



# 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](http://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](mailto: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.

Please see full attached submission as emailed to the Council LDP email address on 20th November 2015 given issues with uploading information to the LDP online web portal that day. Below is an executive summary of the main points raised to the LDP as a whole. this must be read in conjunction with the full submission.

- The emerging West Lothian Council Local Development Plan must be consistent with the SESPlan Strategic Development Plan. As such, all references to Strategic Development Plan 2 and Housing Need & Demand Analysis 2 must be removed from the Plan.
- Winchburgh Developments Ltd supports the continued direction of growth towards Core Development Areas. Winchburgh Developments Ltd supports the additional allocations made at Winchburgh as set out in the Plan and have lodged representations to the non-allocation of land beyond that, required to maintain a five year housing and supply in its control in the settlement.
- Concern is raised over lack of a parallel financial framework plan or plans to accompany the Local Development Plan. This is considered essential to deliver the significant infrastructure necessary to support development requirements.
- A co-ordinated approach is required to infrastructure delivery. The Council cannot rely on the development industry alone to fund such delivery and must commit to a co-ordinated approach that examines all funding opportunities.
- The Proposed Plan must meet Strategic Development Plan housing requirements in full and maintain a five year housing land supply at all times. Additional land must be allocated to meet these requirements.
- A more flexible approach to delivering employment uses must be adopted through Local Development Plan Proposed Plan Policy EMP1.
- Significant concern is raised to the need for Winchburgh and Broxburn developers to work together to deliver the CDA requirements. There has been no development activity on any of the major allocations made at Broxburn since the previous Structure Plan identified the CDA concept and little prospect of future significant development over the period of the emerging Local Development Plan given constraints listed in the full submission. Previous attempts to engage with Broxburn landowners have failed.
- From that, the full submission recommends changes are made to the Broxburn CDA and countryside belt boundaries to allow development plan compliant land at Winchburgh to be identified and deliver housing required in the area in the period of this Plan.
- Winchburgh Developments Ltd supports the position adopted by the Local Development Plan at Linlithgow.
- Winchburgh Developments Ltd maintains that unsubsidised private sector housing can make a significant contribution to affordable housing requirements over the Plan period and that the Council should not rely on social rented housing as the only means of affordable housing delivery.
- Supplementary Guidance is required on non-denominational secondary school delivery as soon as possible to provide certainty over the funding mechanism for a new non-denominational secondary school at Winchburgh necessary to deliver and unlock development in the east sector of the Council area.

### 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.

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### 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.

See full submission

### 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)	See full submission
Community Regeneration (page 8)	See full submission
Sustainable Housing Locations (page 9)	See full submission
Infrastructure Requirements and Delivery (page 9)	See full submission

### 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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Economic Development and Growth (page 12, paragraphs 5.11-5.22 )	See full submission
Flexibility within traditional industrial estates (page 14, paragraphs 5.24-5.25)	See full submission
Promoting community regeneration (page 19, paragraphs 5.29-5.35)	See full submission
Housing land requirements for the LDP (page 20, paragraphs 5.36-5.49)	See full submission
Effective Housing Land and Generous Supply (page 23, paragraphs 5.50-5.53)	See full submission
New Housing Sites and Design (page 24, paragraphs 5.4-5.56)	See full submission
Affordable Housing (page 27, paragraphs 5.69-5.74)	See full submission
Residential Care and Supported Accommodation (page 29, paragraphs 5.76-5.77)	See full submission
Education (page 32, paragraphs 5.89-5.92)	See full submission
Healthcare Provision (page 33, paragraphs 5.93-5.96)	See full submission
Green Infrastructure and Green Networks (page 34, paragraphs 5.102-5.105)	See full submission
Landscape Character and Local Landscape Designations (page 41, paragraphs 5.139-5.143)	See full submission
Countryside Belts (page 42, paragraph 5.144)	See full submission
Historic and Cultural Environment (page 54, paragraphs 5.185-5.187)	See full submission
Historic Gardens and Designed Landscapes (page 59, paragraphs 5.200-5.201)	See full submission

**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)  
 Newton 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
Broxburn (page 84)	See full submission	
Winchburgh (page 97)	See full submission	

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
Broxburn (page 84)	See full submission
Winchburgh (page 97)	See full submission

## 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 2 - Schedule of Housing Sites / Site Delivery Requirements (page 119)	See full submission
Appendix 4 - LDP Supplementary Guidance (SG) and Planning Guidance (PG) (page 265)	See full submission

## 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.

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## 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.

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Proposals Map 2 - Linlithgow & Broxburn Area

See full submission

## 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.

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Action Programme.

See full submission

## 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.

# **Winchburgh Developments Ltd submission to West Lothian Council Local Development Plan Proposed Plan November 2015**

## **Executive Summary**

The following provides a short Executive Summary of the full submission made by Winchburgh Developments Ltd to the West Lothian Council Local Development Plan Proposed Plan in November 2015.

This must be read in conjunction with the full submission and accompanying documents.

- The emerging West Lothian Council Local Development Plan must be consistent with the SESPlan Strategic Development Plan. As such, all references to Strategic Development Plan 2 and Housing Need & Demand Analysis 2 must be removed from the Plan.
- Winchburgh Developments Ltd supports the continued direction of growth towards Core Development Areas. Winchburgh Developments Ltd supports the additional allocations made at Winchburgh as set out in the Plan and have lodged representations to the non-allocation of land beyond that, required to maintain a five year housing and supply in its control in the settlement.
- Concern is raised over lack of a parallel financial framework plan or plans to accompany the Local Development Plan. This is considered essential to deliver the significant infrastructure necessary to support development requirements.
- A co-ordinated approach is required to infrastructure delivery. The Council cannot rely on the development industry alone to fund such delivery and must commit to a co-ordinated approach that examines all funding opportunities.
- The Proposed Plan must meet Strategic Development Plan housing requirements in full and maintain a five year housing land supply at all times. Additional land must be allocated to meet these requirements.
- A more flexible approach to delivering employment uses must be adopted through Local Development Plan Proposed Plan Policy EMP1.
- Significant concern is raised to the need for Winchburgh and Broxburn developers to work together to deliver the CDA requirements. There has been no development activity on any of the major allocations made at Broxburn since the previous Structure Plan identified the CDA concept and little prospect of future significant development over the period of the emerging Local Development Plan given constraints listed in the full submission. Previous attempts to engage with Broxburn landowners have failed.
- From that, the full submission recommends changes are made to the Broxburn CDA and countryside belt boundaries to allow development plan compliant land at Winchburgh to be identified and deliver housing required in the area in the period of this Plan.

- Winchburgh Developments Ltd supports the position adopted by the Local Development Plan at Linlithgow.
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- Supplementary Guidance is required on non-denominational secondary school delivery as soon as possible to provide certainty over the funding mechanism for a new non-denominational secondary school at Winchburgh necessary to deliver and unlock development in the east sector of the Council area.

# Winchburgh, Southerly Expansion

Landscape And Visual Analysis

Response to West Lothian Council Local Development Plan Proposed Plan (2015)

Project Number: 100094

Date: 06/11/2015







# > Contents

<b>Introduction</b>	<b>pg. 4</b>
<b>Scope of study</b>	<b>pg. 4</b>
<b>Landscape character and features</b>	<b>pg. 6</b>
<b>Countryside Belt</b>	<b>pg. 8</b>
<b>Visual receptors and views</b>	<b>pg. 8</b>
Viewpoint 1: View east from Union Canal towpath	pg. 10
Viewpoint 2: View west from minor road to Kirkliston	pg. 12
Viewpoint 3: View west from Union Canal towpath	pg. 14
<b>Proposed East Broxburn northerly expansion</b>	<b>pg. 16</b>
<b>Proposed Winchburgh Southerly Expansion and Mixed Use Allocation</b>	<b>pg. 16</b>
<b>Proposed changes to Countryside Belt boundary</b>	<b>pg. 16</b>
<b>Proposed expansion to mixed use development area</b>	<b>pg. 18</b>
<b>Proposed future development area</b>	<b>pg. 18</b>
<b>Future master planning of Winchburgh Southerly Expansion Area</b>	<b>pg. 18</b>
<b>Conclusion</b>	<b>pg. 18</b>

## Introduction

This document has been prepared by OPEN to support the representations being made to the West Lothian Council Local Development Plan Proposed Plan (WLLDP Proposed Plan) and supporting documentation published for consultation purposes in October 2015. The representations made were by PPCA on behalf of Winchburgh Developments Ltd.

Optimised Environments Limited (OPEN) was commissioned by Winchburgh Development Limited to undertake a landscape and visual review of the land immediately to the south of Winchburgh and north of East Broxburn. The study was carried out by Chartered Landscape Architects through field and desk study. The purpose of the review was to inform the review being undertaken by PPCA Ltd in relation to future housing land supply and the current Local Plan Countryside Belt designation and underpins the representations being made to the West Lothian Council LDP Proposed Plan in relation to the non-allocation of land at South Winchburgh and the adjustment to the East Broxburn portion of the Core Development Area boundary.

This document provides an update to the landscape and visual review carried out in August 2014 based on the proposals contained in the Local Development Plan 2015 Proposed Plan.

## Scope of study

The area of the study comprises the land to the east of Greendykes Bing and south of Niddry Castle Bing including land defined as both Countryside Belt and land allocated as Mixed Use in the WLLDP Proposed Plan 2015. The relevant extract of Map 2 of the WLLDP Proposed Plan is illustrated in Figure 1 of this study.

Following the Main Issues Report Stage the WLLDP Proposed Plan now includes Mixed Use site H-WB17 within the area of the study. This area was identified as a Preferred alternative housing site in the Main Issues Report. Site H-WB16 has also been included for Mixed Use development within the WLLDP Proposed Plan on the site west of Ross's Plantation.

PPCA Ltd has, separately, set out in a formal planning statement a response to the WLLDP Proposed Plan. The response establishes the basis for the proposed redefinition of the Countryside Belt boundary and the justification of the need for further Mixed Use development land to be allocated in this area, in addition to site H-WB17. It is the purpose of this study to identify where such an allocation can be accommodated with the least detriment to the aims of the Countryside Belt designation.

This review will identify the most suitable sites, in landscape and visual terms, with the ability to meet this need whilst also having a strong relationship with the expanded/existing settlement and the infrastructure needed for housing in a suitable location that promotes sustainable living.

The proposed southerly expansion of Winchburgh is consistent with the Winchburgh Future Urban Extension Master Plan 2009 and previous submissions to West Lothian Council.

## Legend

-  Countryside Belt boundary
-  Right Of Way
-  Canal towpath
-  Countryside Belt
-  Newliston House Garden and designed landscape
-  Open space
-  Employment site
-  Scheduled Ancient Monument
-  Cemetery expansion
-  Tree preservation order
-  Mixed Use Area (CDAs)

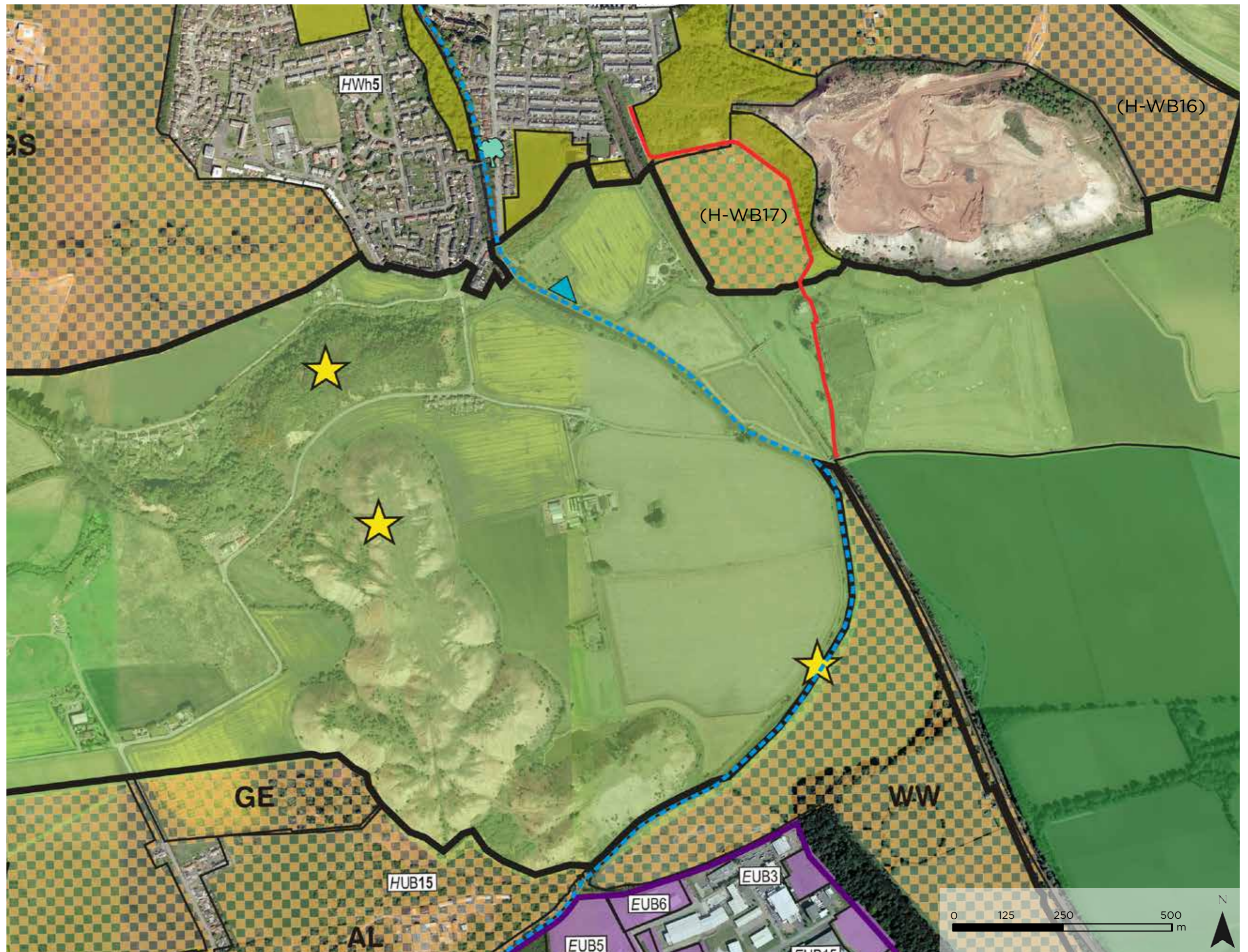


Figure 1: Extract from the West Lothian Local Development Plan, Proposed Plan (2015).

## Landscape character and features

In August 2014 West Lothian Council published the West Lothian - Landscape Character Classification (WL-LCC) which is a West Lothian Local Development Plan: background paper. It sets out to provide a 'revised base-line of landscape character units and important assessment information for a range of land use planning tasks including designation of local landscapes.' It provides an update to the outdated 1998 Lothians Landscape Character Assessment (LLCA) and has been informed by information gathered and refined as part of interim studies on wind energy capacity and the West Lothian Landscape Designation Review, 2013.

The land under consideration in this study was identified in the 1998 LLCA as part of the Lowland Plains Landscape Character Type (LCT) and specifically the Lower Almond Farmlands Landscape Character Area (LCA) of this type. The WL-LCC has divided this LCT/LCA into two separate LCTs - Lowland Plains and Lowland River Corridors. These areas have been further divided into geographically defined units of these types.

The area of interest in this study is defined as being within the Winchburgh/Niddry Plain Landscape Unit of the Lowland Plains Landscape Type as illustrated on Figure 2.

The Key Characteristics of the Lowland Plains LCT are set out in the WL-LCC as:

- 'Part of an extensive, smoothly rolling, lowland landscape of predominantly folded sedimentary rocks of Carboniferous age, holding significant oil shale measures to the north of the River Almond;
- Predominantly open, large scale, high quality arable farmland lying between Livingston and Edinburgh;
- The lowland plain averages around 100m AOD, rising gradually to the south to up to 240m AOD;
- Numerous burns are generally inconspicuous but minor valleys add complexity to the landform;
- The deeply incised and well wooded valley of the River Almond cuts through the area;
- Characteristic medium-large scale arable farmland becomes increasingly fragmented within the urban fringe to the east of Livingston and East Calder, and south of Broxburn, with a variety of land uses
- Shelter and local enclosure provided by woodland belts;

- Waste shale bings from oilworks punctuate the skyline and are a legacy of the industry north of the River Almond, as are neat rows of miners cottages (known as "the rows") in several villages;
- Localised humps, hollows and other subtle traces in the landscape such as disused mines and mineral railways;
- Generally long views across the open, large scale farmland; and
- Minor roads over the burns and Union Canal are often features of local interest in the landscape.'

The key characteristics of the Winchburgh/Niddry Plain unit of the Lowland Plains LCT are set out in the WL-LCC as:

- 'The gently undulating lowland plain is dominated by the artificial forms and striking orange / pink colours of the huge flat-topped Niddry and Faucheldean oil shale bings, Scheduled Monuments, to the east and south of Winchburgh;
- Winchburgh is a former mining town with rows of miners cottages and unsettled areas of poor land quality associated with past mining activity;
- Niddry Burn is the main watercourse but is inconspicuous;
- The Union Canal passes through the area and road overbridges are local features of interest in the landscape;
- Woodland is scarce and small in size, with some mixed plantation at Duntarvie Castle and sporadic coniferous plantation elsewhere, but not a landscape feature;
- Niddry golf course to the south-east of Winchburgh has a parkland appearance; and
- East of the area is more open and intensively farmed with good quality arable farmland more typical of the lowland plain further east beyond the district.'

There would appear to be an error in the description of the oil shale bings. Niddry Castle Bing, to the east of Winchburgh is not a Scheduled Ancient Monument and is currently being depleted through its use in construction projects. The bings to the south of Winchburgh are Faucheldean, which is a Wildlife Site and Greendykes. Both are Scheduled Ancient Monuments (SAM). Figure 3 illustrates the key landscape features and key views within the area along with the locations of the illustrated viewpoints.

The bings currently provide physical and visual containment of the area of this study. Their large bulk and form physically and visually divides this area from the land further to the west and north.

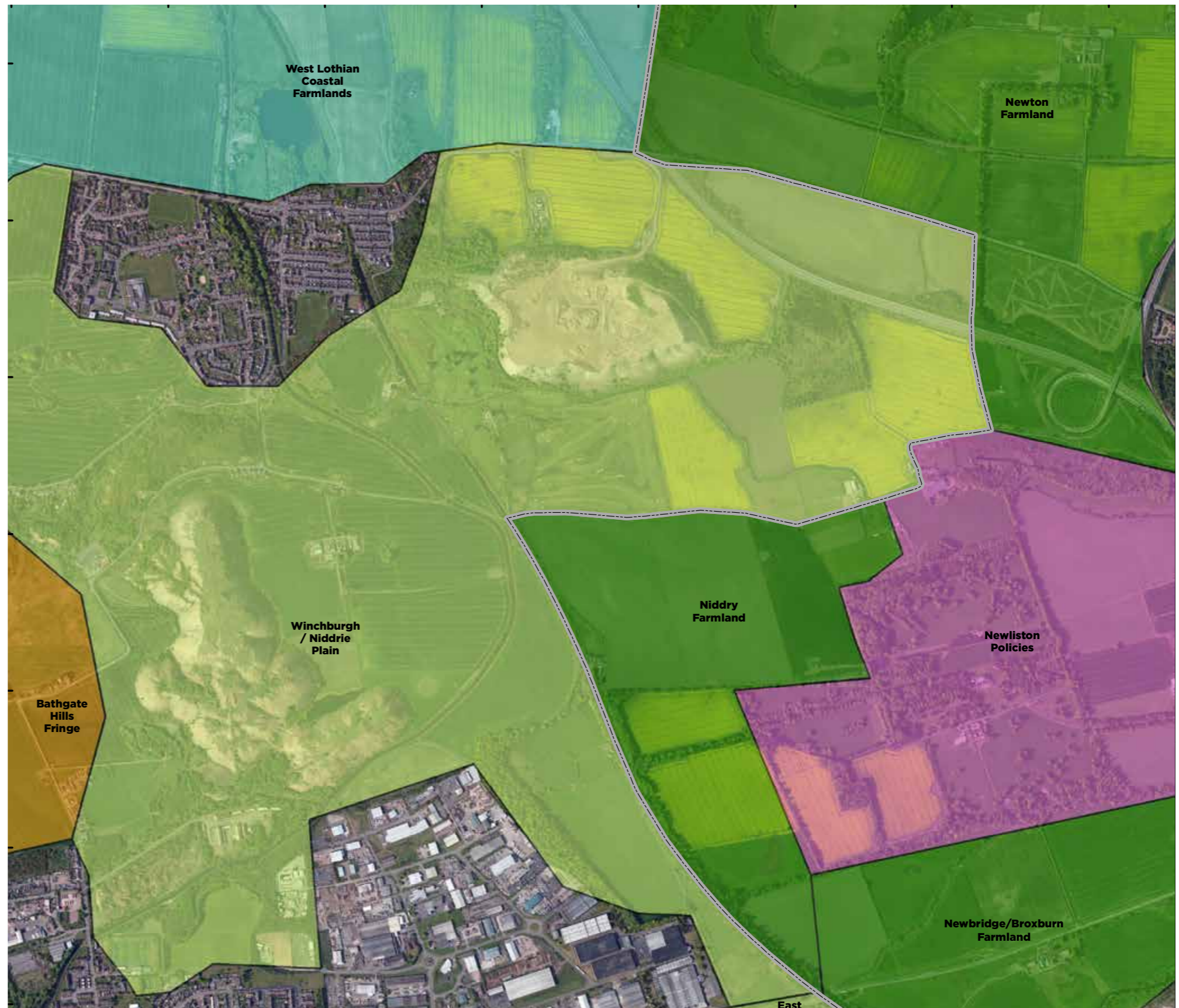
Niddry Castle is a Category A Listed Building in the form of a stone built, four storey keep that has been restored from its previously ruined form for use as a house. It is located to the south of Niddry Castle Bing and Niddry Castle Golf Course.

The Greendykes and Faucheldean bings as well as the Union Canal and the Niddry Farm enclosure SAMs, the Listed Building of Niddry Castle and the Garden and Designed Landscape (GDL) of Newliston House (located in the City of Edinburgh Council administrative area) have settings that are protected by planning policy.







Niddry farmstead lies on raised ground to the east Greendykes Bing. Other development also exists within this area along the minor road with a row of houses at Niddry and the Niddry Farm Cottage and other dwellings further to the east. These buildings are located at the start of the 30mph limit. The Winchburgh Cemetery and the Sewage Treatment Works as well as the housing described above give this area a sense of its edge of settlement characteristics. Winchburgh is largely set beyond screening landform and woodland, however, the existing village is visible on the skyline to the north in views from locations within the Winchburgh/Niddry Plain as shown on Viewpoint 1. East Broxburn lies to the south but is not visible due to screening woodland and landform.

The main Glasgow-Edinburgh rail line runs through this area in cut. Its route is marked by vegetation but is otherwise not evident except when in close proximity to it.

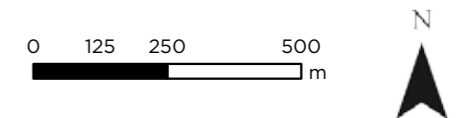
To the east and south of the area the woodland of the Garden and Designed Landscape of Newliston House which extends across the road to the edge of East Broxburn forms the edge of the open, agricultural plain.



### Legend

-  Local Authority Boundary
- West Lothian Landscape Character Type**  
*Source: West Lothian Landscape Character Classification (August 2014)*
-  Coastal Margins
-  Lowland Hill Fringes
-  Lowland Plains
- Edinburgh Landscape Character Type**  
*Source: Edinburgh Landscape Character Assessment (January 2010)*
-  Lowland Farmland
-  Policy Landscape

**Figure 2: Landscape Character**



## Countryside Belt

West Lothian Council has designated part of the Niddry/Winchburgh Plain as Countryside Belt and set out the associated policies within the LDP Proposed Plan. The following is an extract from the WLDP Proposed Plan that provides more information on this.

### Policy ENV 7 - Countryside Belts and Settlement Setting

5.144 Countryside Belts are spatial designations, and critical planning tools somewhat like statutory greenbelts around Scotland's cities, for the purposes of controlling urban spread into the countryside. A key purpose is to maintain the identity of towns by avoiding coalescence. Protecting the setting of settlements is another important purpose of countryside belts. Generally Countryside Belts are comprised of agricultural and undeveloped land, not necessarily idyllic countryside but of a quality sufficient to provide access to informal green space. They offer a definable edge to urban development and avoid suburbanisation of the countryside and sporadic development which can harm the setting of settlements and their identifiable characteristics.

5.145 To control urban development, Countryside Belts are defined for a planning purpose - such as where development pressures are likely to cause the unwanted merger of two settlements - and not necessarily based on the quality of the countryside within the designation. They are formed around Livingston; Bathgate/ Whitburn, Winchburgh/Broxburn; East Calder/ Kirknewton and Linlithgow/Philpstoun & Bridgend. It is desirable for the countryside areas designated within Countryside Belts to be improved and generally this follows landscape character, biodiversity and should include opportunities for recreation and active travel.

#### The strategic purposes of Countryside Belts are to:

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

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

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

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

In summary a Countryside Belt is designated between Winchburgh and Broxburn to prevent the coalescence of these settlements. The landscape integrity of the area and the provision of community woodlands and recreational access will be important management objectives linked to the setting and amenity value of Greendykes Bing. The potential for Heritage Park exists in this location.

## Visual receptors and views

Within the study area the key visual receptors are the residents of a small number of properties, people using the minor roads, people using the Union Canal and the associated Public Right of Way and National Cycle Route along the towpath, Winchburgh Cemetery. Niddry Castle Golf Course users and users of other paths also gain views of this area. People may also be working in the area e.g. on farms and at the Sewage Treatment Works.

The road that provide the main opportunity for views within the area is the minor road that runs between Winchburgh and East Broxburn. To the north of the junction at Niddry this is the B8020 that connects Winchburgh and Broxburn. From the junction at Niddry a minor road runs east and then south, after crossing the Union Canal and rail line, linking in to the A89 to the east of the East Mains Industrial Estate. A further minor route joins this near to the

rail bridge and provides a link to Kirkliston. From this route, when travelling west, open views are obtained across the Countryside Belt. Such views are illustrated by Viewpoint 2.

Views across the Countryside Corridor from the minor roads that link between Winchburgh and eastern Broxburn are restricted in places by woodland in the south and landform in the north. Narrow bridges across the rail and canal corridors form important features along the route.

The B8020 that links Winchburgh and Broxburn passes between the Greendykes and Faucheldean bings immediately to the west of Niddry. These features restrict visibility of the area being considered in this study from parts of the Countryside Belt that lie further to the east.

The Union Canal passes across the Countryside Belt generally at grade or on embankment. Open views of the Winchburgh/Niddry Plain are gained from much of the route between Greendykes Bing in the south to where it enters cutting to the north and passes through the village of Winchburgh. Viewpoints 1 and 3 illustrate views from the Union Canal towpath.

The residential properties are generally clustered within two areas at Niddry (and nearby cottages) and between Viewfield and Thistle Cottage in the south along the edge of Newliston. These have views across the northern and southern parts of the Countryside Belt respectively.

Other isolated residential properties are Niddry Castle, Niddry Farm and a large new property on the Kirkliston road.

Whilst the main Glasgow-Edinburgh rail line passes through the Countryside Corridor there is very little visibility of the wider landscape from the route which runs through a deep cutting at this point. It is possible to briefly glimpse Niddry Castle to the north of the line as one passes near to it at a point where the line passes through an area of less significant cutting.

### Legend








-  Newliston House Garden and designed landscape
-  Mixed Use Area (CDAs)
-  Woodland edge
-  Scheduled Ancient Monument (SAM)
-  Key views
-  Viewpoint
-  Niddry Castle



Figure 3: Key landscape features within the study area.



Viewpoint 1: View east from Union Canal towpath

Union Canal towpath

Winchburgh

Sewage treatment works

Northern area of  
Niddry Castle  
Golf Course

Niddry Castle Bing





*Low point*

Niddry Castle

Footbridge over rail line

*Rising area*

Union Canal towpath

Viewpoint 2: View west from minor road to Kirkliston

Existing woodland edge

Non scheduled part of  
Greendykes Bing

Area A of East Broxburn  
mixed use allocation



Greendykes  
Bing

Niddry Farm

Rail bridge

Niddry  
housing

Faucheldean  
Bing

Minor road East  
to Kirkliston



Viewpoint 3: View west from Union Canal towpath

Union Canal  
towpath

Union Canal  
bridge

Widened Canal area

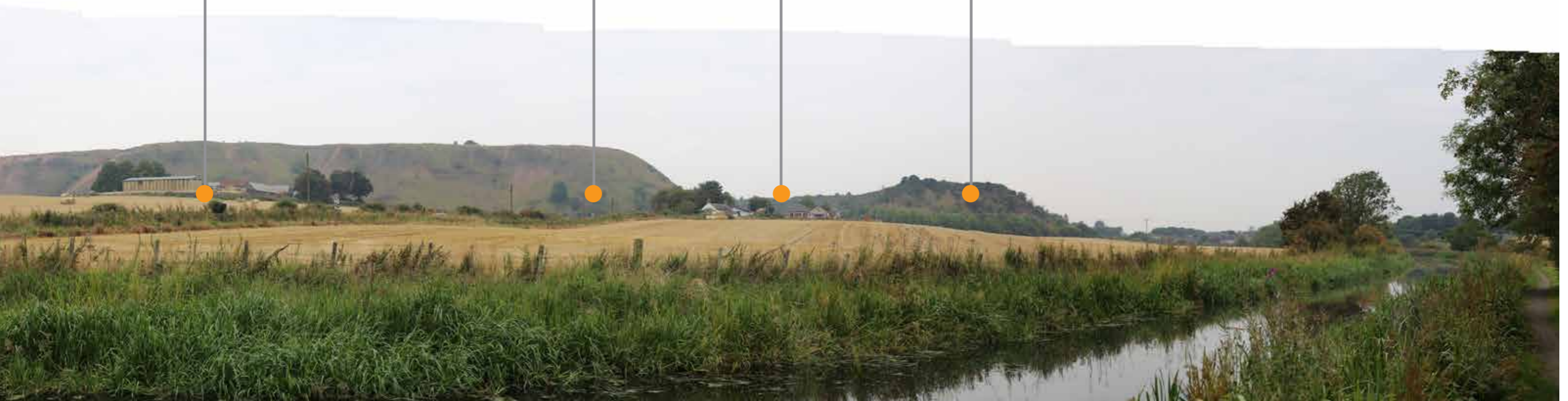


Niddry Farm

Greendykes Bing

Niddry Farm  
cottages

Faucheldean Bing



## Proposed East Broxburn northerly expansion

As part of the Winchburgh-East Broxburn CDA land to the north of East Broxburn was allocated as mixed use development with associated allocation of housing numbers. This is shown as area WW on the Figure 1 extracted from the WLLDP Proposed Plan. The allocation of this area of mixed use development has been carried through to the WLLDP Proposed Plan 2015.

In undertaking this study OPEN has considered the landscape and visual implications of the northerly expansion of eastern Broxburn. If the area shown on Figure 3 as Area A were to be developed as mixed use development in accordance with the proposed master plan for the area it would create a substantial physical and visual incursion across the Countryside Belt.

Currently the settlement of East Broxburn is not apparent in views until one reaches near to the edge of the industrial area when travelling along the Union Canal or towpath. Viewpoint 2 illustrates the prominence of Area A in views across the open Countryside Belt towards the Greendykes Bing SAM from the minor road to the east. Area A sits on higher ground than other parts of the mixed use allocation and would be seen extending across the middle ground within this view.

It is suggested that in accordance with the provision for the redrawing of the Countryside Belt and CDA boundaries as explained in PPCA Ltd's report this allocation should be drawn back to the defensible boundary to the south of the treed field edge. Development of the northerly edge of East Broxburn would then be contained by landform and woodland and have a limited effect on the character of the Countryside Corridor or Niddry/Winchburgh Plain. This redefined boundary is shown on Figure 4.

## Proposed Winchburgh Southerly Expansion and Mixed Use Allocation

The land to the south of Winchburgh has been considered in terms of its capacity to accommodate mixed use development whilst still allowing the aims of the Countryside Belt (Policy ENV 7) to be met.

Viewpoint 2 illustrates that the land to the east of Greendykes Bing and south of the minor road offers a wide expanse of open countryside that provides a visual and physical separation of the two settlements which is enhanced by the removal of Area A from the East Broxburn northerly expansion. This is apparent from the minor roads and the Union Canal and towpath as one passes through the area.

Also of note in Viewpoint 2 is the fact that the areas to the north of the road and west of the rail line are not visible from this part of the Countryside Belt due to the landform. Whilst their development as Mixed Use areas would result in a change in character of part of the Winchburgh/ Niddry landscape unit this would have a relatively localised effect on the edge of the existing countryside and would not impinge on the setting of Greendykes Bing SAM or the most open, undeveloped parts of the Countryside Belt to its east. There would be some impingement on the setting of Niddry Castle, however substantial parts of its outlook would remain open.

The minor road that runs from Niddry eastwards and railway line provide a defensible boundary to a potential redefined Mixed Use development area. From the Union Canal and towpath the bridge that carries the minor road across it (as seen in Viewpoint 3) illustrates the strong transitional feature that this creates between the proposed southerly extents of Winchburgh and the countryside beyond.

## Proposed changes to Countryside Belt boundary

It is proposed that the boundary of the Countryside Belt should be redefined as shown on Figure 4. This will allow the allocation of Mixed Use development within areas to the south of Winchburgh that can be accommodated on the edge of the countryside area that has some existing 'edge of urban' characteristics, has a defensible boundary in the form of the minor road and has a degree of separation from the wider expanse of the Countryside Belt through landform and features such as the bridges and roads. This could be done without compromising the character and aims of the Countryside Belt to the degree that the northern extension of East Broxburn undoubtedly would through its substantial physical and visual incursion into the open countryside area of the Niddry/ Winchburgh Plain character unit.

It is proposed that the Countryside Belt boundary as shown on Figure 1 should be redrawn as shown in Figure 4 to include the expanded areas H-WB17 as a Mixed Use Area and the area to the south east identified as E01-199 to be included as a Future Mixed Use Area.

### Legend













-  Countryside Belt boundary
-  Right Of Way
-  Canal towpath
-  Countryside Belt
-  Newliston House Garden and designed landscape
-  Open space
-  Employment site
-  Scheduled Ancient Monument
-  Cemetery expansion
-  Tree preservation order
-  Mixed Use Area (CDAs)
-  Future Mixed Use Area



Figure 4: Proposed alteration of Local Development Plan Proposed Plan boundaries



## Proposed expansion to mixed use development area

In line with the changes described in the previous section to the Countryside Boundary and the proposed southerly expansion of Winchburgh, it is proposed that the boundary of Proposal H-WB17 as shown on Figure 1 should be extended as shown on Figure 4. Access to the site would come from the north and be part of the proposed H-WB17 allocation in the Proposed Plan.

The site is currently in use as a part of a wider golf course and benefits from a mature landscape setting and clearly defined development boundaries. To the south are Niddry Castle and its grounds and the remainder of the golf course. The Castle is a Listed Building and any development proposals would take full cognisance of its setting as part of detailed design proposals. The proposed development would work with the landscape setting to create a high quality residential layout and provide appropriate boundaries to Niddry castle and the Countryside Belt. Given the location and scale of the proposed development site, it is considered essential that a masterplan be prepared and submitted as part of any future planning applications. Technical issues such as noise associated with the rail line would also be addressed through this route.

## Proposed future development area

During the 'life' of the development plan under consideration it is envisaged that the Niddry Castle bing will be depleted to such an extent that it presents a suitable location for further housing on brownfield land in close proximity to the services and infrastructure provided by Winchburgh.

In tandem with this area coming forward for development it is proposed that an area to the south and east of this (currently part of Niddry Golf Course and the bing respectively) should also be removed from the Countryside Corridor to provide additional areas for mixed use development at this stage. The proposal for future development on the golf course would be consistent with the proposed use of the Auldcaithie recreation area, post remediation in the WLLDP Proposed Plan as a new golf course.

It is envisaged that built development components of the mixed use allocation within this area would be set back from the minor road and Niddry Castle by some distance in order to maintain a suitable separation and to maintain the sense of the open landscape of the Countryside Belt in this area. A suitable set back and landscape mitigation along the western, eastern and southern boundaries would be agreed in detail at a later stage along with plans for the integrated development of this area with the former Niddry Castle Bing site.

## Future master planning of Winchburgh Southerly Expansion Area

Whilst the proposed boundary of the future mixed use area (E01-0199) is shown to extend right to the minor road, in line with H-WB17 and other allocated sites it is not proposed that the full area would become built development. Parts of the site would remain undeveloped except as part of the landscape framework. The purpose of these areas will be to:

- Provide a set back to the edge of built development from sensitive locations such as Niddry Castle whilst also avoiding the higher parts of the proposed allocations that lie close to the retained Countryside Belt as seen in Viewpoints 1 and 3;
- Retain open views from and to some of the key features of the landscape such as Niddry Castle, Greendykes Bing and the canal bridges (Viewpoint 1 and 3 illustrate some of the areas that would form part of the landscape framework); and
- Accommodate woodland and open space for use by the communities and forming a constituent part of a Heritage Park that is accessible from the Union Canal and the integrated path network of Winchburgh and its planned expansion.

There is ready access from the canal and the integrated path network of Winchburgh with the towpath providing a link to Broxburn. It also allows views of the Greendykes Bing and Niddry Castle that can be the focus of interpretative material.

## Conclusion

PPCA Ltd has highlighted the need to increase the housing land supply in this area as part of wider representations to the West Lothian Council Local Development Plan Proposed Plan 2015. The land to the south of Winchburgh is able to accommodate further Mixed Use development in an extended area H-WB17 and additional land to the south and east of this within site EOI-199 (site area as identified in the MIR). These sites are well connected with the facilities and infrastructure of Winchburgh in the short, medium and longer term.

The Local Development Plan allows for the de-allocation of land that has not been shown to be progressing towards development and there is also a provision for the redrawing of the Countryside Belt if necessary.

The northern boundary of the East Broxburn Mixed Use allocation (H-BJ10 in the WLLDP Proposed Plan 2015) should be redrawn to more defensible boundaries. This will avoid the substantial incursion into the most open part of the Countryside Belt in the Winchburgh /Niddry Character Unit that this would otherwise create.

The boundaries of the Countryside Belt should be redrawn to address these changes in the Mixed Use allocations to the north and south.

The resultant width of the Countryside Belt and the sense of separation between the communities of East Broxburn and Winchburgh will be increased as a result of this alteration and the sensitive master planning of the allocated areas.

The land at Winchburgh can provide deliverable and well integrated housing as well as a landscape framework that can be of benefit to the local communities, protect areas of sensitivity and include provision for the Heritage Park that is easily accessible via the canal and towpath.

In the longer term Niddry Castle Bing will have been diminished and will come forward as a potential housing area on brownfield land. In tandem with this it is proposed that the southerly part of the current Niddry Castle Golf Course land is developed as Mixed Use with suitable set-backs from the road and Niddry Castle as well as landscape mitigation to be agreed nearer the time. The Countryside Belt would be redrawn accordingly to accommodate this.



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**Submission to the  
West Lothian Council Local Development Plan Proposed Plan  
on behalf of Winchburgh Developments Ltd**



November 2015

**PPCA Limited**

**Job no: 1339**

## **Contents**

- 1. Introduction**
- 2. National Planning Framework 3 (NPF3)**
- 3. Scottish Planning Policy**
- 4. Strategic Development Plan**
- 5. West Lothian Council Local Development Plan Proposed Plan**

## **Introduction**

1. PPCA Ltd has been instructed by Winchburgh Developments Ltd to make a formal response to the West Lothian Council Local Development Plan Proposed Plan and supporting documentation published for consultation purposes in October 2015.
2. Winchburgh Developments Ltd has, variously, made representations to the emerging Local Development Plan for the West Lothian Council area as prepared by the Council including to the previous call for sites exercise and Main Issues Report stage of the Plan. Where appropriate, these representations have been carried forward to the Proposed Plan stage and are set out in detail below.
3. This Report follows, wherever possible, the format of the Proposed Plan and supporting documentation.

## **National Planning Framework 3 (NPF3)**

4. 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 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.
5. NPF3 notes, at paragraph 2.5, that the Scottish Government wants to see a significant increase in house building in coming years to ensure housing requirements are met across the country. It notes the need for flexibility in housing delivery and that the planning system should focus its efforts particularly on areas where the greatest levels of change are expected and where there is pressure for development. West Lothian Council is one such area.
6. NPF3 notes that throughout Scotland, there will be a need to ensure a generous supply of housing land in sustainable places where people want to live, providing enough homes and supporting economic growth. Winchburgh is such a location as demonstrated by detailed assessment set out below.
7. It notes that housing requirements will continue to be at their most acute around Edinburgh, Perth and Aberdeen, requiring targeted action to better match demand for land with infrastructure capacity. Winchburgh Developments Ltd is working collaboratively with West

Lothian Council and other third parties to ensure that delivery of housing and associated uses at Winchburgh is not held up by infrastructure requirements.

8. NPF3 notes that more ambitious and imaginative planning will be needed to meet requirements for a generous and effective supply of land for housing in a sustainable way. The Scottish Government specifically wishes to see a greater and more concerted effort to deliver a generous supply of housing land in the SESplan Strategic Development Plan area. A Key Action for NPF3 is to support housing development and the Scottish Government will work with housing providers and the development sector to achieve this. That approach is endorsed and promoted through this representation.
9. NPF3 confirms the Scottish Government's central purpose to create a more successful country, with opportunities for all 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 natural and cultural assets.
10. Job creation is a fundamental aim of the Scottish Government Economic Strategy and forms part of the sustainable economic growth policy set out in NPF3. Paragraph 2.2 notes –

*“The Scottish Government Economic Strategy aims to stimulate economic activity and investment across all of Scotland's communities. It sets out the action we are taking to accelerate economic recovery and provide jobs and identifies seven key sectors with particular opportunities for growth. These opportunities arise from existing competitive advantage and the potential to capitalise on our natural assets. Our key sectors are: energy; food and drink; life sciences; tourism; financial and business services; universities and the creative industries.”*

11. In terms of employment, the Key Sectors prioritised by the Scottish Government in NPF3 are energy; food and drink; life sciences; tourism; financial and business services; universities and the creative industries. This is a move away from the traditional light and heavy industrial employment uses of previous decades. Winchburgh is a location that can accommodate a wide range of employment generating uses thus increasing the sustainable characteristics of the expanding settlement, the locality and West Lothian Council as a whole.

12. 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. This is endorsed and promoted as part of the ongoing strategic expansion of Winchburgh.
  
13. NPF3 explains that Scotland's seven city regions will continue to be a focus for investment, and the spatial strategy provides a growth and development agenda for each of the city regions.



### 3 Scottish Planning Policy

14. Scottish Planning Policy, published in 2014, set out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land in Scotland. In line with NPF3 it promotes sustainable economic growth and a presumption in favour of development that contributes to sustainable development.

15. It notes 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. Planning therefore has an important role in promoting strong, resilient and inclusive communities. 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.”*

16. The strategic expansion of Winchburgh, the successful delivery of the first phases of development there and the ongoing interest and demand for more land from the development industry clearly demonstrate that this is the right type of development in the right location.

17. Fundamental to the requirement to promote land in within Local Development Plans, and following paragraph 27, Scottish Planning Policy sets out a presumption in favour of development that contributes to sustainable development. Planning, and this Local Development Plan, should support economically, environmentally and socially sustainable places by enabling development that balances costs and benefits over the longer term to achieve development in the right place.

18. From the above Scottish Planning Policy requires that Development Plans be consistent with the policy framework set out in it, including the presumption in favour of development that contributes to sustainable development. Development Plans should positively seek opportunities to meet the development needs of the plan area in a way which is flexible enough to adapt to changing circumstances over time. They should support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. They should be up-to-date, place-based and enabling with a spatial strategy that is implemented

through policies and proposals and set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achieved.

19. Scottish Planning Policy paragraph 28 states 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. Development Plan policy should give due weight to net economic benefit, support good design and make efficient use of land, buildings and infrastructure. It should also support regeneration, the delivery of accessible housing, business, retailing and leisure development and infrastructure e.g. education and transport. It should improve health and well-being by offering opportunities for social interaction and physical activity and protect, enhance and promote the natural and built environment.
20. The principle of additional development land at Winchburgh complies with the above requirements in full. Allocation of additional land at Winchburgh in the control of Winchburgh Developments Ltd will achieve the flexibility desired by Scottish Planning Policy and is wholly deliverable.
21. Both the NPF3 and Scottish Planning Policy endorse the need for planning to take every opportunity to create high quality places by taking a design-led approach. This is supported by Winchburgh Developments Ltd and put into practice at Winchburgh. Development at Winchburgh has, and would, take a holistic approach that responds to place whilst balancing cost and benefit of development over time.
22. Winchburgh Developments Ltd endorses the Scottish Planning Policy requirement that planning should direct development to the right place. Development at Winchburgh both uses existing resources and creates new ones with the capacity to expand. It will co-ordinate housing with other forms of development, open space and infrastructure. It will use land adjacent to the existing settlement to tie that development in to the settlement itself. Additional land for development at Winchburgh will have significant and ongoing benefit for the amenity of local people and the vitality of the local economy. As an example, it will help deliver new schools, a town centre and rail station for the settlement. Feedback from existing businesses shows that the additional population growth seen from only the first phase of completed and occupied development has benefitted their individual business interests.
23. In relation to business development, Scottish Planning Policy states that the planning system should promote a range of business and industrial development sites that increases

economic activity while safeguarding and enhancing the natural and built environments as national assets.

24. Local development plans should allocate a range of sites for business, taking account of current market demand; location, size, quality and infrastructure requirements; whether sites are serviced or serviceable within five years; the potential for a mix of uses; their accessibility to transport networks by walking, cycling and public transport and their integration with and access to existing transport networks.
25. The Local Development Plan Proposed Plan should allocate sites that meet the diverse needs of the different sectors and sizes of business which are important to the plan area in a way which is flexible enough to accommodate changing circumstances and allow the realisation of new opportunities and give due weight to net economic benefit of proposed development.
26. In relation to new housing development, Scottish Planning Policy notes that NPF3 aims to facilitate new housing development. 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. In particular, provision for new homes should be made in areas where economic investment is planned.
27. Scottish Planning Policy paragraph 110 notes that the planning system should identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5-year supply of effective housing land at all times. It should enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places, and have a sharp focus on the delivery of allocated sites embedded in action programmes, informed by strong engagement with stakeholders.
28. The Scottish Planning Policy makes an important distinction here between the identification of a generous (+10-20%) supply of land for development and the need to maintain at least a 5 year housing land supply at all times. Scottish Planning Policy allows for West Lothian Council to over allocate land for development. As noted below, this will be necessary, subject to certain caveats, to address the current significant failure in housing land supply.
29. Paragraph 119 notes that Local Development Plans in City Regions should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement of the strategic development plan up to year 10 from the expected

year of adoption. They should provide for a minimum of 5 years effective land supply at all times. In allocating sites, planning authorities should be confident that land can be brought forward for development within the plan period and that the range of sites allocated will enable the housing supply target to be met. Paragraph 122 notes that Local Development Plans should allocate appropriate sites to support the creation of sustainable mixed communities and successful places and help to ensure the continued delivery of new housing.

30. The Strategic Development Plan period runs from 2009 to 2024 and then on to 2032. It sets housing requirement periods as 2009-19, 2019-24 and beyond 2024. As such, we are significantly through the first ten year period of that Plan. It has been clarified through appeals recently that it is not appropriate to combine housing requirement periods. If, as anticipated the West Lothian Council Local Development Plan is adopted in 2016 that leaves only three years of the first ten year period remaining thus reinforcing the need to front load and over allocate land to ensure delivery of housing in the short term to meet Strategic Development Plan requirements.
31. Winchburgh is one such location where additional land can be brought forward in the short, medium and long term to deliver housing completions that will meet requirements and address, in part, the housing land supply shortfall. The expanded Winchburgh will be a wholly sustainable settlement offering a full range and choice of facilities and community uses. The issue of land supply and 5 year requirements is dealt with in detail by this submission below.
32. Scottish Planning Policy seeks to promote sustainable transport and active travel. Paragraph 270 notes that the planning system should support patterns of development which optimise the use of existing infrastructure, reduce the need to travel, facilitate travel by public transport and enable the integration of transport modes. Land promoted by Winchburgh Developments Ltd has taken full account of accessibility as part of the detailed site specific submissions accompanying this representation. Locations are accessible by a range and choice of transport mediums.

#### 4 Strategic Development Plan

33. The SESplan Strategic Development Plan was approved with modifications by the Scottish Government in June 2013. Supplementary Guidance on Housing Land was approved with modifications by the Scottish Government in June 2014. Together, this sets the strategic framework for land use planning in the period to 2032.
34. The foreword of the Plan states that it sets out a spatial strategy which recognises existing development commitments and promotes a sustainable pattern of growth. The strategy is supported by a framework for delivery which will promote and secure economic growth and the delivery of housing in the most sustainable locations; and promote the development of strategic transport and infrastructure networks to support that growth and to meet the needs of communities.
35. This is supplemented by the Plan Vision which states that, by 2032, the Edinburgh City Region will be a healthier, more prosperous and sustainable place which continues to be internationally recognised as an outstanding area in which to live, work and do business and a Spatial Strategy that seeks to build on existing committed development, focusing further development along preferred corridors optimising connectivity and access to services and jobs. West Lothian Council is both a Sub-Regional Area and one of thirteen Strategic Development Areas acting as the primary locations for growth and investment and focus for further development. The Plan notes that new development proposals will complement and not undermine the delivery of existing committed development. The Plan Spatial Strategy aims to encourage key development sectors and promote a sustainable growth pattern.
36. The Plan notes that the Scottish Government has set out that its central purpose is to increase sustainable economic growth, with the Strategic Development Plan taking a more pro-active role. It notes that while the recent economic downturn has affected delivery of and demand for housing, it is particularly important in supporting economic growth and recovery to ensure that sufficient land is allocated and available for housing development in the period up to 2024.
37. It notes that there is a significant amount of land currently allocated or with planning permission across the SESplan area. The extent to which those sites remain capable of delivering house completions by 2024 will be re-assessed in LDPs. Where necessary, alternative sites will be allocated, and a five year effective housing land supply will be maintained at all times to ensure that delivery is not unnecessarily constrained. Allocating sufficient land and maintaining a five years' effective housing land supply at all times will

assist in increasing the delivery of new housing as soon as restrictions ease. In terms of infrastructure, Local Development Plans should make provision for the priority strategic interventions and identify additional local projects that will be necessary to facilitate the Strategic Development Plan. Investment in existing and new infrastructure at the right time and in the right locations is a vital component of delivering sustainable economic growth.

38. This approach is wholly supported by Winchburgh Developments Ltd and considered necessary in light of ongoing development requirements at Winchburgh and the maintenance of a five year housing land supply as set out below. Allocation of sufficient land to maintain at least a five year supply at all times is a Scottish Government requirement as noted above.
39. The Plan notes infrastructure issues associated with new development in West Lothian including transport and education. Winchburgh Developments Ltd is working with the Council to deliver a new rail station at Winchburgh as well as nursery, primary and secondary education to accommodate growth. Detailed comments on the Local Development Plan Proposed Plan in respect of this are asset out below.
40. The Strategic Development Plan notes that new housing allocations could be directed towards existing committed developments if it can be demonstrated that they can contribute towards the housing requirement within the specified time periods. Winchburgh can accommodate and deliver short, medium and long term growth over and above that committed development that is the subject of planning permission and potential allocations made in the Proposed Plan to meet actual housing need
41. The Plan sets overall housing land requirements and, through Policy 5, uses Supplementary Guidance to establish the spatial split of that between the six constituent planning authorities. In the period to 2019, West Lothian Council is expected to identify land capable of delivering 11,420 dwellings. Policy 5 notes that Local Development Plans will allocate sufficient land which is capable of becoming effective and delivering the scale of the housing requirements for each period, which will be confirmed in the Supplementary Guidance.
42. Strategic Development Plan paragraph 115 states that –

*“Scottish Planning Policy confirms that allocating a generous supply of land for housing in the Development Plan will give the flexibility necessary for the continued delivery of new housing, even if unpredictable changes to the effective land supply occur during the life of the plan. Maintaining a supply of effective land for at least 5 years at all times should ensure that there is a continuing*

*generous supply of land for house building. In this context, it would not be appropriate, in the absence of any other constraints, to prevent the earlier development of any sites which are allocated for construction to start after 2019. Doing that could result in the unnecessary release of less suitable sites instead.”*

43. This is confirmed by Strategic Development Plan Policy 6. In that context, and based on the details set out below, it is wholly acceptable for West Lothian Council to concentrate the allocation of additional land at Winchburgh for the short, medium and long term delivery of housing completions that would assist in the maintenance of a five year housing land supply as required by Scottish Planning Policy and the Strategic Development Plan.

44. In relation to the maintenance of a five year housing land supply, Strategic Development Plan Policy 7 goes on to state that –

*Sites for greenfield housing development proposals either within or outwith the identified Strategic Development Areas may be allocated in Local Development Plans or granted planning permission to maintain a five years' effective housing land supply, 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*

45. Land identified at Winchburgh would be Development Plan led, of a scale necessary to enable short, medium and long term delivery of housing completions and in keeping with the character of the settlement. There is no Green Belt in West Lothian. Any additional infrastructure required as a result of the development would be committed or funded by the developer. This strategy, therefore, complies with Strategic Development Plan requirements set out above.

46. The Supplementary Guidance to the Strategic Development Plan on Housing Land provides further details in relation to Plan Policy 5 – Housing Land in relation to the distribution of housing land requirements by Local Authority within the Plan area.

47. It confirms that the total housing requirement 2009-2024 is 107,545 units with 74,835 units required to 2019 and that, to 2019, the West Lothian Council requirement is 11,420 units.

48. It states that most of the new housing requirement is expected to come forward on land already allocated for that purpose or with planning permission. The Plan also indicates that the new allocations required for the area could be directed towards existing committed developments if it can be demonstrated that they can contribute towards the housing requirement within the specified time periods. Winchburgh, as a committed development within a Core Development Area can deliver additional housing completions in the short – medium term over and above current delivery projections as outlined below.
49. At a 2012 base, it is expected that Local Development Plans will have to identify land to accommodate at least an additional 24,338 units. Table 3.2 of the Guidance notes that, for West Lothian as a whole, this translates into a requirement for additional land to accommodate, as a minimum, 2,130 units.
50. The Guidance refers to delivery and the need to maintain a five year housing land supply at all times. As a point of clarification, and in line with Scottish Planning Policy, this is a minimum requirement. The Council is within its rights to over allocate land that is deliverable to meet more than five years requirements. The issue of five year land supply is dealt with in detail below.
51. Figure 2 and page 87 of the Strategic Development Plan identifies a new rail station at Winchburgh as a strategic transport intervention. With co-operation from Network Rail on the release of the new EGIP timetable the earliest date that the station could be delivered is December 2018, but the cost of delivering the station has not been fully costed and agreed with Network Rail. Its viability is therefore not yet fully determined. Figure 2 also identifies the delivery of a new junction on the M9 predicated on the growth at Winchburgh. This is scheduled to open in 2019.
52. In relation to employment land, the Strategic Development Plan states that Local Development Plans should acknowledge and identify circumstances and locations in which non-conforming uses may be appropriate on strategic employment sites. This includes ancillary and support services and other uses which could be complementary to an employment land setting. The Strategic Development Plan notes that, while housing and retail development on strategic employment sites will normally be resisted, the development of mixed use communities (with residential and employment opportunities jointly provided) on strategic employment sites may be appropriate provided this is justified through a LDP and does not result in a net loss to the overall strategic employment land supply. The Strategic Development Plan notes that the following sectors are considered to be of strategic importance to the economy of the SESplan area: financial and business services, higher



education and the commercialisation of research, energy, tourism, life sciences, creative industries, food and drink and enabling (digital) technologies. Strategic Development Plan Policy 2 states, inter alia –

*“The Strategic Development Plan supports the development of a range of marketable sites of the size and quality to meet the requirements of business and industry within the SESplan area. Local Development Plans will support the delivery of the quantity of the established strategic employment land supply as identified below. Local Development Plans should also ensure that this provides a range and choice of marketable sites to meet anticipated requirements. The development of mixed communities (with residential and compatible employment opportunities jointly provided) on strategic employment sites may be appropriate provided this is justified through an LDP and does not result in a net loss to the overall strategic land supply.”*

53. The flexible approach endorsed by the Strategic Development Plan in relation to new economic development is wholly supported by Winchburgh Developments Ltd and must be reflected in the West Lothian Council Local Development Plan process.
54. Infrastructure delivery in phase with development and as part of a detailed funding programme is essential for the delivery of strategic growth areas. This is, generally, recognised by the Strategic Development Plan at paragraphs 121-123 and Policy 9. Concerns are raised below over the fact that the emerging Local Development Plan is not supported by a fully costed and detailed financial plan and that the Action Programme for the Local Development Plan is only (net) nine pages long and has a significant proportion of actions that are not costed and to be agreed with developers, landowners and third party funding organisations.

### **West Lothian Council Local Development Plan Proposed Plan**

55. Representation is lodged to paragraph 2.2 of the Local Development Plan which states that “It also provides a longer term framework for development beyond 2024 and reflects the spatial strategy set out in the Strategic Development Plan (SDP) for Edinburgh and South East Scotland – SDP1 and the preferred strategy set out in the Main Issues Report to SDP2.”
56. The Local Development Plan is required by the Town & Country Planning (Scotland) Act 1997 (as amended) to be consistent with the Strategic Development Plan to which it relates. In the case of the West Lothian Council Local Development Plan Proposed Plan this is the

current Approved SESPlan Strategic Development Plan (Approved June 2013) for the period for ten years after the expected date of adoption – likely 2016. There is no requirement in legislation for the Local Development Plan to be consistent with the emerging Strategic Development Plan Main Issues Report.

57. With respect to the Vision Statement on pages 8 and 9 of the Proposed Plan, Winchburgh Developments Ltd specifically supports the continued support given to the Winchburgh Core Development Area as an area of major development and the need to provide a generous supply of housing and maintain a five year housing land supply at all times. This latter point is dealt with later on in this submission.

58. Winchburgh Developments Ltd supports the principle set out on page 9 to –

*“ensure that all essential infrastructure and facilities are provided to support population and economic growth and where appropriate, secure proportional developer contributions to facilitate the delivery of such provision. It is important to note that without the necessary infrastructure requirements having been satisfactorily addressed the council will be unable to support development proposals”*

59. However, serious concern, and representation, is raised to the fact that the Local Development Plan Proposed Plan is not supported by a detailed parallel financial plan or assessment of the scale, nature, delivery timescales or funding of the infrastructure required.

60. It is known that education infrastructure is a significant and time critical constraint that requires development to proceed across the Council area. it is not sufficient for the Plan to simply state that the majority of development infrastructure is the responsibility of the developer or landowner when the Council has the ability to access funding such as City Deal or Scottish Futures Trust.

61. In terms of the spatial strategy set out in paragraph 5.4, Winchburgh Developments Ltd supports the continued recognition of the sustainable development credentials of the Winchburgh Core Development Area. The ongoing strategic expansion of Winchburgh is a positive success story and will continue to be so with joint working with the Council and other third party agencies. Winchburgh Developments Ltd supports the statement that further land allocations are required to meet SESplan requirements in full (a requirement of Scottish Planning Policy).

62. Winchburgh Developments Ltd supports the additional allocations made at Winchburgh as set out below and have lodged representations to the non-allocation of land beyond that, required to maintain a five year housing and supply in its control in the settlement.

63. Additional land allocations on land in the control of Winchburgh Developments Ltd will also meet the sustainability criteria listed in paragraph 5.2 of the Local Development Plan. Winchburgh is a sustainable location that will be made even more so with the ongoing strategic expansion that will deliver homes, a town centre, a new rail station, motorway junction, schools, community uses and commercial employment opportunities. The Council must accept that greenfield land release will be required to enable, in part brownfield regeneration opportunities through, for example the front funding of infrastructure.

#### Employment Development and Growth

64. Winchburgh Developments Ltd supports the ongoing priority given to Winchburgh as an employment generating location. However, representation is lodged to Local Development Plan Proposed Plan EMP1 and its approach to restricting employment opportunities to Use Classes 4, 5 and 6. This is not representative of the forms of employment generating activity that would be welcomed and suitable for locations such as Winchburgh and does not reflect the planning permission in principle in place for the strategic expansion of the settlement or the flexible approach to growth advocated by NPF3 and Scottish Planning Policy as detailed above. For example, retail and hotel / leisure development are employment generating uses that may be acceptable within employment areas. The Policy must be amended to remove the restrictive references to Use Classes 4, 5 and 6 and allow other employment generating uses to come to the Council area. This would reflect the flexible approach promoted in the Winchburgh strategic growth planning permission in principle and the traditional industrial estate areas as advocated in Proposed Plan Policy EMP2. The same flexible approach should be adopted in Policy EMP1.

#### Housing Growth, Delivery and Sustainable Housing Locations

65. Representation is lodged to paragraph 5.37 of the Local Development Plan. This must state that housing requirements are to be met in full as per Scottish Planning Policy.

66. Winchburgh Developments Ltd supports the first three bullet points of the paragraph and notes that Winchburgh is achieving the sustainable development aims and objectives set out within these. The Council must recognise, however, that infrastructure funding cannot be the sole responsibility of the development industry or landowners as noted above and a fully

comprehensive financial plan is required to support the delivery of this Local Development Plan immediately.

67. Representation is lodged to the reference that the maintenance of a five year housing land supply must be achieved by housing sector. There is no requirement to do this in the SESplan Strategic Development Plan. The need to maintain a five year housing land supply is tenure blind. The bullet point as worded and those following would, potentially, allow the Council to prioritise affordable housing delivery of that for market sale. This is unacceptable especially given the fact that it is the delivery of market sale housing that will cross fund the infrastructure necessary to allow development to happen in the first place. This also runs contrary to the statements earlier in the Proposed Plan that developers should fund infrastructure.
68. Representation is lodged to paragraphs 5.38-5.46 and Figure 4 and all Local Development Plan references to Housing Need & Demand Analysis 2 that has been prepared to inform the emerging SESPlan 2 Strategic Development Plan. This Local Development Plan must be consistent with the requirements of SESPlan 1 (Approved June 2013).
69. Representation is lodged to paragraph 5.47 and Figure 5 in relation to housing and supply shortfall and future programming. The housing land supply situation is set out below in detail. However, Winchburgh Developments Ltd supports the assertion in paragraph 5.47 that there is the opportunity to increase output from development sites. This is very much the case in Winchburgh. Winchburgh Developments Ltd endorses Policy HOU1 subject to comments outlined below on Appendix 2.

### Housing supply 2009-2014

70. West Lothian Council fails to comply with Scottish Planning Policy and the Strategic Development Plan at this time in relation to the maintenance of a five year housing land supply. This is demonstrated using the agreed Housing Land Audits from 2010-14 below for the period 2009 to 2019.

Completions 2009-2010: 543 units

Completions 2010-2011: 530 units

Completions 2011-2012: 229 units

Completions 2012-2013: 523 units

Completions 2013-2014: 615 units

#### **Completions 2009-2014: 2,440 units**

SESplan Strategic Development Plan requirement to 2019: 11,420 units

SESplan Strategic Development Plan requirement to 2014: 5,710 units

Completions 2009 – 2014 2,440 units

#### **Strategic Development Plan housing shortfall to 2014: 3,270 units**

(Sources: Agreed Audits 2010-2014; Finalised Audit 2015, SESPlan Strategic Development Plan)

71. The housing land supply failure is significant and consistent. This is contrary to both Scottish Planning Policy and Strategic Development Plan Policy 5.

### Housing supply projections 2014-2019

72. The emerging Local Development Plan will not, likely, be formally adopted until late 2016 at the earliest. Even with that, there is a clear and ongoing failure to maintain a five year housing land supply in the West Lothian Council area at 2014. The Council housing land supply position for the Local Development Plan is not starting from a neutral zero requirement point. Current Local Development Plan allocations will not meet Strategic Development Plan requirements without the identification of additional land that is deliverable in the short term such as that which is the subject of representation below.

73. The five year housing land supply requirement in the Council area has failed since circa 2008/09. This is demonstrated below for the period 2009 (the start of the Strategic

Development Plan period) to 2014/15. This methodology has been agreed through the Scottish Government planning appeal process.

**Strategic Development Plan requirement**

SESPlan housing land requirement 2009-2019: 11,420 units

**Table 1: Calculating the effective housing land supply 2009-19**

Housing completions 2009-14	2,440
Audit year effective supply 2014-19	4,799
<u>Council total supply 2009-19</u>	7,239
(source: Housing Land Audits 2010 to 2014)	
<b>Housing land requirement</b>	11,420
minus	
<b>Housing completions to date</b>	2,440
equals	
<b>Remaining requirement 2014-19</b>	8,980
<b>Five year supply</b>	4,799 units
<b>Shortfall in land supply to 2019</b>	<b>4,181 units</b>

74. The above figures equate to a housing supply of only **2.67 years in the period to 2019**. The scale of the problem is such that even development “hotspots” cannot, alone, make up the shortfall.

75. Emerging Local Development Plan allocations cannot be considered to make up the shortfall given that the Local Development Plan will not be formally adopted until late 2016 at best and sites within that Plan will not deliver completions until 2017 or 2018 i.e. three years away. Even should an additional 400-500 units be completed in later Audit years these would only replace completions that have occurred in earlier years on sites no longer in the Audit process. Housing land delivery is a dynamic process that requires constant supply.

76. Whilst it may be too late to meet Strategic Development Plan requirements through the Local Development Plan process to 2019, the shortfall above is significant, ongoing and will not disappear post 2019. It is an actual calculated need shortfall. The Local Development Plan needs to significantly over-allocate beyond that level of generosity that it adheres to in order to, at least, provide the opportunity to make up the housing need shortfall. This is reflected in the statement made in the Local Development Plan at paragraph 5.52 that “The LDP cannot guarantee that all sites will come forward”. Additional land at Winchburgh, that is sustainable, deliverable and effective as promoted through this submission, must be allocated to contribute to this.
77. Representation is lodged to paragraph 5.53 of the Local Development Plan Proposed Plan. If the Local Development Plan is to achieve a five year housing land requirement, even with the admission in the previous paragraph that it may not be able to do so, this can only be done in a plan-led system by the over allocation of land to meet housing requirements. The Council has, simply, not allocated sufficient land to meet requirements moving forwards and make up the ongoing shortfall that it faces of the scale set out above. Representation is lodged to the statement that where there is an infrastructure constraint this will have to be addressed by housing providers in the first instance. This is simply unworkable and will make many sites undeliverable. It ignores the role and responsibility of the Council and the variety of funding streams that it has access to that will enable cross funding of the scale of infrastructure involved.
78. Representation is lodged to the statement that “Going forward the five year land requirement will be measures on a specific tenure basis rather than as a single requirement as has been the case up to now.” as there is no Strategic Development Plan basis to do this. The need to maintain a five year housing land supply is, at this time, tenure blind.
79. Representation is lodged to Policy HOU2 and the use of the word “endeavour” in the first line as the requirement to maintain a five year housing and supply is set out in Scottish Planning Policy and Strategic Development Plan Policy 6.
80. Representation is lodged to the intention to safeguard land for longer term housing development that may become necessary as a result of failure to maintain a five year housing land supply. This approach was attempted through the adopted East Lothian Local Plan and failed. The Local Development Plan is required to meet development requirements in full in the period to ten years from anticipated date of adoption. Housing land must be allocated to meet housing requirements in full.
81. Concern is raised by Winchburgh Developments Ltd to references in paragraph 5.59 to the need for Winchburgh and East Broxburn developers to work together to deliver

infrastructure. The Winchburgh portion of the Core Development Area has the benefit of planning permission in principle and has been delivering housing occupations for a number of years. There is no planning permission in place for the East Broxburn CDA at this time and, it would appear, little prospect of such permission being issued. Previous attempts to engage with the East Broxburn CDA planning application parties to address open space provision between the settlements were unsuccessful.

82. Of the 2,300 units identified in the Broxburn Section of Appendix 2 of the Proposed Plan, over 1,500 are non-effective according to Housing Land Audit 2014 (see Tables below). This is due to a combination of infrastructure, contamination, funding and marketability factors that will not, likely be overcome in the short term i.e. the next five years. However, the Local Development Plan Proposed Plan, Broxburn residential development sites are required to make a financial contribution to new non-denominational secondary school provision at Winchburgh. The Council Planning Guidance on this matter that should confirm contribution amounts this isn't scheduled until post Local Development Plan and does not have the status of Supplementary Guidance that would require formal consultation.
83. Land at West Wood, identified in the Local Development Plan for 825 units below is, following a meeting with West Lothian Council planning officials in November 2015, unlikely to deliver any more than 650 units given site contamination and ground condition issues. This supports the position later on in this submission that the allocation area should be reduced and any consequent shortfall be redirected to the Winchburgh portion of the CDA to maintain housing numbers.
84. Land at Holmes North (Site C) is in the process of being sold to a nursing home provider by the Council and should be deleted from the housing land supply in its entirety on that basis.
85. The latest masterplan for the former Vion site indicates that only 190 homes are proposed for that detailed planning application site.

**East Broxburn residential sites list**

Site reference	Name	Capacity	Planning Status
H-BU1	Greendykes Road	50	Carried forward from current Local Plan. Listed as constrained in the latest agreed Housing Land Audit (2014) due to land use, infrastructure and marketability factors. Not, therefore, expected to come forward in next five years.
H-BU2	Holmes North (Site B)	20	Carried forward from current Local Plan. Listed as constrained in the latest agreed Housing Land Audit



			(2014) due to physical, infrastructure and marketability factors. Not, therefore, expected to come forward in next five years.
H-BU3	Holmes North (Site C)	8	Carried forward from current Local Plan. Listed as constrained in the latest agreed Housing Land Audit (2014) due to physical and marketability factors. Not, therefore, expected to come forward in next five years.
H-BU4	Albyn (Boland land) – part of CDA	350	Subject of application for planning permission in principle at this time. Listed as constrained in latest agreed Housing Land Audit (2014) due to contamination, land use and physical development reasons. Not, therefore, expected to come forward in next five years.
H-BU5	Candleworks – part of CDA	100	Carried forward from current Local Plan. Council owned. Requires access upgrades. Programmed for completions in Housing Land Audit 2014 in years 2017-20 at a rate of 24 / 28 dwellings per year.
H-BU6	Holmes North (Site A)	15	Carried forward from current Local Plan. Programmed for completions in Housing Land Audit 2014 in years 2017-19 at a rate of 5 dwellings per year.
H-BU7	West Main Street (former Broxburn primary school)	18	Under construction for flats for elderly persons. No education contributions sought.
H-BU8	Greendykes Road (West) part of CDA	580	Carried forward from current Local Plan. Programmed for completions in Housing Land Audit 2014 in years 2016-19 at a rate of 24 dwellings per year then 48 thereafter.
H-BU9	Greendykes Road (East) part of CDA – Ashdale / Boland land	135	Carried forward from current Local Plan. Listed as constrained in latest agreed Housing Land Audit (2014) due to marketability – delivery as a later phase of the wider CDA – post five years from now.
H-BU10	West Wood – part of CDA but now identified for mixed use development	825	Carried forward from current Local Plan. Programmed for completions in Housing Land Audit 2014 in years 2016-19 at a rate of 24 dwellings per year then 48 thereafter.
H-BU11	Church Street Depot	10	New allocation
H-BU12	Hillview Avenue	45	New allocation

H-BU13	Kirkhill North	230	New affordable housing allocation – planning permission granted 2015.
H-BU14	Former Vion factory	190	Subject of current detailed planning application.

### **Indicative site programming**

Site reference	2015	2016	2017	2018	2019	2020	2021	Post 2021
H-BU1	0	0	0	0	0	0	20	30
H-BU2	0	0	0	0	0	0	0	20
H-BU4	0	0	0	0	0	0	0	350
H-BU5	0	0	24	24	24	28	0	0
H-BU6	0	0	5	5	5	0	0	0
H-BU8	0	24	24	24	48	48	48	364
H-BU9	0	0	0	0	0	0	0	135
H-BU10	0	24	24	24	48	48	48	609
H-BU11	0	0	0	10	0	0	0	0
H-BU12	0	0	0	20	25	0	0	0
H-BU14	0	0	0	25	40	50	50	25
<b>TOTAL</b>	<b>0</b>	<b>48</b>	<b>77</b>	<b>132</b>	<b>190</b>	<b>174</b>	<b>166</b>	<b>1,533</b>

86. As such, Winchburgh Developments Ltd, as owners defined in the Section 75 Agreement for the Winchburgh planning permission in principle, are wholly responsible for infrastructure contributions at this time including schools, roads, drainage and power supply. There is no prospect of joint working arrangements being entered in to with East Broxburn developers or landowners in the short – medium term. This must be recognised and credited by the Council.

87. Winchburgh Developments Ltd supports the principles outlined in Local Development Plan Proposed Plan Policy CDA1.

88. Winchburgh Developments Ltd supports the statement set out in paragraph 5.64 in relation to the release of housing land at Linlithgow that “housing development can only proceed once secondary school capacity is available and it is therefore unlikely that land will be released before 2019 given current education constraints” and the sequential approach to land release set out in paragraph 5.65.

89. Local Development Plan paragraph 5.69, in relation to affordable housing, must recognise the role played by unsubsidised affordable housing provided by market house builders and landowners as a significant contributor, both now, and in future years to meeting need. The

Council cannot rely on rented accommodation to meet its housing needs. The adjacent City of Edinburgh Council has recently updated its affordable housing to list nine forms of affordable housing tenure that are acceptable in its area. This flexible approach must also be adopted by West Lothian Council in order that it best meets its affordable housing need.

90. Paragraph 5.70 again refers to Housing Need & Demand Assessment 2. The Local Development Plan must be consistent with the requirements of the first Approved Strategic Development Plan and, from that, the first Housing Need & Demand Assessment. This paragraph mixes up demand for housing which is aspirational and met by market housing and need for housing which is fixed. Affordable housing is based on need and not demand. The need for affordable housing is set out in the Housing Need & Demand Analysis supporting the first SESPlan Strategic Development Plan.
91. Clarification is sought from the Council by Winchburgh Developments Ltd in relation to Local Development Plan Policy HOU7 – Residential Care and Supported Accommodation. This refers to support where this meets an identified local need as defined by agreed joint strategies and commissioning plans by the council and NHS Lothian. It is not clear how this would apply to a private care home facility that would meet local needs and requirements to the same standards as any other. This should be clarified within the Policy or supporting text.

#### Infrastructure Requirements and Delivery

92. The co-ordination of infrastructure funding and delivery is crucial for the implementation of the Local Development Plan development strategy. Winchburgh Developments Ltd welcomes recognition in paragraphs to the need for appropriate forward planning and long term investment and mechanisms to ensure delivery and both public / private sector involvement in that process. However, the Local Development Plan Proposed Plan at paragraph 5.90 then states that “In the absence of increased funding from the Scottish Government to the council the onus of securing education provision to serve new development falls to developers”.
93. Whilst Winchburgh Developments Ltd recognises that the need for infrastructure delivery is consequent on new development arising, the Council must accept that such infrastructure cannot be funded upfront by development contributions alone due to cost.
94. Local Development Plan Proposed Plan paragraph 5.91 states “Given that the delivery of two new additional secondary schools is crucial to delivery of the spatial strategy and will

assist in removing constraints on new housing development". As such, any Supplementary Guidance to be produced in respect of this must be done so as soon as possible.

95. However, and as noted in representations lodged to Appendix Two of the Local Development Plan Proposed Plan below, the Local Development Plan must be accompanied by a financial plan setting out, in detail, the proposed funding arrangements and structure for major infrastructure requirements associated with development proposals. The Local Development Plan makes no direct reference to third party funding streams such as City Deal and Scottish Futures Trust as potential sources for development. The Council needs to confirm that it will actively engage with third party funding sources to meet development requirements.
96. Paragraph 5.88 refers to the production and / or updating of Supplementary Guidance on various topics. As per representations below on Appendix Two, Supplementary Guidance for education provision in particular must be initiated as soon as possible and be the subject of full scrutiny to ensure that new infrastructure is delivered in an efficient, timeous and equitable way.
97. Winchburgh Developments Ltd supports the commitment provided in Local Development Plan paragraph 5.128 to the delivery of a new rail station at Winchburgh.
98. Winchburgh Developments Ltd supports the identification of the future town centre to be created at Winchburgh as part of the wider strategic expansion of the settlement as a designated town centre. This gives recognition of the importance of the expanded settlement and will require ongoing joint working with the Council and other agencies to enable delivery.
99. Representation is lodged to Policy TCR2 in respect of the fact that commercial leisure facilities, including hotels will, depending on circumstances, prefer to be located along major transport links such as motorways. It will, often not be appropriate for new commercial uses to locate in town centres due to lack of development opportunities, accessibility, traffic management and air quality issues. As such, the Policy must take a more proactive and flexible approach to the location of such uses that will encourage such providers to come to West Lothian and create new employment opportunities. This representation is closely aligned to the representation lodged to Policy EMP2.
100. Whilst Winchburgh Developments Ltd accepts the principle of the Countryside Belt designation as set out in paragraph 5.145 of the Proposed Plan, representation is lodged to the boundary of the proposed designation between Winchburgh and East Broxburn as set out below.

101. Winchburgh Developments Ltd wishes to make representation to the existing boundary of the Countryside Belt as shown on Local Development Plan Proposed Plan Map 2 to the south of Winchburgh at the Niddry Castle Golf Course. It is contended that the balance of the northern portion of the Niddry Castle golf course (southeast of proposed allocation H-WB17) should be removed from the Countryside Belt and that the boundary of Proposal H-WB17 be extended to cover that area. It is further contended that site EOI-0199 (part) submitted as part of the Call for Sites exercise for the Local Development Plan and promoted through the Main Issues Report stage of the Plan be allocated for residential development.
102. The current Local Plan designates a Countryside Belt between Winchburgh and East Broxburn to prevent coalescence. Representation has been lodged, separately, to the Local Development Plan Proposed Plan that recommends an increase in the separation distance between Winchburgh and East Broxburn through a realignment of the north east corner of the East Broxburn Core Development Area boundary.
103. The current Local Plan notes that the landscape integrity of the area, community woodland provision and recreational access are important management objectives linked to the setting and amenity value of Greendykes Bing. It notes the potential for Heritage Park in this area. In this context, it is noted that in the Local Landscape Designation Review accompanying the Local Development Plan Proposed Plan that there is a diversity of uses within the area to the south and west of Niddry Bing.
104. The scale and location of the land proposed for removal from the Countryside Belt would not adversely affect the countryside setting or amenity of the local area. It will maintain landscape integrity by working development proposals within the existing landscape framework.

#### Representation to the boundary of Proposal H-WB17

105. Winchburgh Developments Ltd wishes to make representation to the boundary of Proposal H-WB17 as shown on Map 2 of the Local Development Plan Proposed Plan it is contended that the boundary should be extended as shown on the above map. Winchburgh Developments Ltd is in control of the site and able to bring it forward for development in the short term (2016-2021). It would make a contribution to the need to maintain a five year housing land supply in West Lothian.

106. As part of H-WB17 it is located immediately adjacent to the urban edge of the village and will link directly into it and its local facilities and services. It is well enclosed from a visual perspective being viewed against a wider landscape framework in part from the Union Canal towpath to the south. Access to the site would come from the north and be part of the proposed H-WB17 allocation in the Proposed Plan.
107. There is no issue with the deliverability of this site in the short term and in parallel with the ongoing strategic expansion of Winchburgh elsewhere in the village. There are five national house builders on site at this time and this will increase with the delivery of town centre affordable housing in the short term. The accompanying landscape assessment confirms that the proposed development site can be accommodated as a southern expansion of Winchburgh without adversely impacting upon the setting of the village or leading to coalescence with East Broxburn to the south.
108. Identification of the site as an extension to H-WB17 would have wider benefits to the strategic delivery of infrastructure in Winchburgh and, especially, new education infrastructure. The larger site would make direct short term financial contributions on a pro-rata basis to the delivery of new non-denominational primary and secondary school facilities in the town necessary to accommodate the wider growth planned for Winchburgh. This would, in turn, provide additional certainty and thereby reduce risk to the Council over the deliverability of such infrastructure and, in particular, funding of the first phase of a new non-denominational secondary school. It would make pro-rata contribution to other infrastructure such as roads and drainage as well as new community facilities such as town centre improvements, public art and open space provision in line with Development Plan requirements and the wider strategic growth of Winchburgh.
109. The site is currently in use as a part of a wider golf course and benefits from a mature landscape setting and clearly defined development boundaries. To the south are Niddry Castle and its grounds and the remainder of the golf course. The Castle is a Listed Building and any development proposals would take full cognisance of its setting as part of detailed design proposals. The proposed development would work with the landscape setting to create a high quality residential layout. Given the location and scale of the proposed development site, it is considered essential that a masterplan be prepared and submitted as part of any future planning applications. Technical issues such as noise associated with the rail line would also be addressed through this route.
110. The proposed development of the site for housing and associated uses would result in the need to relocate the golf course to an alternative location. The Local Development Plan

Proposed Plan would allow this to happen on the site of the former Auldcaithie Landfill. The site is free from constraints related to slope, aspect, flood risk, ground stability and vehicular access which would preclude its development. Infrastructure would be provided as part of the development of the proposed H-WB17 allocation.

#### Representation to the non allocation of site EOI-0199

111. Winchburgh Developments Ltd wishes to make representation to the non-allocation of land at Niddry Mains Golf course for mixed use, including residential, development and associated uses. The site in question is the site referred to EOI-0199 in the Local Development Plan Main Issues Report and on the Winchburgh Proposals Map and named Land at Niddry Castle Golf Club, south east of Winchburgh. Winchburgh Developments Ltd is in control of the site and able to bring it forward for development.
112. The Main Issues Report states that the site area is approximately 31.2 hectares. The revised site area of this submission is only approximately 11 hectares (see attached map). The net developable area, taking account of mitigation proposed in the accompanying OPEN Landscape Assessment including advance landscape planting, is proposed as circa 9 hectares. This has a residential capacity of circa 225 dwellings in a range and choice of sizes and tenures. The existing golf course would be relocated as part of any future development proposals.
113. The 2012 Grontmij Access Strategy submitted as part of the Council call for sites exercise for the wider golf course confirms that a suitable access arrangement is possible to serve the site as a residential development opportunity.
114. To the north of the site is the Niddry Castle Bing. This is currently being depleted to provide raw materials for infrastructure projects across Scotland. To the west of the site is the balance of the Niddry Mains Golf Course that is predominantly proposed for residential development under the terms of Local Development Plan Proposal H-WB17. To the east is open agricultural land. To the south is the Newliston Garden & Designed Landscape in the City of Edinburgh Council area. This formal designation forms a clear and long term development edge.
115. Winchburgh Developments Ltd recognises that the site in question has a physical relationship with the Bing that is currently being depleted to the north. The removal of the Bing will bring about fundamental change in the landscape. The former Bing area, as a brownfield redevelopment site, will provide the opportunity for additional residential

development on the urban edge of an extended Winchburgh. Winchburgh Developments Ltd supports its inclusion in the settlement boundary for the settlement.

116. 30. The removal of the Bing fundamentally changes the relationship that the representation site will have to the Bing itself. The Bing is currently, but in the future no longer, a physical barrier to development. It will be removed and a land platform created with the potential to accommodate residential and other uses on it. This establishes a physical and landform relationship between the depleted Bing site and this one. It would form part of a wider standalone south Winchburgh Housing Market Area in conjunction with other areas promoted for development through representations that is separate, but complimentary, to development areas to the north and west currently under construction.
117. The removal of the Bing and creation of a land platform will also fundamentally alter the relationship between this site and the expanded village in that the site would be seen as both as part of the extended village and any development proposals that come forward for the depleted Bing site.
118. The site also has a direct physical relationship with Site H-WB1 proposed for 250 residential dwellings in the Local Development Plan Proposed Plan. The site is in the control of Winchburgh Developments Ltd and there is no question of the site being made available for mixed use including housing delivery. A desktop analysis has confirmed that there are no known physical, environmental or infrastructure constraints within this site that would prevent development. The Niddry Burn that runs along the southern edge of the Bing would be taken in to account in the design of any future development.
119. The identification of the site as proposed by this representation will not adversely impact upon the continuation of the Countryside Belt between Winchburgh and East Broxburn. There is no prospect of significant development within the Designed Landscape to the south of the site. The formation of a landscaped edge occupying the southern portion of the site formalises that separation distance whilst, at the same time, providing a permanent physical buffer to development and edge to the expanded Winchburgh settlement.
120. Preparation of a wider masterplan incorporating the Bing to the north would ensure that development is delivered in an appropriate manner.
121. Site development can commence in the latter portion of the Local Development Plan period (2021-26) in the knowledge of final Bing depletion details at that time.



122. Representation is lodged, therefore, to the non-identification of the site as a medium – long term growth area for the town. The identification of the land above complies with that remit and will provide certainty to the Council, developers, landowners and the community over the long term growth strategy for the southern edge of the settlement now that strategic expansion has started to the west and north.

123. Winchburgh Developments Ltd supports the protection afforded to the Union Canal through Policy ENV12 subject to the supporting text acknowledging the existence of the planning permission in principle for the strategic expansion of the settlement.

#### Representation to the existing East Broxburn Core Development Area north eastern boundary

124. The Council aspiration for the creation and maintenance of a Green Corridor between Winchburgh and East Broxburn is supported by Winchburgh Developments Ltd.

125. Representation is lodged to the current north eastern Broxburn Core Development Area boundary as shown in the adopted West Lothian Local Plan. It is contended that the boundary is inappropriate in landscape terms and that built development in this location both actively encourages visual and perceived coalescence between Winchburgh and an expanded Broxburn and adversely affects the setting of the adjacent Design Garden & Historic Landscape to the east.

126. The latest iteration of the Broxburn Core Development Area masterplan produced and submitted to West Lothian Council shows the development of market housing along the eastern boundary of the allocation and almost to the northern most point of the northeast of the site (West Wood). Whilst the housing itself may not be visible from Winchburgh to the north the perception of coalescence travelling between the two settlements is unacceptable. This is due to the significantly reduced distance between the urban edges of both as a result of the development proposed through the Broxburn Core Development Area masterplan.

127. Following on from a meeting with West Lothian Council in November 2015 it is understood that the deliverability of the West Wood site has significant and fundamental contamination and ground condition issues that may prevent development. As such, the reality of the situation is that the 825 units expected by the Local Development Plan and Housing Land Audit for this site will, likely, never materialise.

128. There is no direct means of restricting the northernmost extent of residential development within the Broxburn Core Development Area masterplan other than to pull back the allocation to a more defensible and less intrusive boundary. This is demonstrated in the

OPEN Landscape Assessment that accompanies this submission which recommends a logical urban edge for an expanded Broxburn settlement.

129. This Assessment also provides commentary on the West Lothian Council Local Landscape Designation Review as it affects land to the south of Winchburgh (Local Development Plan Appendix 9).

130. The loss of land for residential development and the consequent loss in housing numbers as a result of the above amendment would be compensated for by the identification of land to the south of Winchburgh for mixed use development. The land in question to be lost would be retained as open space / agricultural land.

#### Local Development Plan Proposed Plan Appendices

131. Representation is lodged to Appendix Two of the Local Development Plan Proposed Plan. Whilst Winchburgh Developments Ltd supports the contributions strategy towards a new non-denominational secondary school at Winchburgh as set out in the Plan there is a lack of clarity available as to the mechanism to be employed to allow financial contributions towards the cost of providing the new school from development now. This must be set out in detail given the advanced nature of discussions on delivery of the school. It would also appear that the Local Development Plan seeks to allocate land for 2,000 units from the former CDA identified in the Strategic Development Plan as opposed to the 2,050 needed to meet requirements. This also places additional pressure on Winchburgh to meet its share of infrastructure requirements as part of the wider CDA.

132. In relation to the Core Development Area requirements accruing to Winchburgh, the Council must recognise that the delivery of a "Heritage Park" is aspirational and previous attempts by Winchburgh Developments Ltd to engage with other development interests jointly responsible for the delivery of any park have been unsuccessful.

133. Winchburgh Developments Ltd supports all of the proposed residential allocations in Winchburgh that form part of the current planning permission in principle for the strategic expansion of the settlement (reference 1012/P/05).

134. Winchburgh Developments Ltd further supports the identification of sites H-WB1 (Castle Road, (10 units) H-WB16 (Site West of Ross' Plantation, 250 units) and H-WB17 (Site West of Niddry Castle, 250 units subject to a boundary representation below) for residential development. All of these sites are deliverable, represent logical extensions of the existing

and future proposed urban boundary of the settlement and meet the tests of effectiveness set out in paragraph 55 of Planning Advice Note 2-2010.

135. Winchburgh Developments Ltd welcomes and supports the inclusion the Niddry Bing within the settlement boundary for Winchburgh. However, should, the Local Development Plan be formally adopted with the safeguarding of sites elsewhere within the Council area for future development requirements then this safeguarding should, equally apply to the site of the Niddry Bing given its longer term brownfield regeneration potential once extraction is exhausted.
136. Representation is lodged to Appendix Four of the Local Development Plan Proposed Plan in relation to the comparative weight given to, and timing of, supplementary guidance and planning guidance.
137. It is essential that the guidance produced for Developer Contributions for General Infrastructure for Site Delivery (Not including Transportation) and Education Strategy be produced as supplementary guidance to afford it appropriate scrutiny and ensure that it is applied on an equal basis to all that are required to contribute to such infrastructure. The delivery of non-denominational secondary school provision at Winchburgh must be done on an equitable basis such that no one development, developer or landowner is disadvantaged as a result of the timing of the introduction of such guidance.
138. Given the lead-in time associated with the delivery of education infrastructure and the advanced nature of discussions on the delivery of a new Winchburgh non-denominational secondary school, it is further essential that the two guidance subjects referred to above are produced as soon as possible and not subsequent to the Local Development Plan. The Local Development Plan Proposed Plan must commit to the above as part of the Appendix.