



Planning Statement

Murieston Road
Murieston
Livingston
West Lothian

Prepared by
Clarendon Planning and
Development Ltd

On behalf of
BDW Trading Ltd and
H&J Russell

April 2015



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List of Supporting Documents

- Location Plan
- *Planning Statement (comprising this document)*
- Housing Land Assessment
- Education Capacity Overview Statement
- Pre-application Consultation Report
- Landscape Visual Impact Assessment
- Archaeology Assessment
- Phase 1 Habitat Survey
- Transport Assessment
- Stage 1 Ground/Services Desktop Study
- Flood Risk Assessment & Drainage Strategy
- Design Statement including Indicative Site Layout

Section I - Background

I.1 Introduction

I.1.1

This Planning Statement supports the **application by BDW Trading Ltd and H&J Russell for Planning Permission in Principle** for residential development at Murieston Road, Murieston, Livingston, West Lothian.

I.1.2

Based on the site area and capacity (over 2 hectares and 50+ No. dwellings), the application is classified as a 'Major' development as defined by the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, with a statutory requirement for pre-application consultation. This process has been undertaken and detailed within the supporting PAC report.

I.1.3

This Statement provides the context and justification for the application in terms of an outline of the proposal, Development Plan and planning policy context and assessment and the key considerations to be taken into account.

I.1.4

With regard to the Environmental Impact Assessment (EIA) (Scotland) Regulations 2011, a screening opinion was requested from West Lothian Council on 27th May 2014. The Council subsequently, on 13th August 2014, confirmed that an EIA would not be required.

I.1.5

The application is supported by the key documents noted on Page 2.

I.2 Description & Location

I.2.1

The site is located on the south-western edge of Livingston in the Murieston locality. The site is bound by Murieston Road (and established housing) to the east, woodland and the Edinburgh-Glasgow rail-line to the north, woodland to the west and the tree-lined access track to Westfield House to the south. As illustrated on the **Figure I** (Page 4), the site has well defined boundaries.

I.2.2

The site extends to approximately 15 hectares and comprises non-prime agricultural land (Class 4*) utilised for grazing and including rough scrub/ woodland on site boundaries.

I.2.3

The supporting Design Statement provides additional commentary on site context and setting.

**Soil Survey of Scotland Staff. (1981). Land Capability for Agriculture maps of Scotland at a scale of 1:250 000. Macaulay Institute for Soil Research, Aberdeen*



Figure 1 - Aerial View of Application Site with established woodland on all boundaries and Murieston Road (local distributor) fronting the eastern boundary

1.3 Application Proposal

1.3.1

The purpose of this application is to seek **planning permission in principle for residential development with associated landscaping, footpaths and roads.**

1.3.2

The proposals were outlined at a **pre-application consultation event** in May 2014 (as detailed within the supporting PAC report) which set out the planning and housing context, the broad application proposals including indicative development framework, which forms the basis of the submission.

1.3.3

Whilst an application 'in principle', the supporting Design Statement and Indicative Site Layout demonstrate intentions of the proposals. To summarise, the application would allow for a development of approximately 200 No. houses with associated new residential streets, paths, landscaped open space, SUDS and retained and enhanced woodland.

1.3.4

In terms of affordable housing, it is noted that the adopted Local Plan requires serviced land to be transferred to the Council to equate to 15% of consented units.

1.4 Planning History

1.4.1

The applicant is not aware of any previous planning applications relating to the site. However, the application site forms part of wider subjects promoted via the Local Development Plan (LDP) process with representations submitted to West Lothian Council's 'call for sites' exercise in 2011/2012 and to the LDP Main Issues Report in October 2014.

1.4.2

In this respect, the application site forms part of a wider area identified as an 'alternative' housing site with potential to contribute to the emerging LDP period.

1.4.3

The application seeks the approval, in principle, for bringing forward part of this wider area as a deliverable, effective short-term housing site to contribute to the Council's housing land supply needs (as detailed in the supporting Housing Land Assessment).

Section 2- Planning Policy Assessment

2.1 National Level

2.1.1

National planning policy provides the framework within which planning authorities are to assess development proposals and are key material considerations, as detailed within *National Planning Framework 3 (NPF3; Scottish Government, June 2014)* and *Scottish Planning Policy (SPP; Scottish Government, June 2014)*. These key policy documents set the context for regional and local planning in Scotland.

2.1.2

NPF3 highlights the need to implement a development strategy which supports growth of existing communities and creates sustainable patterns of travel and land-use, whilst balancing existing character, built and natural assets. This need is at its greatest in South East Scotland, with NPF3 highlighting the need to **“see greater and more concerted effort to deliver a generous supply of housing land in this area”** (p.13) whilst Livingston is identified as a key employment and service hub and a key strategic growth area (p.14).

2.1.3

This approach is supported by **SPP** (Para. 28 & 29) which, **“introduces a presumption in favour of development that contributes to sustainable development”**. This is an important change and its relevance to the consideration of applications in the context of an out of date development plan is clear, as set out in Paragraphs 33-34, which states that:

“Where relevant policies in a development plan are out-of-date or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration. Decision-makers should also take into account any adverse impacts which would significantly

and demonstrably outweigh the benefits when assessed against the wider policies in this SPP. The same principle should be applied where a development plan is more than five years old.”

“Where a plan is under review, it may be appropriate in some circumstances to consider whether granting planning permission would prejudice the emerging plan. Such circumstances are only likely to apply where the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new developments that are central to the emerging plan. Prematurity will be more relevant as a consideration the closer the plan is to adoption or approval.”

2.1.4

In this respect, the West Lothian Local Plan is now 6 years old and out of date and therefore SPP is a “significant material consideration”. Given that the LDP is only at the initial MIR options stage, it is considered that it is now appropriate for West Lothian to grant planning permission on a site which would not have a substantial or significant impact upon the spatial strategy of the emerging LDP. **The application cannot be deemed premature given that a Proposed LDP is not expected until late 2015 at the earliest, as detailed hereafter.**

2.1.5

The provisions of SPP above require that the proposal is assessed in terms of identifying any adverse impacts that would **“significantly and demonstrably outweigh the benefits”** when assessed against the wider policies of SPP.

2.1.6

In this respect, the key wider **SPP** policies applicable to the proposal include:

National outcomes (Para.10), in particular:

- *A successful, sustainable place – supporting economic growth and regeneration and the creation of well-designed, sustainable places* (the proposal will contribute significant new housing within a high quality environment, create and support employment and sustain local services)
- *A low carbon place – reducing our emissions and adapting to climate change* (the proposal will link with established and frequent public transport for travel between home and work)
- *A natural, resilient place – helping to protect and enhance our natural and cultural assets, and facilitating their sustainable use* (the proposal will enhance local amenity through new open space, landscaping and woodland whilst enhancing local access to greenspace and the wider countryside)
- *A more connected place – supporting better transport and digital connectivity* (the proposal is supported by an established public transport network connection)

Sustainability policy (Para.27-29) :

- Net economic benefit of approving this proposal includes provision of financial contributions towards local infrastructure and services, employment opportunities through the construction process, affordable housing provision, accommodation for growing families, an opportunity to sustain local shops and services and increased council tax revenue.
- The proposal responds to economic issues, challenges and opportunities in terms of contributing to the housing land supply shortfall and provision of local employment.

- The proposal supports good design and addresses the six qualities of successful places, including being distinctive (contextual design based on woodland setting and transition from urban to rural area), safe and pleasant (natural overlooking of new open space, semi-rural character), welcoming (clear gateway, streets and path structure), adaptable (range of house type sizes), resource efficient (utilises existing woodland landscaping, located close to public transport and scope for maximising solar gain through housing orientation) and, easy to move around and beyond (via street and path network).
- The proposal supports Murieston's local centre
- The proposal provides accessible housing
- The proposal will improve the viability and sustainability of local transport, education and service provision
- The proposal has no adverse impact upon flood risk, cultural or natural heritage assets
- The proposal provides opportunity for improving health and well-being through access for social interaction and recreation
- The proposal avoids over-development and protects and improves existing amenity

Placemaking policy principles (Para.36-46):

- As set out above, the proposal is considered to meet the placemaking policy principles and meet the six key qualities of creating a successful place. The proposal is in the right place, forming a suitably scaled extension of an existing service centre settlement in an area of housing demand.
- The Design Statement outlines the approach

to site analysis and design development and provides for a development framework to guide detailed site design

- The proposals have been developed with reference to *Creating Places (2013)* and *Designing Streets (2010)*

Housing policy principles (Para.110):

- The proposal contributes to the deficient 5 year effective housing land supply and would augment the range of high quality housing outlets available within West Lothian whilst providing the necessary level of affordable housing provision.

Historic environment policy principles (Para.137):

- The proposal has no adverse impact upon the historic environment, subject to suitable design and landscape treatment as outlined within the Design Statement and LVIA. As noted within the Archaeology Assessment, there is no inter-visibility between the site and Listed Buildings.

Natural environment policy principles (Para.194):

- The proposal would maintain and enhance existing landscape character in terms of established woodland and positive greenspace and biodiversity contribution.

Green Infrastructure policy principles (Para.221):

- The proposal is based upon the existing green network and design and landscaping allows for integration of the site with the wider network.

Flood Risk & Drainage policy principles (Para.255):

- The Flood Risk Assessment and Outline Drainage Strategy identifies the area to be excluded from development along the site's northern boundary with SUDS design integrated into the site within the naturally lower-lying area

Sustainable Transport policy principles (Para.270):

- The Transport Assessment confirms that the proposed development can be integrated into the existing road network with minor upgrading. The site is well located in terms of public transport and services accessibility.

2.1.7

Overall, in terms of Scottish Planning Policy, the proposal constitutes sustainable development with no adverse impact which would “significantly and demonstrably” outweigh the benefits.

2.2 Development Plan Status

2.2.1

Section 25 of the *Town and Country Planning (Scotland) Act 1997* requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. As outlined in Section 2.1, **it is considered that SPP is a significant material consideration that outweighs the Development Plan**, which comprises the approved *Strategic Development Plan for Edinburgh and South East Scotland* (“SESplan”, approved June 2013 with *Supplementary Guidance on Housing Land* approved October 2014) and the *West Lothian Local Plan* (adopted 2009) which was produced to conform to the now superseded *Edinburgh and Lothians Structure Plan 2015*.

2.2.2

Notwithstanding the highlighted provisions of SPP, the status and robustness of the current plan framework for West Lothian can be assessed.

2.2.3

In this regard, whilst an up to date Strategic Development Plan is now in place (albeit the approval of Supplementary Guidance on Housing Land in 2014 was 6 years after the date at which the previous Structure Plan was to be replaced, i.e. 2008), the adopted Local Plan is out of date.

2.2.4

Approved SESplan policy is therefore not reflected at local level and West Lothian Council have only published the Local Development Plan Main Issues Report (“MIR”) to date (August 2014) following an initial ‘call for sites’ exercise in 2011.

2.2.5

The latest available Development Plan Scheme (“DPS”) for West Lothian (DPS No.7, dated February 2015), states that publication of a Proposed LDP is

not now expected until “Autumn/Winter 2015” with LDP adoption likely to be “late 2016/early 2017”.

2.2.6

Whilst delays to the approval of SESplan are partly at fault, the overall delay in LDP preparation is illustrated by the proposed timescales set out in the Council’s DPS No.1 (June 2012) which anticipated publication of an MIR in Autumn 2012 and a Proposed LDP in late 2013. Plan preparation is therefore two years behind this initial programme.

2.2.7

Given the significant delays in providing an up to date Development Plan, it is now necessary to ensure suitable housing sites are brought forward at the earliest opportunity to meet land supply requirements set out with SPP, which are now clearly established by approved SESplan Supplementary Guidance.

2.2.8

Given that even the approved strategic housing land requirement calculation was 6 years behind schedule (as detailed above), it is clear that the provisions of SPP are a significant material consideration.

2.2.9

Based on the above, and the 2014 revisions to SPP, the applicants wish to bring forward land at Murieston to contribute to the identified housing land supply shortfall, as detailed within the supporting Housing Land Assessment, and consider that SPP is a material consideration that outweighs the historic development plan designation.

2.3 Development Plan Designation

Approved Development Plan

2.3.1

At the strategic level, SESplan provides overarching guidance for local authorities and is further addressed within Housing Land Strategy in Section 2.4 below.

2.3.2

Notwithstanding the fact that the existing Local Plan is out of date, the site's existing designation is Countryside under Policies ENV22 and ENV23 of the West Lothian Local Plan.

2.3.3

Policy ENV22 **supports opportunities to enhance existing landscape through additional woodland planting** which would form a key component of this proposal (as set out within the supporting Design Statement) whilst **settlement coalescence would not be an issue** in terms of Policy ENV23.

2.3.4

The site is **not subject to any specific protective designations** in terms of Policy ENV3 (Special Areas of Conservation and Special Protection Areas), Policy ENV4 (National Nature Reserve and Sites of Special Scientific Interest) and Policy ENV5 (Local Nature Reserves, Wildlife Sites, Peatland and Regionally Important Geological Sites).

2.3.5

The site is also **Class 4 (non-prime) agricultural land**, as set out in Land Capability for Agriculture Maps prepared by the Macauley Institute of Soil Research and would therefore not contravene Policy ENV7.

2.3.6

It is acknowledged that designated Countryside provides much the same role as Green Belt and, whilst the impact of development on the site's landscape setting is considered more fully within the supporting Landscape Visual Impact Assessment (LVIA), the site's contribution to its Countryside designation is summarised below, in terms of SESplan Policy 12 criteria.

- **Maintaining settlement identity and avoid coalescence** - the proposal would not lead to coalescence and can be designed and developed to assimilate with the character of adjoining residential areas at Murieston, as set out within the Design Statement.
- **Direct planned growth to most appropriate locations and support regeneration** - wider spatial policy would not be compromised given the site forms a contained urban extension of the key settlement within the West Lothian Strategic Development Area (as set out in the approved SESplan).
- **Maintain landscape setting of settlement** - the application site is well screened by established woodland and development would not impact on setting of Murieston/Livingston, as addressed in the LVIA and Design Statement.
- **Provide opportunities for access to open space and the countryside** - the proposal provides for improved (new) access with cycle/footpath links around and through the site, as set out within the Design Statement.

2.3.6

Therefore, the proposal would not contravene the out-dated, adopted Local Plan other than its historic countryside policy designation.

Emerging Development Plan

2.3.7

As noted above, West Lothian Council published their Local Development Plan Main Issues Report (MIR) in August 2014 with a period for representations ending in October 2014. This set out options for growth including housing sites.

2.3.8

The **proposed site at Murieston forms part of an 'alternative' site for housing** (site re. EO1-0110). This follows promotion of the site via the Council's 'call for sites' exercise in 2011 and pre-MIR submission in 2012.

2.3.9

Notwithstanding the adopted policy designation, **the site is therefore considered a potentially suitable housing site by the Council** in their assessment of new sites to contribute to the West Lothian housing land requirement.

2.3.10

The MIR site includes a much larger area west and south of the application site and a representation to the MIR in October 2014 by the applicants also outlined the potential for development immediately south of the application site. However, the application red line boundary presents an effective site that can contribute immediately to the 5 year land supply.

2.3.11

The MIR included supporting documents as justification for the selection of preferred and alternative housing sites. In particular:-

- The *West Lothian Landscape Character Area Classification* (August 2014) notes the site's location within the Harburn/Hartwood Fringe Landscape Character Area which is characterised

by shelter belts but has **"no core areas which would potentially merits SLA (Special Landscape Area) designation"** and being an area of **"low rarity value"**.

- The *Consultation Responses to Proposed Sites* (August 2014), in summarising the Council's internal and external consultations, noted that land west of Murieston Road presented a **"logical extension to the west side of Livingston"** and that **"education capacity is available"**.
- The *Strategic Environmental Assessment* (August 2014) provided an assessment of preferred and alternative MIR housing sites but was based upon a the much larger MIR boundary rather than the application site. In particular, the application site is **non-prime agricultural land** in contrast to the SEA assessment of the much wider area.

2.3.12

As illustrated on **Figure 2** on Page 12, the application site is well located in terms of proximity to both the existing Murieston local centre at Livingston South Station (rail, retail, services) but also the planned local centre at Murieston South (Lyon Drive). Indeed, the planned (committed) local centre is 400m from the front of the application site and therefore the site is closer than either of the MIR preferred housing sites on Murieston Road (south) to future local services. Indeed, **additional housing would support the implementation of the Murieston South new neighbourhood centre.**

2.3.13

Overall, the application site forms part of a wider area assessed as having realistic potential for housing and therefore, granting approval would not be counter to emerging spatial policy.

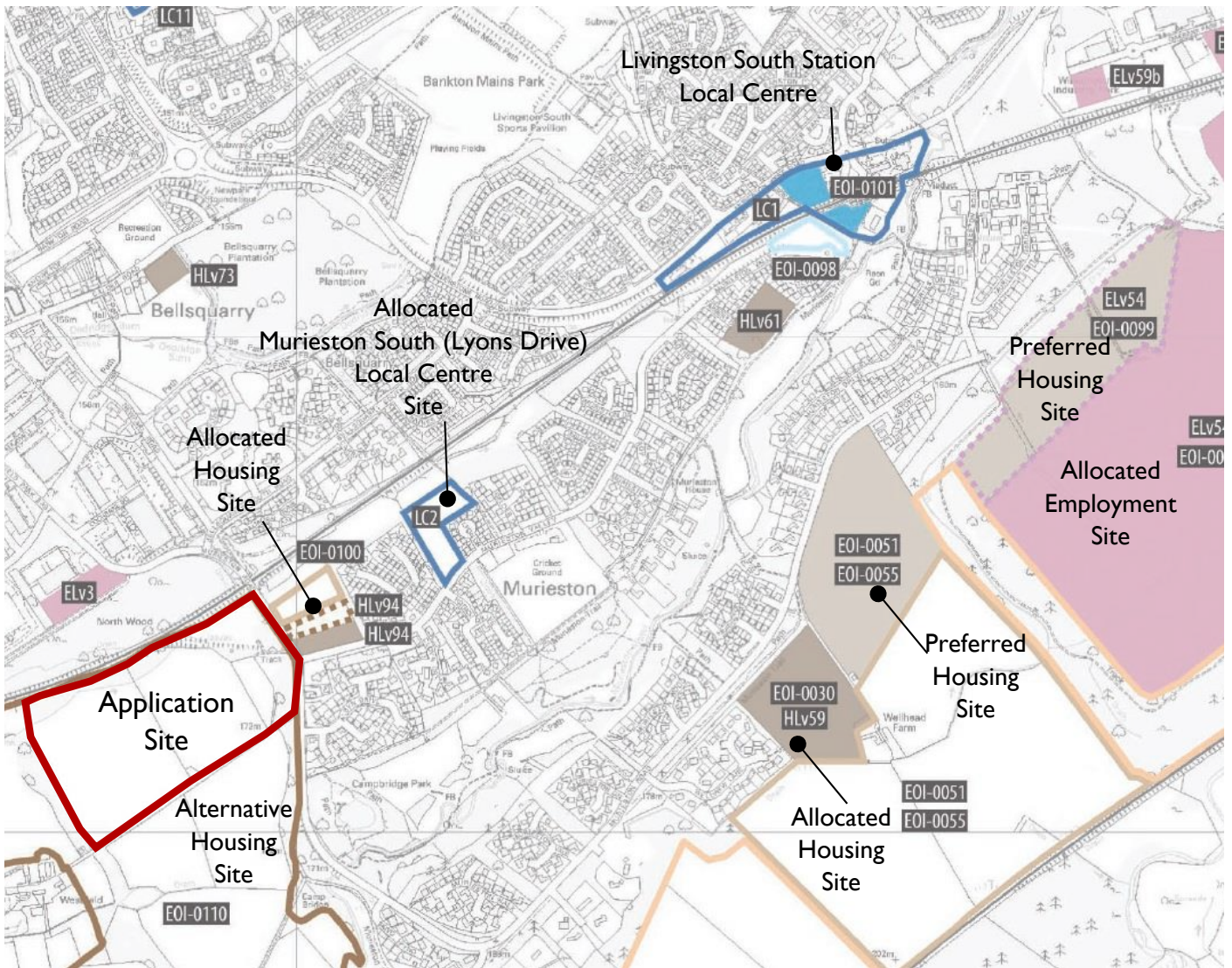


Figure 2 - LDP MIR Plan extract for Livingston South: Application Site (red line) located in close proximity (400m) to allocated Murieston South Local Centre (Class 1-4 uses) and existing Livingston South Station Local Centre (c.1600m).

2.4

Housing Land Strategy

2.4.1

SESplan is based on a development strategy which focusses on “Strategic Development Areas (SDA)”. Murieston (Livingston) is situated within the M8 corridor which forms part of the West Lothian Strategic Development Area. **Livingston is the key service centre within an overall preferred area for strategic growth.**

2.4.2

As acknowledged by the West Lothian LDP MIR, West Lothian require to accommodate a significant housing land requirement to support SESplan (Supplementary Guidance) aims. This is detailed further within the supporting Housing Land Assessment but essentially, the MIR recognises the restrictions of relying on a small number of large-scale sites. **The MIR preferred strategy now advocates identifying a range of smaller to medium scaled housing sites to support the main growth areas.**

2.4.3

This shift in policy is wholly supported as a practical way forward and the application site can offer an immediate, deliverable housing opportunity.

2.4.4

SESplan Policy 7 permits greenfield housing sites to be allocated in Local Development Plans or to be granted Planning Permission in order to maintain an effective 5 year land supply subject to satisfying certain criteria. Given that SESplan Supplementary Guidance sets out the approved housing land requirement, the Council can take steps to maintain an effective 5 year land supply through the grant of Planning Permission on appropriate effective housing sites.

2.4.5

With regard to housing land, Clarendon’s supporting Housing Land Assessment details the extent of the existing shortfall within West Lothian and demonstrates there is a significant shortfall in the current 5 year effective land supply, extending to around 53% of the requirement.

2.4.6

Notwithstanding the 5 year land supply shortfall, it is now unlikely that West Lothian will be able to meet their pre-2019 approved SESplan Supplementary Guidance land requirements (11,420 units), particularly if LDP adoption is now expected late 2016 / early 2017.

2.4.7

West Lothian Council must therefore seek to grant planning permission for suitable, deliverable sites which will not impact upon overall spatial strategy, as required by SPP and facilitated by SESplan Policy 7.

2.5 SESplan Policy 7

2.5.1

On the basis that there is a clear housing land supply shortfall within West Lothian and a resultant need to grant consent to additional effective housing sites, land at Murieston can be supported when assessed against SESplan Policy 7. Taking the **three criteria** by which such sites are to be considered, the merits of land at Murieston can be briefly summarised.

2.5.2

Criteria (a) requires that ‘development will be in keeping with the character of the settlement and local area’. The supporting Design Statement and LVIA outlines the analysis and design development approach which is based upon utilising the established resource of the shelter belt landscape pattern.

2.5.3

In particular, the proposal allows for integration with existing urban development at Murieston, reflecting the established pattern of housing within a strong woodland framework. The design however is an enhancement on previous 1980’s/1990’s housing layout by virtue of a more connected, permeable structure, as illustrated within the indicative site layout within the Design Statement.

2.5.4.

The proposal, and associated design framework, retains and enhances existing woodland and provides new, improved linkages for walking/cycling and has potential to add positively to the Murieston Water valley greenspace network located to the south-east of the site.

2.5.5

Overall, it is considered that the proposal is wholly in keeping with the existing residential character

of the area and provides a high quality transition between urban and rural edge.

2.5.6

Criteria (b) requires that ‘the development will not undermine green belt objectives’. The site is not within the Green Belt so will not undermine associated objectives. However, it is recognised that the current Countryside designation provides much of the same role but development can be accommodated without detrimental impact.

2.5.8

As per Section 2.3.6 above, the proposal offers the potential for improved public access to the countryside (via new path links and associated open space) and would not impact negatively upon the landscape setting of Murieston or its identity or character through coalescence. The proposal is also within an ‘appropriate location’ given Livingston’s status as the key settlement within the West Lothian Strategic Development Area and the accepted (via the LDP MIR) view that expansion south-westwards is a logical urban expansion.

2.5.9

Criteria (c) requires that ‘any additional infrastructure required as a result of the development is either committed or to be funded by the developer’. The supporting Transport Assessment outlines the proposed localised mitigation measures which can be funded by the applicants whilst the supporting Education Capacity Overview endorses the LDP MIR view that capacity exists subject to proportionate financial contributions towards school extensions.

2.5.10

Therefore, the proposal accords with SESplan Policy 7 and can be supported by West Lothian Council for approval.

2.6

Site Effectiveness - PAN 2/2010 Criteria

2.6.1

Scottish Planning Policy (SPP) and guidance set out in PAN 2/2010 Affordable Housing and Housing Land Audits require that sites allocated within Local Development Plans are effective, being able to contribute completions during the plan period. As such, PAN2/2010 criteria for assessing site effectiveness provide a test against which sites require to be gauged with **land at Murieston considered effective, being free of potential site constraints and able to deliver units within the plan period.** Specifically:-

Ownership - Site is Effective

- The site is owned by a willing seller and under legal option to a national housebuilder.

Physical - Site is Effective

- The Preliminary Site Appraisal, Transport Assessment and Flood Risk Assessment/Outline SUDS Strategy have identified no significant constraints subject to confirmation via intrusive investigations, localised road upgrades and implementation of the proposed SUDS scheme.

Contamination - Site is Effective

- The supporting assessments note that the site is considered to have a low risk in terms of contamination (other than the former mine area in the north-east of the site which is to be excluded from development) which will be confirmed via Stage 2 intrusive investigations.

Deficit Funding - Site is Effective

- The development is to be privately funded, also

allowing for required infrastructure upgrades. Delivery of the on-site affordable housing can be agreed with the Council.

Marketability - Site is Effective

- The site is within the wider Edinburgh housing market and is a highly marketable location with demand for both private and affordable units, as confirmed via the SESplan Housing Needs and Demand Assessment. The joint-applicant is a national housebuilder willing to begin development at the earliest opportunity.
- The **proposed site programming** (see **Table I - 'Site Programme'** on page 15 below, allowing for statutory approvals and construction lead-in) is 25 units in 2016/17 (HLA timescales, April to April) with completions of 36-36-36-36-31 until completion in 2021/22 - estimated capacity of c.200 units with 125 units delivered in current 5 year ELS period (2014 Audit base-date).

Infrastructure - Site is Effective

- Utilities and drainage connections are available, site access can be achieved and education capacity exists - any localised upgrading of capacity can be met by the developer.

Land Use - Site is Effective

- Housing (both private and affordable) is the predominant proposed use for the site.

Overall

The proposal can deliver early housing completions and can contribute to West Lothian's land supply shortfall and therefore comprises an effective housing site.

Development Plan	Planning Application	Build & Sales Programme
LDP Main Issues Report Consultation August-October 2014		
	PPP submission April 2015	
	PPP approval by WLC August 2015	
	Detailed application pre-app discussion (c.2 mths) September/October 2015	
	S.75 Agreement (c.3 mths from Decision) November 2015	
	AMC application November 2015	
Proposed LDP Autumn/Winter 2015	Detailed approval January 2016	
		Site start March 2016
		1st completions September 2016
LDP Adoption Late 2016/Early 2017		Completions 2016/17 to 2021/22 25-36-36-36-36-31 (200 units total)
		5 Year ELS Contribution (2014-19) 97 units

Table I - Proposed Planning and Site Programming

2.7 Detailed Policy Requirements

2.7.1

Notwithstanding the case in support of the proposal in wider spatial policy and housing land terms, the application site at Murieston can be assessed against detailed policy requirements within the adopted West Lothian Local Plan (“WLLP”). Design policies and the Council’s Residential Development Guide are addressed within the supporting Design Statement.

Environment & Heritage

2.7.2

WLLP Policy ENV11 / ENV12 / ENV14 (**Woodland**)

The proposal retains and enhances existing woodland boundaries with the exception of a new vehicular access from Murieston Road (where lower quality tree specimens are lost, compensatory planting can be introduced as set out within the supporting Tree Survey). A suitable management plan can be put in place as part of the detailed planning requirements.

2.7.3

WLLP Policy ENV16 (**SUDS/Biodiversity**)

The design proposal provides for a SUDS area in the northern part of the site with potential for new habitat creation to enhance biodiversity. The supporting Ecology Assessment outlines the key habitat for retention and enhancement.

2.7.4

WLLP Policy HER16 (**Archaeology**)

The supporting Archaeology Assessment confirms that potential remains are of post-medieval local value albeit the majority are outwith the proposed development area. Further discussions with

WLC will determine the extent of any further investigations required.

Design

2.7.5

WLLP Policy H5 (**Open Space Provision**)

The indicative site layout provides for a large area of central open space as well as secondary areas linked to the woodland edge, which also provides amenity value. Reference has been made to West Lothian’s Residential Development Guide (RDG), and open space can be addressed in a number of ways:-

- potential for contributions towards existing open space - the site is in close proximity (<400m) of Campbridge Park and the Murieston Valley trail and within walking distance (<1600m) of the larger Bankton Mains Park with playing fields etc
- provision of general/active amenity open space as central open space linked to retained / enhanced woodland and wetland associated with the SUDS
- local play facilities within over-looked areas of this central open space

2.7.6

WLLP Policy H6 (**Density**)

The proposal is for a range of housing to meet local and general needs including terraced, linked, semi-detached and detached houses. The proposed medium density is intended to provide a transition from urban to rural whilst allowing for maximising use of a greenfield site and proximity to a public transport corridor.

2.7.7

WLLP Policy H7 (**Design & Layout**)

The Design Statement addresses the Council’s RDG

requirements and provides background analysis of the locality, historic growth and key urban design factors to be addressed within detailed design proposals. The indicative site layout illustrates the proposed approach.

2.7.8

WLLP Policy H8 (**Access & Parking**)

The proposed street network is outlined in the Design Statement and indicative site layout.

2.7.9

WLLP Policy H9 (**Residential & Visual Amenity**)

The site is well screened from adjoining residential areas whilst proposed open space will be accessible to local residents and provides additional amenity for the local area.

2.7.10

WLLP Policy H10 (**Affordable Housing**)

The proposal allows for the required 15% on-site affordable housing provision.

Transport

2.7.11

WLLP Policy TRAN2 (**Transport Assessment**)

A Transport Assessment accompanies the planning application, with scope having been agreed with WLC in advance of its preparation. The report confirms the proposal can be accommodated within the local road network subject to minor localised upgrading. The indicative site layout is based upon a single vehicular access from Murieston Road linked to a cycle/footpath network through the site.

2.7.12

WLLP Policy TRAN3/TRAN4/TRAN5 (**Transport Fund / Improvements / Travel Plans**)

Where deemed necessary to implement the development and as supported by the TA, and associated Travel Plan, the applicant will contribute to measures to promote public transport usage and provide localised traffic mitigation including traffic calming.

2.7.13

WLLP Policy TRAN8/TRAN11/TRAN12/TRAN13 (**Other Transport Measures**)

The proposed layout provides a safe and attractive environment for cycling and walking with path connections to public transport stops (detailed measures will be agreed via detailed design). Street design will incorporate 20mph home zones to maximise safety and street usage.

Implementation

2.7.14

WLLP Policy IMP2 (**Denominational Schools**)

The applicant notes the requirement for financial contributions to contribute towards required extensions of St.Margaret's Academy or an alternative new-build solution.

2.7.15

WLLP Policy IMP3 (**Schools - General**)

The applicant notes the requirement for financial contributions towards non-denominational education capacity, as set out within the supporting Education Capacity Overview.

2.7.16

WLLP Policy IMP4 (**Water & Sewerage**)

The applicant notes and accepts the requirement for planning conditions or legal agreements as necessary to secure the provision of upgraded water and sewerage infrastructure as required.

2.7.17

WLLP Policy IMP6 (**Surface Water Drainage**)

The supporting Outline SUDS Strategy addresses the approach to be taken with the proposed site, which incorporates on-site SUDS treatment with connections to the adjoining local watercourse.

2.7.18

WLLP Policy IMP7 (**Flood Risk**)

The supporting Flood Risk Assessment details the approach to managing on-site flood risk in associated within the site's northern boundary. The site is not at risk from fluvial flooding.

2.7.19

WLLP Policy IMP17 (**Planning Agreements**)

The landowner / applicant is willing to enter into an associated planning agreement to secure necessary items as required to implement a planning approval.

2.7.20

Overall, it is considered that the proposal can meet the detailed planning policy requirements set out above and the applicants welcome the opportunity of discussing detailed aspects of the proposal with West Lothian Council in due course.

Section 3- Conclusions

3.1

The preceding Statement, in addition to the supporting documentation, demonstrates the **suitability of the proposal in the context of the revised Scottish Planning Policy, the housing land supply situation within West Lothian and the emerging Local Development Plan.**

3.2

In particular, the application is based upon the following key aspects:

- The applicant is seeking **permission in principle for residential development at Murieston for approximately 200 units** with associated open space, woodland, roads and footpaths
- **Revised Scottish Planning Policy (2014) is a significant material consideration**, confirming that where the Development Plan is out of date and a housing land supply shortfall exists, there will be a presumption in favour of development that contributes to sustainable development - an assessment of the proposal against wider SPP policy demonstrates that there would be **no adverse impact which would “significantly and demonstrably” outweigh the benefits**
- The **Local Plan is out of date** and does not provide a robust basis for housing land delivery; and **approved SESplan guidance on housing land is not reflected at local level** with a Proposed Local Development Plan not expected until the end of 2015 with plan adoption not until late 2016/early 2017 - SPP states that **“prematurity will be more relevant as a consideration the closer the plan is to adoption or approval”** and therefore, given that a Proposed LDP is not expected until the end of 2015, **prematurity should not be considered relevant**
- The **application site is within the key service centre within the West Lothian Strategic Development Area** and forms part of a wider area supported in the 2014 LDP Main Issues Report as an alternative housing site option, following environmental assessment, thus illustrating that **early approval would not contradict approved or emerging spatial policy**
- The **significant 5 year effective land supply shortfall** outlined in the supporting Housing Land Assessment requires to be addressed through early approval of suitable sites for housing
- **SESplan Policy 7 provides the policy framework by which West Lothian Council can approve suitable sites ahead of LDP approval** and the application site meets the assessment criteria in terms of settlement character, Green Belt objectives and infrastructure availability
- The supporting reports, including Design Statement, outline the site proposal and demonstrates how **successful urban design principles could allow for a high quality, attractive residential environment** utilising the existing strong woodland framework to reflect local character whilst creating a better connected and more permeable housing environment than 1980's/90's predecessors
- The application site is **within a locality with infrastructure capacity**, including education which currently restricts many other areas of West Lothian in terms of immediately deliverable housing
- Murieston is an **effective site when assessed against the Government's PAN2/2010**

criteria and can provide a significant contribution to the shortfall within the 5 year land supply (97 units) and approximately 200 units in total within the emerging LDP period

- The application site is also **highly marketable** and the **joint applicant is a national housebuilder** who would implement any planning approval at the earliest opportunity
- **Detailed policy requirements can be met** including developer contributions with specifics to be discussed and agreed with the Council during the application process

Overall, the application site at Murieston Road is an effective housing site which can be delivered in early course to contribute to West Lothian's substantial and immediate housing land requirements. Scottish Planning Policy now makes it clear that suitable sites must be brought forward where the Development Plan is outdated and a land supply shortfall exists.

The proposal can be well integrated within the existing local environment including retention and enhancement of established woodland and connection with greenspace networks.

A range of housing including on-site affordable provision would be provided with economic benefits also including local employment opportunities, increased local spend including potential support of a planned local neighbourhood centre at Murieston.

3.3

On the basis of the foregoing, it is respectfully requested that the submitted planning application be approved by West Lothian Council.