. your representation is an objection) or if your representation supports the Proposed Plan as written.

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

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

Do you wish to make a comment?

- yes
- no

Please use the text box below for comments.

Your comments should be concise and limited to no more than 2,000 words. You should fully explain the issues you wish to be considered when the Proposed Plan is presented to Scottish Ministers for Examination. Please indicate whether you are seeking a change to the Proposed Plan (i.e. your representation is an objection) or if your representation supports the Proposed Plan as written.

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

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

Do you wish to make a comment?

- yes
- no

If you wish to make comments please begin by selecting the relevant sub-section(s) of Vision Statement and Aims from the list below.

- Economic Development and Growth (page 8)
- Community Regeneration (page 8)
- Sustainable Housing Locations (page 9)
- Infrastructure Requirements and Delivery (page 9)
- Town Centres and Retailing (page 9)
- The Natural and Historic Environment (page 9)
- Climate Change and Renewable Energy (page 9)
- Waste and Minerals (page 9)

Please use the text box below for comments.

Your comments should be concise and limited to no more than 2,000 words. You should fully explain the issues you wish to be considered when the Proposed Plan is presented to Scottish Ministers for Examination. Please indicate whether you are seeking a change to the Proposed Plan (i.e. your representation is an objection) or if your representation supports the Proposed Plan as written.

Economic Development and Growth (page 8)	<input type="text"/>
Community Regeneration (page 8)	<input type="text"/>
Sustainable Housing Locations (page 9)	<input type="text"/>
Infrastructure Requirements and Delivery (page 9)	<input type="text"/>
Town Centres and Retailing (page 9)	<input type="text"/>
The Natural and Historic Environment (page 9)	<input type="text"/>
Climate Change and Renewable Energy (page 9)	<input type="text"/>
Waste and Minerals (page 9)	<input type="text"/>

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

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

Do you wish to make a comment?

- yes
- no

If you wish to make comments please begin by selecting the relevant sub-section(s) of the Spatial Strategy from the list below.

- Economic Development and Growth (page 12, paragraphs 5.11-5.22)
- Flexibility within traditional industrial estates (page 14, paragraphs 5.24-5.25)
- Enterprise Areas (page 17, paragraphs 5.24-5.25)
- Local business opportunities, small business start-ups and working from home (page 17, paragraph 5.26)
- Tourism (page 17, paragraphs 5.27-5.28)
- Promoting community regeneration (page 19, paragraphs 5.29-5.35)
- Housing land requirements for the LDP (page 20, paragraphs 5.36-5.49)
- Effective Housing Land and Generous Supply (page 23, paragraphs 5.50-5.53)
- New Housing Sites and Design (page 24, paragraphs 5.4-5.56)
- Strategic Allocations (including previously identified Core Development Area Allocations) (page 25, paragraphs 5.57-5.61)
- Whitburn/Charette (page 26, paragraph 5.62)
- Linlithgow and Linlithgow Bridge (page 26-27)
- Deans South, Livingston; Area for Comprehensive Re-development (page 27, paragraph 5.68)
- Affordable Housing (page 27, paragraphs 5.69-5.74)
- Accommodation for Gypsies, Travellers and Travelling Show People (page 29, paragraph 5.75)
- Residential Care and Supported Accommodation (page 29, paragraphs 5.76-5.77)
- Infrastructure Requirements and Delivery (page 30, paragraphs 5.78-5.84)
- Providing for Community Needs (page 32, paragraphs 5.85-5.88)
- Education (page 32, paragraphs 5.89-5.92)
- Healthcare Provision (page 33, paragraphs 5.93-5.96)
- Sports Facilities (page 33, paragraphs 5.97-5.101)
- Green Infrastructure and Green Networks (page 34, paragraphs 5.102-5.105)
- Water and Drainage (page 34, paragraphs 5.106-5.107)
- Travel in and around West Lothian (page 34, paragraphs 5.108-5.112)
- Roads (page 35, paragraph 5.113)
- A71 Corridor (page 35, paragraphs 5.114-5.115)
- A801 Corridor (page 35, paragraphs 5.116-5.117)
- A89/A8 (page 35, paragraphs 5.118-5.126)
- Rail (page 37, paragraphs 5.127-5.130)
- Walking and Cycling (page 37, paragraphs 5.131-5.132)
- Town Centres and Retailing (page 39, paragraphs 5.133-5.138)
- Landscape Character and Local Landscape Designations (page 41, paragraphs 5.139-5.143)
- Countryside Belts (page 42, paragraph 5.144)
- Development in the Countryside (page 42, paragraphs 5.145-5.147)
- Lowland Crofting (page 44, paragraphs 5.148-5.152)
- Green Networks, Local Biodiversity Sites and Geodiversity Sites (page 45, paragraphs 5.153-5.155)
- Forestry (page 46, paragraphs 5.156-5.163)
- Union Canal (p.49 paragraphs 5.164-5.165)
- Pentland Hills Regional Park (page 49, paragraphs 5.164-5.165)
- Country Parks (page 50, paragraph 5.169)
- Allotments/Community Growing (page 51, paragraphs 5.170-5.171)
- Temporary/Advance Greening (page 51, paragraphs 5.172-5.174)
- Biodiversity (page 52, paragraphs 5.175-5.180)
- Geodiversity (page 53, paragraph 5.181)
- West Lothian Open Space Strategy (page 53, paragraphs 5.182-5.184)
- Historic and Cultural Environment (page 54, paragraphs 5.185-5.187)
- Conservation Areas (page 55, paragraphs 5.185-5.188)

- Former Bangour Village Hospital, Dechmont (page 56, paragraph 5.189)
- Conservation Area at Abercorn/Hopetoun Estate (page 56, paragraph 5.190)
- Other Areas of Built Heritage and Townscape Value (page 57, paragraphs 5.191-5.199)
- Listed Buildings (page 58, paragraphs 5.185-5.187)
- Historic Gardens and Designed Landscapes (page 59, paragraphs 5.200-5.201)
- Historic Battlefields (page 60, paragraph 5.202)
- Archaeology (page 60, paragraph 5.203)
- Scheduled Monuments (page 60, paragraphs 5.204-5.206)
- Public Art (page 61, paragraphs 5.207-5.208)
- Climate Change Measures (page 62, paragraphs 5.209-5.214)
- Low Carbon Development and Renewable Energy (page 63, paragraphs 5.215-5.221)
- Wind Farms and Wind Turbines (page 65, paragraphs 5.222-5.225)
- Energy and Heat Networks (page 66, paragraphs 5.226-5.229)
- Off-gas Grid Areas and Renewable Heat Requirement for New-build Housing (page 67, paragraphs 5.230-5.232)
- The Water Environment and Flood Risk Management (page 67, paragraphs 5.233-5.239)
- Air Quality and Noise (page 70, paragraphs 5.240-5.242)
- Edinburgh Airport (page 71, paragraph 5.243)
- Noise (page 71, paragraph 5.244)
- Contaminated Land (page 71, paragraphs 5.245-5.246)
- Vacant and Derelict Land (page 72, paragraphs 5.249-5.250)
- Minerals and Waste (page 73, paragraphs 5.251-5.256)
- Site Restoration (page 75, paragraphs 5.257-5.238)
- Unconventional Gas Extraction including Hydraulic Fracking (page 75, paragraph 5.259)
- Waste (page 76, paragraph 5.260)

Please use the text box below for your comments.

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Unconventional Gas Extraction including Hydraulic Fracking (page 75, paragraph 5.259)	
Waste (page 76, paragraph 5.260)	

8. DEVELOPMENT PROPOSAL BY SETTLEMENT (page 79)

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

Do you wish to make a comment?

- yes
- no

If you wish to make comments please begin by selecting the relevant Settlement(s) from the list below.

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

Please enter site reference(s)/proposals reference (as appropriate) and location/site address below.

Site Reference/ Location / Site Address can be found in the relevant Settlement Statement

	site reference	location/ site address
Kirknewton (page 87)	H-KI11, H-KI12	Braekirk Gardens, Station Road East

Please use the text box below for comments.

Your comments should be concise and limited to no more than 2,000 words. You should fully explain the issues you wish to be considered when the Proposed Plan is presented to Scottish Ministers for Examination. Please indicate whether you are seeking a change to the Proposed Plan (i.e. your representation is an objection) or if your representation supports the Proposed Plan as written.

Comment

Kirknewton
(page 87)

9. Drummond Homes supports the sustainable development objectives set out in paragraph 5.37 of the Local Development Plan Proposed Plan. Kirknewton is one such location where new development opportunities as identified in the Plan as Proposals H-K111 (Braekirk Gardens) and H-K112 (Station Road (East)) will support community regeneration by increasing footfall for local community facilities, contribute to expansion / upgrading of the local primary school as well as helping to maintain a five year housing land supply.

9. APPENDICES (page 99)

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

Do you wish to make a comment?

- yes
- no

If you wish to make comments please begin by selecting the relevant Appendix(es) of the Proposed Plan from the list below.

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

Please use the text box below for your comments.

Your comments should be concise and limited to no more than 2,000 words. You should fully explain the issues you wish to be considered when the Proposed Plan is presented to Scottish Ministers for Examination. Please indicate whether you are seeking a change to the Proposed Plan (i.e. your representation is an objection) or if your representation supports the Proposed Plan as written.

Appendix 1 - Employment Land Allocations (page 99)	<input type="text"/>
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Appendix 4 - LDP Supplementary Guidance (SG) and Planning Guidance (PG) (page 265)	<input type="text"/>
Appendix 5 - List of Policies (page 273)	<input type="text"/>
Appendix 6 - List of Proposals (page 275)	<input type="text"/>

10. GLOSSARY (page 280)

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

Do you wish to make a comment?

- yes
- no

Please use the text box below for comments.

Your comments should be concise and limited to no more than 2,000 words. You should fully explain the issues you wish to be considered when the Proposed Plan is presented to Scottish Ministers for Examination. Please indicate whether you are seeking a change to the Proposed Plan (i.e. your representation is an objection) or if your representation supports the Proposed Plan as written.

11. PROPOSALS MAPS

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

Do you wish to make a comment?

- yes
- no

If you wish to make comments please begin by selecting the relevant Proposals Maps from the list below.

- Proposals Map 1 - West Lothian
- Proposals Map 2 - Linlithgow & Broxburn Area
- Proposals Map 3 - Livingston Area
- Proposals Map 4 - Bathgate Area
- Proposals Map 5 - Villages

Please use the text box below for your comments.

Your comments should be concise and limited to no more than 2,000 words. You should fully explain the issues you wish to be considered when the Proposed Plan is presented to Scottish Ministers for Examination. Please indicate whether you are seeking a change to the Proposed Plan (i.e. your representation is an objection) or if your representation supports the Proposed Plan as written.

Proposals Map 1 - West Lothian	<input type="text"/>
Proposals Map 2 - Linlithgow & Broxburn Area	<input type="text"/>
Proposals Map 3 - Livingston Area	<input type="text"/>
Proposals Map 4 - Bathgate Area	<input type="text"/>
Proposals Map 5 - Villages	<input type="text"/>

12. ACCOMPANYING DOCUMENTS

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

Do you wish to make a comment?

- yes
- no

If you wish to make comments please begin by selecting the relevant Accompanying Documents from the list below.

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

Please use the text box below for your comments.

Your comments should be concise and limited to no more than 2,000 words. You should fully explain the issues you wish to be considered when the Proposed Plan is presented to Scottish Ministers for Examination. Please indicate whether you are seeking a change to the Proposed Plan (i.e. your representation is an objection) or if your representation supports the Proposed Plan as written.

Strategic Environmental Assessment (SEA) Environmental Report.	<input type="text"/>
Equalities & Human Rights Impact Assessment (EQHRIA).	<input type="text"/>
Strategic Flood Risk Assessment (SFRA).	<input type="text"/>
Habitats Regulations Appraisal.	<input type="text"/>
Transport Appraisal (TA).	<input type="text"/>
Action Programme.	<input type="text"/>

13. ADDITIONAL COMMENTS

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

- yes
- no

Please use the text box below for your additional comments on the LDP.

Your comments should be concise and limited to no more than 2,000 words. You should fully explain the issues you wish to be considered when the Proposed Plan is presented to Scottish Ministers for Examination. Please indicate whether you are seeking a change to the Proposed Plan (i.e. your representation is an objection) or if your representation supports the Proposed Plan as written.

Before pressing the submit button please review your submission and make any changes. Once you have pressed SUBMIT you will be unable to go back to the survey.

Once we have received your submission we will send you a copy for your records. This could take up to 5 working days. If you do not receive a copy in that time please contact the Customer Service Centre.

CONFIRMATION OF YOUR PARTICIPATION

We will send you an email notification as soon as your survey is submitted.

Please enter your email address below.

**Submission to the
West Lothian Council Local Development Plan Proposed Plan
on behalf of Drummond Homes**



November 2015

PPCA Limited

Job no: 1363

Contents

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- 2. Vision Statement and Infrastructure Delivery**
- 3. Local Development Plan Proposed Plan - Kirknewton**
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1 Introduction

1. PPCA Ltd has been instructed by Drummond Homes to make comments on the West Lothian Council Local Development Plan Proposed Plan that was published for consultation on 12th October 2015. The following Report sets out the comments in detail and, where possible, follows the format of the Proposed Plan and supporting documentation.

2 Vision Statement and Infrastructure Delivery

2. Drummond Homes supports the general aims of the Vision Statement set out at the beginning of the Proposed Plan. In particular, and in relation to infrastructure requirements set out in the Plan in relation to new residential development at Kirknewton, it is essential that contributions are sought on a proportional basis. This must be in line with the tests set out in paragraph 14 of Scottish Government Circular 3-2012 Planning Obligations and Good Neighbour Agreements such that –
 - the scale of development or investment required is proportional and directly related to that which is necessary
 - any one development should not be held up by others due to deficit funding or;
 - any one development should not be forced to carry a disproportional burden in advance of other development.
3. As noted in paragraph 5.1 of the Local Development Plan Proposed Plan this can include the use of development phasing as a mechanism for delivery of sites and supporting new infrastructure whilst maximising the capacity within existing infrastructure.
4. Drummond Homes supports the statement in Appendix Two that all housing proposals within the catchment of Kirknewton Primary School will make a financial contribution to the cost of extending the school.
5. However, the Proposed Plan is not clear on the role of the Council or other third party funding mechanisms to deliver new or expanded infrastructure required to enable the construction of housing where a deficit remains once a proportional contribution has been made by a site or sites in question. Without the delivery of the infrastructure to enable the

housing in the first place, the Council places itself at risk of not meeting the Scottish Planning Policy requirement to maintain a five year housing land supply at all times.

6. Representation is lodged to the statement made in paragraph 5.53 that “where there is an infrastructure constraint, such as education capacity, this will require to be addressed by housing providers in the first instance”. It is untenable, in the context of Kirknewton, that the burden of a full school expansion be directed towards the first relevant development site that seeks to gain planning permission. The Council must act in partnership with developers to proactively enable such development using access to borrowing facilities such as Scottish Futures Trust and / or City Deal funding as well as its Local Infrastructure Fund.
7. Whilst paragraphs 5.78-84 set out the principles that infrastructure must be paid for, this cannot be funded by developers alone, and the actual mechanisms to achieve this are not clear from either the Local Development Plan or Action Programme. In relation to the expansion of Kirknewton Primary school, this is shown in the Action Programme as “to be agreed” between the Council, landowner and developer. This must be set out within the Local Development Plan itself in greater detail. Representation is lodged to the lack of detail provided as part of paragraphs 5.78-84 and the Action Programme in that respect.
8. Representation is lodged to Policy INF1 as this does not recognise the proportional contributions to infrastructure on a site by site basis. An alternative, amended wording is set out below –

The council will support development on an individual site by site basis when identified infrastructure requirements have been addressed on a proportional basis and in line with the requirements of Circular 3-2012 (or successor legislation) to its satisfaction.

Where the cumulative impact of new developments will generate a need for additional infrastructure provision or community facilities, planning permission will only be granted on an individual site by site basis where contributions which are reasonably related to the scale and nature of the proposed development are secured. In calculating the impact of new developments the council will look at the cumulative long-term effect of

new development. Contributions will be sought on an individual site by site proportional basis for the provision of facilities or the improvement of existing facilities and infrastructure necessary in the interests of comprehensive planning.

Where a funding deficit exists, the Council shall examine all reasonable alternative funding mechanisms available to it to allow development to proceed. Development will not be permitted to commence until all necessary infrastructure is provided, or its funding is fully committed and the necessary works are capable of implementation or phasing to manage demand on infrastructure has been agreed.

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

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

The requirements of this policy may be secured through legal agreements to deliver planning obligations in accordance with Scottish Government Circular 3/2012 Planning Obligations and Good Neighbour Agreements (and any subsequent legislation which emerges during the life of the Local Development Plan) and will be concluded between the applicant and the council, prior to the issue of planning permission.

Note: Supplementary Guidance explaining how Developer Obligations will be implemented will be developed to address this matter as quickly as possible by the Council following publication of the Local Development Plan Proposed Plan.

3 Local Development Plan Proposed Plan – Kirknewton

9. Drummond Homes supports the sustainable development objectives set out in paragraph 5.37 of the Local Development Plan Proposed Plan. Kirknewton is one such location where new development opportunities as identified in the Plan as Proposals H-KN1 (Braekirk Gardens) and H-KN2 (Station Road (East)) will support community regeneration by increasing footfall for local community facilities, contribute to expansion / upgrading of the local primary school as well as helping to maintain a five year housing land supply.
10. The village itself is highly sustainable with its own local facilities including a rail station. In that respect, Drummond Homes fully supports delivery of a local park and ride facility at the station and the TransportScotland proposals identified in the Plan to electrify the rail line in 2019.
11. The scale of Proposals H-KN1 and H-KN2 are appropriate to the village and the future delivery of H-KN2 will contribute to the supply of affordable housing in the locality in line with Local Development Plan and Supplementary Guidance requirements.
12. Drummond Homes supports Policy HOU 1 in respect of the identification of Proposals H-KN1 and H-KN2 as listed in Proposed Plan Appendix Two and as shown on the East Calder, Kirknewton and Wilkieston Proposal Map.
13. Both sites are compliant with the SESPlan Strategic Development Plan and Local Development Plan Proposed Plan development strategy. Proposal H-KN1 benefits from planning permission and is in the process of being built out. Proposal H-KN2 is also in the control of Drummond Homes and meets the tests of effectiveness as set out in paragraph 55 of Scottish Government Planning Advice Note 2-2010.
14. It is in the interest of the Council, as part of the requirement to maintain a five year housing land supply that both sites are developed in full in the period under consideration to 2024.
15. In relation to the Table on page 189 of the Plan, it notes that Proposal H-KN1 has the benefit of planning permission.

16. With regards to Proposal H-KN2, the Table notes that the access is to be on to the C Class Road to the west of the site. An access solution for Proposal H-KN2 has been previously agreed with the Council through the most recent planning application lodged for site. The Table notes the need for a Flood Risk Assessment and this can be dealt with through a future planning application process.
17. The Table notes that noise from nearby railway may be an issue and that a noise survey may be required. This may form part of a future planning application or could be overcome through detailed design proposals.
18. Whilst the Local Development Plan Proposed Plan notes that there is limited capacity at East Calder waste water treatment works and early discussion with Scottish Water is required, the Proposed Plan is a material consideration in the determination of planning applications and Scottish Water will be aware of the proposal and scale of development anticipated to allow it to programme improvement to its infrastructure as necessary. Discussions would be had with the Council on the nature of any developer contributions required to enhance local facilities on the neighbouring housing site to the south.

4 Conclusion

19. In conclusion, Drummond Homes supports the continued allocation of land at Braekirk Gardens and Station Road (East), Kirknewton for residential development of the scale detailed in the Local Development Plan Proposed Plan.
20. Representation has been lodged to the means of delivery of infrastructure, primarily education infrastructure, required to deliver housing completions on these sites. The Local Development Plan, as currently worded, whilst promoting the need to maintain a five year housing land supply at all times, does not clearly set out how the Council will help to enable such infrastructure to ensure this requirement is met.