

# HolderPlanning

Town Planning and Development Consultants

Development Planning  
West Lothian Council  
County Buildings  
High Street  
Linlithgow  
EH49 7EZ

16<sup>th</sup> October 2014

Our ref: SWB1/001  
Your ref: WLLDP - MIR

Dear Sir,

**WEST Lothian LOCAL DEVELOPMENT PLAN – MAIN ISSUES REPORT  
SUBMISSION ON BEHALF OF SCOTTISH WAR BLINDED – LINBURN, WILKIESTON**

Please find enclosed representations made on behalf of Scottish Ward Blinded in response to the Main Issues Report consultation.

The representations relate to three sites within the Linburn Estate, Wilkieston and seek their allocation for housing development within the Proposed Local Development Plan. The following documents have been provided:

- Site Specific Representations (HolderPlanning - October 2014)
- Housing Land & Supply Assessment (HolderPlanning – October 2014)

Each site was previously brought to the attention of the Council during the 'Expression of Interest' exercise undertaken in 2011.

Our submission on Housing Land & Supply indicates that there do not appear to be a sufficient number of 'Preferred Sites' for housing identified within the Main Issues Report to meet the Housing Supply Target in the two periods identified by SESplan i.e. 2009 – 2019 and 2019 – 2024. Furthermore, the plan will fail to maintain a five years' effective land supply at any time.

Accordingly, a substantial number of additional effective housing sites need to be allocated to reflect the terms and requirements of SESplan and Scottish Planning Policy.

The accompanying Site Specific representations present the case in favour and demonstrate the suitability of the three sites in question for housing development. The representations seek the following:

- The continued identification of the existing HWk1 housing allocation (50 units) within the emerging Local Development Plan;
- The re-classification of Land at Site 1 from a *'Preferred Alternative Site'* to a *'Preferred New Site'* with indicative development capacity of 30-50 homes;
- The allocation of Land at Site 3 as a *'Preferred New Site'* with indicative development capacity of 50-75 homes. This would require the removal of the site's existing *'Area of Special Agricultural Importance'* designation within the adopted Local Plan.

Scottish War Blinded notes the terms of the questions posed by the Main Issues Report. Of particular relevance to this submission are the following:

**Question 15** Do you agree with the Preferred Strategy for Housing Growth in West Lothian?

**Question 18** Do you have another alternative strategy?

**Question 19** How can the council maintain an effective five year housing land supply given the current economic climate?

The combined terms of our submission effectively provide the Scottish War Blinded response to the above questions however these can be summarised as follows

**Question 15**

Scottish War Blinded does not agree with the Preferred Strategy for Housing Growth in West Lothian. Whilst the broad intention of providing circa 15% additional houses over and above the base supply is noted, for the reasons presented within our Housing Land and Supply Paper the Preferred Strategy fails to address the requirements of SESplan and Scottish Planning Policy both in terms of meeting the partitioned Housing Supply Target and ensuring the maintenance of an effective five years' housing land supply.

As a result, there is a pressing need to revisit and increase the number of 'new' housing sites for which allocations are required.

**Question 18**

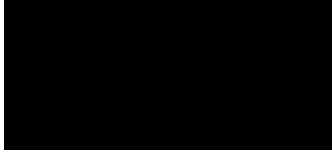
Scottish War Blinded does not propose an alternative strategy to that presented by the Main Issues Report. Rather, the existing preferred strategy needs to be reconsidered and amended to include a substantial number of additional effective housing sites to ensure the requirements of SESplan and Scottish Planning Policy are appropriately addressed.

**Question 19**

In order to maintain an effective five year housing land supply the Council needs to review its current over-reliance on the delivery of housing from known 'constrained' sites. Additional, effective, housing sites will be required if an effective five year housing land supply is to be maintained.

We trust that the terms of this representation are clear and would be happy to discuss any aspect in greater detail with West Lothian Council.

Yours faithfully,



Callum Fraser  
Director

**Holder**Planning

# **West Local Development Plan Main Issues Report**

On behalf of

**Scottish War Blinded**

**Linburn Estate, Wilkieston, West Lothian**

## **SITE SPECIFIC REPRESENTATIONS**

16<sup>th</sup> October 2014

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### **HolderPlanning**

5 South Charlotte Street, Edinburgh, EH2 4AN.

Tel: 0131 225 6349

[www.holderplanning.co.uk](http://www.holderplanning.co.uk)

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## 1. Introduction

- 1.1 The following submission has been prepared on behalf of Scottish War Blinded in response to the West Lothian Local Development Plan Main Issues Report (MIR).
- 1.2 Scottish War Blinded is a charitable organisation that provides assistance to veterans of the armed forces who have a significant impairment. Scottish War Blinded has occupied the Linburn Estate since 1943 and during that time has provided retirement housing and rehabilitation services to former military personnel.
- 1.3 In June 2011 the new Linburn Centre opened. Located a short distance to the east of the Linburn Estate, the Linburn Centre provides a modern purpose-built day centre for the charity and its members. As a result, the buildings comprising the former centre for Scottish War Blinded have been demolished and the land is available for development.
- 1.4 Given this background, this submission supports the allocation for housing of three sites within and adjacent to the Linburn Estate, specifically:

<b>Site Ref</b>	<b>Location</b>	<b>Size (ha)</b>	<b>Capacity</b>
HWk1 / EOI-0076	Wilkieston	4.64	50 houses
EOI-0077	Land at Site 1	3.0	50 houses
EOI-0079	Land at Site 3	11.0	75 houses

- 1.5 These sites are identified on the attached location plan (Appendix 1).
- 1.6 It should be noted that Scottish War Blinded made submissions in respect to each of these sites in response to the Council's 'Expression of Interest' exercise undertaken in 2011, and so the subject sites and their development potential have previously been brought to the attention of West Lothian Council.
- 1.7 It is notable that, in response to the 'Expression of Interest' exercise, the Scottish War Blinded submitted a fourth site for consideration – referred to as Land at Site 2 – which was given the Site Reference EOI-0078. Due to its proximity to the new Linburn Centre, and associated requirement to provide an appropriately tranquil environment for its members, Scottish War Blinded has chosen not to continue promotion of this site for development via the Local Development Plan.
- 1.8 This submission should be read in conjunction with our associated representation on housing supply and demand issues, which considers the context set by SESplan and its Supplementary Guidance in terms of the housing requirements for West Lothian and the housing supply position set out in the MIR. This concludes that there do not appear to be enough Preferred Sites for housing identified in the MIR to meet the Housing Supply Target in the two periods identified by SESplan i.e. 2009 – 2019 and 2019 – 2024.
- 1.9 In our view, the above noted sites within the Linburn Estate and in the ownership of Scottish War Blinded are ideally placed to assist in meeting this shortfall in meeting the Housing Supply Target.

## 2. SESplan

2.1 Scottish Ministers approved SESplan with modifications on the 23rd June 2013. As a result, SESplan (as modified) constitutes the strategic development plan for the South East Scotland Strategic Development Plan Area and sets the context for the emerging West Lothian Local Development Plan.

2.2 SESplan identifies the whole of West Lothian as a Strategic Development Area (SDA). As indicated in paragraphs 26 and 113 of SESplan, priority will be given to housing development on brownfield sites and land within SDAs.

2.3 SESplan Policy 5 (Housing Land) explains that for the period from 2009 up to 2024, there is a requirement for sufficient housing land to be allocated so as to enable 107,545 houses to be built across the SESplan area. Of that total, the requirement for the period 2009 to 2019 is for 74,835 houses. It then goes on to stipulate:

*“Supplementary Guidance will be prepared to provide detailed further information for Local Development Plans as to how much of that requirement should be met in each of those six areas, both in the period 2009-2019 and in the period 2019-2024”*

2.4 The SG preparation process is now complete. Following public consultation in late 2013, the SESplan Joint Committee approved the SG for submission to Scottish Ministers on 10 March 2014. Scottish Ministers subsequently directed SESplan to modify the document.

2.5 In this regard it was notable that the SESplan Authority’s Proposed SG contained the following sentence in paragraph 3.13:

*“Member authorities will base their calculation of the five year land supply on the period 2009 - 2024, taking into consideration housing completions.”*

2.6 On the 18th June, the Scottish Ministers issued a direction requiring this sentence to be deleted.

2.7 The SESplan Joint Committee considered the matter at its meeting on 30 June 2014 and recommend to the member authorities that the guidance be adopted with this modification.

2.8 Table 3.1 of the SG identifies West Lothian Housing Requirement as 11,420 for 2009 – 2019 and 6,590 for 2019 – 2024. In accordance with the SG, sufficient land needs to be allocated within the West Lothian LDP to enable these numbers of houses to be built in each period.

2.9 SESplan Policy 6 (Housing Land Flexibility) requires West Lothian Council to maintain a five year effective housing land supply at all times, and that the scale of this supply shall derive from the housing requirement identified through the SG.

2.10 SESplan Policy 7 (Maintaining a Five Year Housing Land Supply) indicates that sites for greenfield housing development proposals either within or outwith the identified SDAs may be allocated in Local Development Plans to maintain a five years' effective housing land supply subject to satisfying 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 objective
- c) Any additional infrastructure required as a result of the development is either committed or to be funded by the developer

2.11 The combination of SESplan policies referred to above requires land to be allocated in the West Lothian Local Development Plan sufficient to allow enough houses to be built to meet the housing requirements identified in Table 3.1 of the Supplementary Guidance and to maintain a five years effective housing land supply at all times.



### 3. The West Lothian Main Issues Report

- 3.1 The MIR, as it should, identifies Preferred Sites and Reasonable Alternative Sites for housing. Our understanding is that this consideration has been based largely upon the Council's 2011 request for 'Expressions of Interest' from landowners and developers to indicate the availability of specific sites for development. As indicated above, the Scottish War Blinded responded to this request and made West Lothian Council aware of the site's in question.
- 3.2 Paragraphs 3.37 – 3.47 of the Main Issues Report (MIR) identify the above noted SESplan policies and their terms, before presenting the housing requirements of the SESplan Supplementary Guidance within Figure 11. Figure 11 correctly identifies West Lothian's partitioned housing requirements i.e. 11,420 homes in the period 2009-2019 and 6,590 homes in the period 2019-2024. Paragraph 3.48 then states:
- "The housing land requirement set out in Figure 11 will require to be translated into site allocations in the LDP"*
- 3.3 Contrary to this, our analysis of the MIR and supporting background paper on Housing indicates that West Lothian Council has effectively brought together the requirements for 2009-2019 and 2019 – 2024 into a single requirement of 18,010 for 2009 – 2024. There is no basis to combine the two periods in this manner and, on this basis alone, the MIR is not consistent with SESplan Policy 5.
- 3.4 The MIR's strategy for meeting housing land requirements relies primarily on existing land allocations made in the West Lothian Local Plan being augmented by a number of new sites.
- 3.5 In this respect, the MIR's preferred Housing Land Option for the LDP is to *"plan for a total of 26,347 houses which represents 3,500 houses above the base supply"*. However, it is notable that the Council's 'base supply' figure of 22,847 units contains 8,566 units which are identified as being 'constrained' – equating to 37% of base supply.
- 3.6 Our detailed submission on Housing Land and Supply matters has demonstrated that the MIR's preferred strategy will result in significant shortfalls in the number of houses that are required to be delivered both in the periods 2009-19 and 2019-2024, and that the plan will fail to maintain a five years' effective land supply at any time.
- 3.7 Accordingly, the MIR is not consistent with SESplan and its Supplementary Guidance, or Scottish Planning Policy in respect to meeting housing land requirements. Therefore, a substantial number of additional effective housing sites need to be allocated to reflect the terms and requirements of SESplan and SPP.
- 3.8 On page 181 of the MIR there is a description of Wilkieston and its characteristics. The village's location on the A71 is noted and its role is described as a *"commuter settlement in close proximity to Edinburgh"*. The MIR notes the location of The Linburn Estate in the village, and

that a significant element of the village’s population is housed in retirement homes for military personnel.

3.9 Under the heading ‘Spatial Strategy Considerations’ the MIR states:

*“The village is on the commuting route into Edinburgh, close to the boundary with the City of Edinburgh Council making it an attractive location for development. This needs, however, to be balanced against environmental considerations particularly traffic volumes on the A71 and the limited availability of infrastructure. There are capacity issues with the drainage infrastructure”.*

3.10 Under the heading ‘Development Proposals’ the MIR contains the following provisions with respect to the sites subject to this submission:

<b>Site Ref</b>	<b>Location</b>	<b>Site Size (Ha)</b>	<b>Capacity</b>	<b>MIR Status</b>
HWk1 / EOI-0076	Wilkieston	4.64	50	Committed site – carried forward from WLLP
EOI - 0077	Land at Site 1	3.0	50	Preferred alternative site
EOI - 0079	Land at Site 3	11.0	50	Not Preferred

3.11 Given the need for the emerging LDP to allocate a substantial number of additional effective sites to meet housing land requirements and ensure the maintenance of a five years effective land supply, viewed alongside Wilkieston’s acknowledged attractiveness as a location for development, it is appropriate to review the village’s existing settlement boundary and consider any additional opportunities for housing development.

3.12 The remainder of this document outlines the Scottish War Blinded support for the continuation of the HWk 1 housing allocation, whilst setting out the justification for the re-allocation of both Land at Site 1 and Land at Site 3 for housing.

## 4. HWk1 / EOI-0076 - WILKIESTON

4.1 This section presents the case in favour of the continued allocation of the HWk1 / EOI-0076 site at Wilkieston for housing development within the West Lothian Local Development Plan.

### Site Description

4.2 The site extends to 6.4 ha and is located within the settlement envelope of Wilkieston. It is bound to the north by existing residential properties located at Linburn Park and is serviced by an existing access point to the A71 at this location. Immediately to the east lies the new Linburn Centre, whilst greenfield (considered in Section 5 and 6) bounds the site to the south and west

4.3 Following demolition of the former centre for Scottish War Blinded, the site can be described as vacant brownfield land.

### Suitability for Housing

4.4 As a vacant brownfield site, located within the existing settlement boundary of Wilkieston, the site's suitability for housing development is clear and this is reflected by its allocation for housing within the adopted West Lothian Local Plan (50 units) and the proposed continuation of this allocation within the emerging Local Development Plan.

4.5 Development of the site is capable of being progressed in a sustainable manner, existing public transport facilities are of a level that is suitable and proportionate to accommodate development and, overall a range of transport modes would be available to cater for travel demand associated with the proposed development.

4.6 The site can be appropriately accessed from the existing priority controlled junction with the A71 to the north. Appropriate improvements to pedestrian facilities within the village can be investigated if considered necessary.

4.7 We can confirm that the site meets the criteria contained within PAN 2/2010 for determining the 'effectiveness' of a site, as follows:

**Ownership:** The site is in the sole-ownership of the Scottish War Blinded.

**Physical:** There are no physical constraints to the development of the site for housing.

**Contamination:** There is no contamination on site.

**Deficit Funding:** No public funding is required to develop housing on the site.

**Marketability:** Wilkieston's highly accessible location dictates that it is a sought after location for house-buyers.

**Infrastructure:** The required infrastructure for housing development is available or can be made available by the developer.

**Land Use:** Housing is the sole preferred use in the context of this planning application.

- 4.8 Given that West Lothian Council's strategy for meeting housing requirements and demand relies heavily on a number of large, infrastructure dependent, strategic housing sites it is of crucial importance that additional medium scale effective housing sites are identified to aid delivery within the timescales of the Plan.
- 4.9 Furthermore, it is considered that continuation of the existing allocation will contribute to a sustainable pattern of development, support existing community facilities whilst enhancing the viability of further such facilities being provided, and make effective use of existing infrastructure and public transport networks.

### **Summary**

- 4.10 Scottish War Blinded both welcomes and supports the continuation of the HWk1 housing allocation within the emerging Local Development Plan.
- 4.11 The site is 'effective' and capable of being developed, in full, within the timescales envisaged by the Local Development Plan. As a medium-scale development opportunity, occupying vacant brownfield land within an established settlement, the site's development for housing is supported by planning policy at every level.
- 4.12 Accordingly, the site should continue to be allocated for housing within the Local Development Plan with an indicative development capacity of 50 units.

## **5. EOI-0077 – LAND AT SITE 1, SCOTTISH WAR BLINDED**

5.1 This section presents the case in favour of the allocation of the EOI-0076 site known as Land at Site 1, Scottish War Blinded, Wilkieston.

5.2 The site has been identified within the Main Issues Report as a 'Preferred Alternative Site'.

### **Site Description**

5.3 The site extends to approximately 3ha and immediately adjoins Wilkieston's settlement boundary to the south. It is notable that within the adopted West Lothian Local Plan the site is identified as 'white land'. It currently comprises open ground, enclosed to the south, east and west by an existing access road within the wider Linburn Estate.

5.4 The existing HWk1 housing site, as referenced at Section 4, is located immediately to the north of the site. To the south, beyond the existing access road, lie the Gogar Burn and Spittalton Wood which form a natural boundary and a sense of enclosure. To the east and west, beyond the existing access road, lies existing agricultural land – also within the ownership of Scottish War Blinded and forming part of the Linburn Estate.

5.5 Site topography slopes gently from north to south. Accordingly, whilst the Gogar Burn is at risk of flooding according to SEPA's indicative flood maps, this would not prove to be a constraint to development progressing given site levels.

### **Suitability for Housing**

5.6 The location of the site is such that its development for housing would represent a natural, and sustainable, extension to the settlement boundary. The site offers an opportunity for the development of 30-50 houses as a justifiable expansion of the HWk1 housing allocation immediately to the north.

5.7 Development of the site is capable of being progressed in a sustainable manner, existing public transport facilities are of a level that is suitable and proportionate to accommodate development and, overall a range of transport modes would be available to cater for travel demand associated with the proposed development (even when considered on a cumulative basis with the HWk1 allocation)

5.8 The site can be appropriately accessed from the existing priority controlled junction with the A71 to the north and the HWk1 site can be planned to ensure that access is continued through to service the site. Appropriate improvements to pedestrian facilities within the wider village can be investigated if considered necessary.

5.9 There are no environmental and landscape designations affecting the site, other than the Ancient Woodland beyond the southern boundary. Any proposed development would be

designed to ensure that this designation would be protected. Given the sense of enclosure afforded to the site by the dense woodland to the south and to the east, its development would raise no landscape or visual impact matters and would only be visible from the existing development to the north.

5.10 As noted, the Gogar Burn is identified by SEPA as at risk of flooding. However site topography and appropriate design would provide mitigation against this, and therefore flooding does not represent a constraint to development.

5.11 We can confirm that the site meets the criteria contained within PAN 2/2010 for determining the 'effectiveness' of a site, as follows:

**Ownership:** The site is in the sole-ownership of the Scottish War Blinded and, upon receipt of a Local Development Plan allocation, a development partner would actively be sought.

**Physical:** There are no physical constraints to the development of the site for housing.

**Contamination:** There is no contamination on site.

**Deficit Funding:** No public funding is required to develop housing on the site.

**Marketability:** Wilkieston's highly accessible location dictates that it is a sought after location for house-buyers.

**Infrastructure:** The required infrastructure for housing development is available or can be made available by the developer.

**Land Use:** Housing is the sole preferred use in the context of this planning application.

5.12 The Land at Site 1 is of a scale that would result in the delivery of housing on-site within the timescale of the Plan. Given the obvious synergy with the HWk1 allocation, and the site's relationship to the established settlement boundary, in our view, there is merit in extending the HWk1 allocation to include the site. This would allow a comprehensive 'masterplanned' approach to be adopted and applied to the combined site.

5.13 Furthermore, it is considered that continuation of the existing allocation will contribute to a sustainable pattern of development, support existing community facilities whilst enhancing the viability of further such facilities being provided, and make effective use of existing infrastructure and public transport networks.

## **Summary**

5.14 Scottish War Blinded notes the identification of Land at Site 1 as a 'Preferred Alternative Site' within the Main Issues Report. Implicit within the site's classification by West Lothian Council as a 'Preferred Alternative' is a recognition that the site would conform to the Strategic Development Plan and Scottish Planning Policy.

5.15 As noted, the site is 'effective' and capable of being developed, in full, within the timescales envisaged by the Local Development Plan. The site's development would represent a sustainable expansion to the settlement of Wilkieston and be of a scale and form in keeping with the character of the settlement and local area. Furthermore, it would play an important role in helping to address the significant shortfall in effective housing land supply which has emerged upon analysis of the Main Issues Report.

5.16 On this basis, the site should be re-allocated as a 'Preferred New' housing site within the Local Development Plan with an indicative development capacity of 30-50 units.

## **6. EOI-0079 – LAND AT SITE 3, SCOTTISH WAR BLINDED**

- 6.1 This section presents the case in favour of the allocation of the EOI-0079 site, known as Land at Site 3, Scottish War Blinded, Wilkieston.
- 6.2 Following assessment at the 'Expression of Interest' stage the site was 'Not Preferred' as a Development Proposal within the Main Issues Report.

### **Site Description**

- 6.3 The site extends to approximately 11ha and is primarily in use as agricultural land, with significant areas of woodland along the site's western and southern boundaries. The adopted Local Plan identifies the site as forming part of an Area of Agricultural Importance (ENV9).
- 6.4 The site lies immediately to the west of the established settlement boundary. It is bound to the north by the A71, beyond that lies and Coxydene Farm and land at East Coxydene Farm (EOI-0170) which has been identified as a 'Preferred New Site' (25 units) within the MIR. Its eastern boundary is defined by the existing settlement – notably established residential properties at Linburn Park and the HWk1 housing allocation. The site's southern boundary is marked by Spittalton Wood and the Gogar Burn, while its western boundary is also characterised by mature woodland and an existing access road which serves a number of agricultural properties (known as Humble Holdings) located further to the south beyond the Gogar Burn.
- 6.5 The above noted factors combine to provide the site with clear and defined boundaries and offer a sense of enclosure.
- 6.6 Site topography slopes gently from north to south. Accordingly, whilst the Gogar Burn is at risk of flooding according to SEPA's indicative flood maps, this would not prove to be a constraint to development progressing given site levels.

### **Suitability for Housing**

- 6.7 The location of the site is such that its development for housing would represent a natural, and sustainable, extension to the settlement boundary. In keeping with the emerging settlement pattern which will result in housing development along the site's northern and eastern boundaries. The site offers an opportunity for the development of 50 - 75 houses.
- 6.8 Development of the site is capable of being progressed in a sustainable manner, existing public transport facilities are of a level that is suitable and proportionate to accommodate development and, overall a range of transport modes would be available to cater for travel demand associated with the proposed development (even when considered on a cumulative basis with the HWk1 allocation)



6.9 The site can be appropriately accessed at various points from the existing access road which runs along its western boundary. Appropriate improvements to pedestrian facilities within the wider village can be investigated if considered necessary.

6.10 There are no environmental and landscape designations affecting the site, other than the Ancient Woodland beyond the southern boundary. Any proposed development would be designed to ensure that this designation would be protected. Given the sense of enclosure afforded to the site by the dense woodland to the south and west, and the existing settlement to the east, its development would raise no landscape or visual impact matters and would only be visible by road users and existing residential properties to the north.

6.11 As noted, the Gogar Burn is identified by SEPA as at risk of flooding. However site topography and appropriate design would provide mitigation against this, and therefore flooding does not represent a constraint to development.

6.12 Whilst the site is currently identified as forming part of an 'Area of Special Agricultural Importance' relevant policy (ENV9) makes provision for development where justified for strategic reasons. Given the significant shortfall in effective housing land which has emerged from our analysis of the MIR, it is considered that a strategic justification for the removal of the 'Area of Special Agricultural Importance' exists.

6.13 We can confirm that the site meets the criteria contained within PAN 2/2010 for determining the 'effectiveness' of a site, as follows:

**Ownership:** The site is in the sole-ownership of the Scottish War Blinded and, upon receipt of a Local Development Plan allocation, a development partner would actively be sought.

**Physical:** There are no physical constraints to the development of the site for housing.

**Contamination:** There is no contamination on site.

**Deficit Funding:** No public funding is required to develop housing on the site.

**Marketability:** Wilkieston's highly accessible location dictates that it is a sought after location for house-buyers.

**Infrastructure:** The required infrastructure for housing development is available or can be made available by the developer.

**Land Use:** Housing is the sole preferred use in the context of this planning application.

6.14 As reference at Section 2.10, SESplan Policy 7 (Maintaining a Five Year Housing Land Supply) indicates that sites for greenfield housing development proposals either within or outwith the identified SDAs may be allocated in Local Development Plans to maintain a five years' effective housing land supply subject to satisfying 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
- c) Any additional infrastructure required as a result of the development is either committed or to be funded by the developer

6.15 In our view the allocation of Site 3 for housing conforms to the requirements of SESplan Policy 7, as described below:

**The development will be in keeping with the character of the settlement and local area**

6.16 Given the emerging settlement pattern of Wilkieston, which will result in the site effectively being enclosed by residential development to the north and east and mature woodland to the south and west, it is considered that the site offers little merit as a landscape setting for Wilkieston.

6.17 Development of the site would be accommodate below the existing skyline and would only be visible upon approach to Wilkieston driving west to east on the A71. The above noted combination of existing/proposed urban development and mature woodland will ensure that robust and defensible boundaries are created.

6.18 Wilkieston has a distinct identity as a semi-rural settlement, within a setting notable for the number of urban influences that exist – this ‘urban’ character will be increased by the proposed developments to the north and east. Wilkieston, as a result, will become a settlement made up of various different styles of architecture and building materials reflective of its growth over time.

6.19 Development of the site represents a logical extension to the settlement, and will be designed to demonstrate clear integration and linkages with the existing settlement and to reflect the emerging character of Wilkieston.

**The development will not undermine Green Belt Objectives**

6.20 The site is not located within the Green Belt, rather it is within an Area of Special Agricultural Importance. In our consideration there is a strategic justification for the removal of this designation. Furthermore there are no environmental constraints to development taking place

**Any additional infrastructure required as a result of the development is either committed or to be funded by the developer**

6.21 We are not aware of any infrastructure constraints that cannot be provided in accordance with this policy requirement.

6.22 In short, therefore, we consider that the allocation of the site for housing complies with SESplan Policy 7 which is the key determining policy.

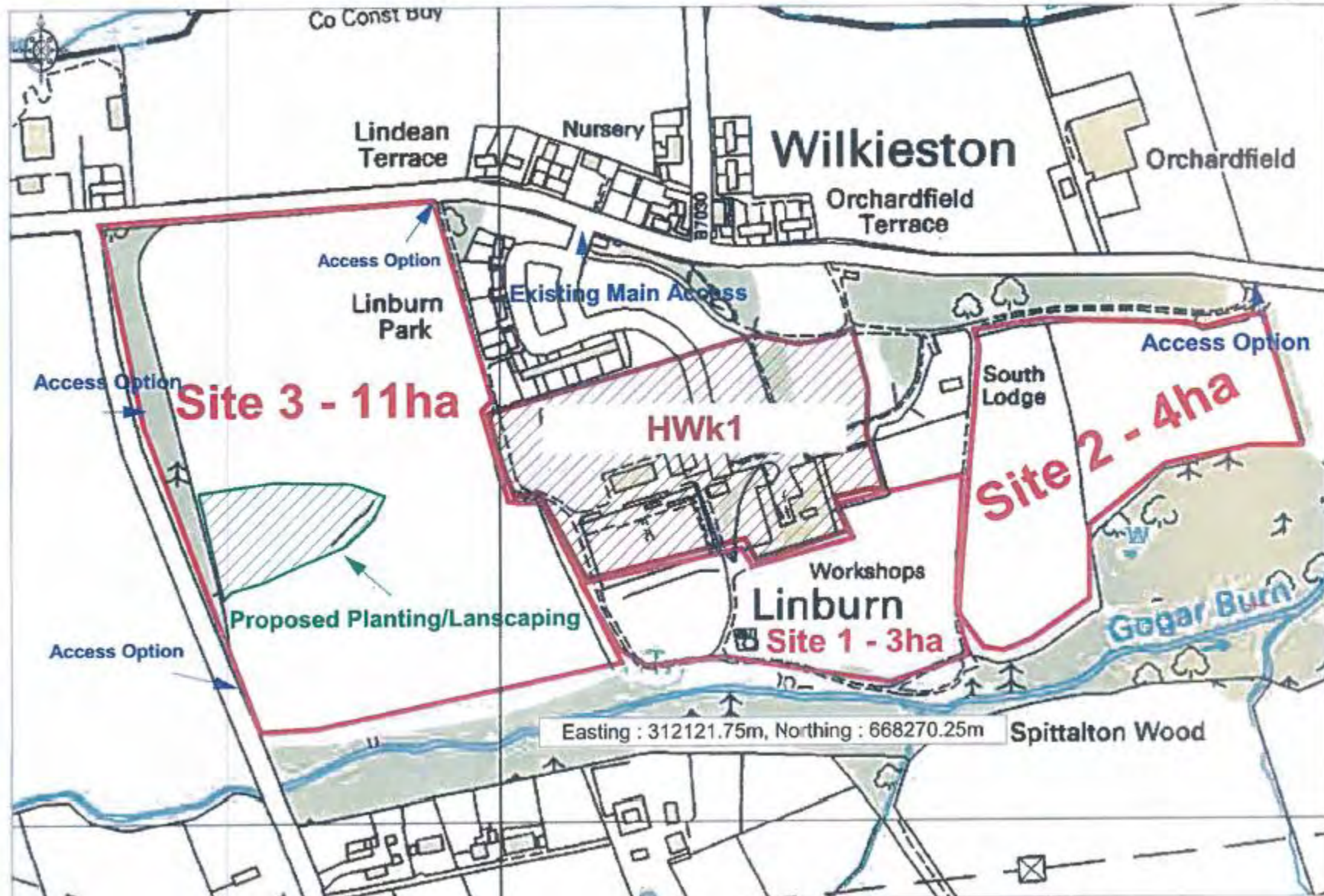
## **Summary**

6.23 Scottish War Blinded seeks the allocation of Land at Site 3 for housing development within the emerging Local Development Plan. The site is 'effective' and capable of being developed within the timescales envisaged by the Local Development Plan. The site's development would represent a sustainable expansion to the settlement of Wilkieston and be of a scale and form in keeping with the character of the settlement and local area. Furthermore, it would play an important role in helping to address the significant shortfall in effective housing land supply which has emerged upon analysis of the Main Issues Report.

## 7. Conclusion

- 7.1 For the reasons presented, both within this submission and the associated representation on Housing Supply and Demand, Scottish War Blinded considers there to be a clear and justifiable case for additional housing development allocations in and around the settlement of Wilkieston.
- 7.2 Given the need for the emerging LDP to allocate a substantial number of additional effective sites to meet housing land requirements and ensure the maintenance of a five years' effective land supply, Wilkieston's acknowledged attractiveness as a location for development dictates that it is appropriate to review the village's existing settlement boundary and consider any additional opportunities for housing development.
- 7.3 This submission has presented three appropriate opportunities for housing development, capable of making an important contribution towards addressing the major shortfall in the MIR's housing land supply.
- 7.4 With this in mind, the Scottish War Blinded representations seek the following:
- The continued identification of the existing HWk1 housing allocation (50 units) within the emerging Local Development Plan;
  - The re-classification of Land at Site 1 from a *'Preferred Alternative Site'* to a *'Preferred New Site'* with indicative development capacity of 30-50 homes;
  - The allocation of Land at Site 3 as a *'Preferred New Site'* with indicative development capacity of 50-75 homes. This would require the removal of the site's existing *'Area of Special Agricultural Importance'* designation within the adopted Local Plan.

Scottish War Blinded – Linburn Site Plan



# **West Lothian Local Development Plan Main Issues Report**

On behalf of

**Scottish War Blinded  
Linburn Estate, Wilkieston, West Lothian**

## **HOUSING SUPPLY AND DEMAND**

16<sup>th</sup> October 2014

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### **HolderPlanning**

5 South Charlotte Street, Edinburgh, EH2 4AN.

Tel: 0131 225 6349

[www.holderplanning.co.uk](http://www.holderplanning.co.uk)

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## 1. Introduction

- 1.1 This report considers issues relating to housing supply and demand and the adequacy of the West Lothian LDP Main Issues Report in addressing the requirements of SESplan, its related Supplementary Guidance and Scottish Planning Policy.
- 1.2 As described below, the content of the MIR is not consistent with any of these, and therefore should not be progressed in its current form.

## 2. SESplan and Supplementary Guidance (SG)

- 2.1 SESplan is the Strategic Development Plan (SDP), which was approved in 2013. Policy 5 (Housing Land) explains that for the period from 2009 up to 2024, there is a requirement for sufficient housing land to be allocated so as to enable 107,545 houses to be built in the SESplan area. Moreover, it indicates that the requirement for the period 2009 to 2019 is for 74,835 houses. It then goes on to say that:

***“Supplementary Guidance will be prepared to provide detailed further information for Local Development Plans as to how much of that requirement should be met in each of those six areas, both in the period 2009 – 2019 and in the period 2019 to 2024”***

- 2.2 In contradiction of this, analysis of MIR and supporting background paper on Housing indicates that West Lothian Council has effectively brought together the requirements for 2009 – 2019 and 2019 – 2024 into a single requirement of 18,010 for 2009 – 2024. A similar approach has recently also been adopted by City of Edinburgh Council within Proposed LDP2.
  - 2.3 There is no basis to combine the two periods in this manner and, on this basis alone, the MIR is not consistent with SESplan Policy 5, the text of which was introduced by way of a modification by the Scottish Ministers to ensure that housing need and demand was met within the appropriate timescales.
  - 2.4 The MIR and Housing Background Paper misinterpret SESplan Policy 5. The two partitions identified in SESplan Policy 5 relate to meeting the housing requirement in those two periods, as identified in the Housing Need and Demand Assessment.
  - 2.5 Moreover, as explained below, the bringing together of these requirements has the effect of constraining the delivery of housing by not providing enough land in the first period to allow the housing requirement to be met.
  - 2.6 Table 3.1 of the Supplementary Guidance identifies West Lothian’s housing requirement as 11,420 for 2009 – 2019 and 6,590 for 2019 – 2024. In accordance with SESplan Policy 5, sufficient housing land needs to be allocated within the West Lothian LDP to enable these numbers of houses to be built in each period. As explained in detail below, the MIR is deficient in this regard.
  - 2.7 It is notable that the Scottish Government and an Appeal Reporter have recently addressed this matter of interpretation.
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2.8 Firstly, the Scottish Government involved themselves in the context of the Supplementary Guidance. In this regard it was notable that the SESplan Authority's Proposed SG contained the following sentence in paragraph 3.13.

***“Member authorities will base their calculation of the five year land supply on the period 2009 – 2024, taking into consideration housing completions”***

2.9 On the 18 June, the Scottish Ministers issued a direction requiring this sentence to be deleted the final sentence of their letter stating:

***“While it may be considered to provide useful further information or detail, the inclusion of this also gives rise to a potential inconsistency between SESplan itself and the supplementary guidance. Ministers therefore consider that to avoid such inconsistency, to ensure compliance with the legislation and to avoid potential further delays in the process, that the relevant sentence be removed.”***

2.10 The SG has now been approved with this modification.

2.11 Secondly, a recent appeal decision (PPA-230-2124) on a proposal for housing in Ratho reached the following conclusion in respect to interpretation of SESplan Policy 5:

***“Paragraph 24 - ....I agree with the appellant about the basis for calculating the annual average and thus the 5 year requirement. Policy 5 of SESplan clearly states in the last sentence of the first paragraph that the requirement for each council area should be met for each of the two periods. To roll them together, resulting in a much lower average requirement for the first period, would be contrary to this intention.”***

2.12 SESplan Policy 6 (Housing Land Flexibility) requires West Lothian Council to maintain a five year land supply at all times and that the scale of this supply shall derive from the housing requirement identified through the SG.

2.13 SESplan Policy 7 (Maintaining a Five Year Land Supply) indicates that sites for greenfield housing development proposals either within or outwith the identified SDAs may be allocated in LDPs to maintain a 5-year housing land supply. The SDAs are identified in Policy 1A of SESplan and development principles are identified in Policy 1B. West Lothian is identified as a single SDA.

2.14 Thus, the combination SESplan policies referred to above requires land to be allocated in the West Lothian LDP sufficient to allow enough houses to be built to meet the housing requirements identified in Table 3.1 of the Supplementary Guidance. Below we explain why the MIR does not comply with this requirement.

### 3. West Lothian Local Development Plan: Main Issues Report (August 2014)

3.1 Paragraphs 3.37 – 3.47 of the MIR identify the above noted SESplan policies and their terms, before presenting the housing requirements of the SESplan Supplementary Guidance within Figure 11. Figure 11 correctly identifies West Lothian’s partitioned housing requirements i.e. 11,420 homes in the period 2009 – 2019 and 6,590 homes in the period 2019 – 2024. Paragraph 3.48 then states

***“The housing land requirement set out in Figure 11 will require to be translated into site allocations in the LDP”***

3.2 If this were the case, then we would have no objection. However, the information contained within the MIR and associated Appendices is not sufficient to verify this statement and, based upon our own analysis, we conclude that the List of Preferred Housing Site (Appendix 3) would fail to meet this objective.

3.3 The remainder of paragraph 3.48 – 3.50 provides brief commentary on West Lothian’s established housing supply, concluding that *“much of the housing requirements over the LDP plan period will therefore already be met through land allocations made in the West Lothian Local Plan”*. Paragraph 3.51 sets out the intention to allocate a number of new sites to *“augment the supply”* and *“ensure that a wider choice of housing is available, that a generous supply of housing land is provided and an effective five years housing land supply can be made available at all times”*. Appendices 1-4 set out the preferred housing allocations and suggested alternative sites, together with proposed phasing.

3.4 Paragraph 3.52 identifies the requirements of Scottish Planning Policy (SPP) that local authorities provide a generous housing land supply to meet housing needs across all tenures and to maintain at all times a five year effective supply of housing. Also the need to allocate land on a range of sites which are effective or capable of becoming effective to meet the housing land requirement up to year 10 from the predicted year of plan adoption, ensuring a minimum of 5 years effective land supply at all times.

3.5 The MIR notes at paragraph 3.53 that *“to achieve a five year effective supply at all times may result in more sites being required to be identified in the LDP for development”*. Further, at paragraph 3.54 the MIR acknowledges that there may be a need to exceed the allocations currently set out in the SDP in order to achieve a sufficiently generous housing land supply and provide an effective five year supply at all times across the plan period.

3.6 Paragraphs 3.55 – 3.62 set out three scenarios to provide for housing requirements. ‘Scenario 3’ is recommended as the preferred option. Scenario 3 states:

***Provide for a total of 26,347 houses which represents 3,500 houses above the base supply***

3.7 It is notable that the Council’s base supply figure of 22,847 units contains 8,566 units which are identified as being ‘constrained’ – equating to 37% of base supply.

3.8 As noted, neither the MIR or the Housing Background Paper contain sufficient information to determine how the LDP will allocate sufficient land capable of becoming effective and delivering

the scale of housing requirements for the periods 2009-2019 and 2019-2024 as identified by SESplan Supplementary Guidance.

3.9 Whilst Appendix 3 does contain a List of Preferred Housing Sites and Proposed Phasing this fails to take realistic account of delivery timescales, notably with respect to the 'new' housing sites. Given that the LDP is not scheduled for adoption until 2016, we can reasonably assume that little or no development will take place on these sites until 2017 at the earliest.

3.10 Neither does Appendix 3 appear to take appropriate account of the 'constrained' nature of many of the sites – 70 of which have been included within Appendix 3 and identified as producing outputs during the periods 2009-2019 and 2019-2024. It is crucial that this source of housing supply is underpinned by a robust explanation, supported by those that control the delivery of those sites. Otherwise they should not be counted. At present, therefore, there is significant uncertainty as to what assumption, if any, should be made for housing delivery from constrained sites.

3.11 In an attempt to address these key matters, we have undertaken our own assessment of Housing Land Needed to be provided for by the LDP. This is presented in the table on the following page:

**Table 1 – Housing Land Needed**

<b>Setting the LDP Housing Land Supply Target</b>	<b>2009 – 2019</b>	<b>2019 - 2024</b>	<b>2009 - 2024</b>
(1) Housing Land Requirement	11,420	6,590	18,010
(2) + 15% to ensure a generous supply	1,713	989	2,702
(3) LDP Housing Land Supply Target	13,133	7,579	20,712
<b>Meeting the LDP Housing Land Supply Target</b>			
(4) Effective Supply 2013-2019	4,336	3,227	7,563
(5) Constrained Sites coming forward	0	0	0
(6) Housing Completions 2009-2013	1,825	0	1,825
(7) Windfall	480	400	880
(8) Demolitions	-568	-100	-668
(9) Total Supply from Existing Sources	6,073	3,527	9,600
(10) LDP Housing Land Supply Target	13,133	7,579	20,712
(11) Total Supply from Existing Sources	6,073	3,527	9,600
<b>(12) House building Target to be met through new LDP allocations</b>	<b>7,060</b>	<b>4,052</b>	<b>11,112</b>
<b>New LDP Allocations</b>			
<b>(13) Estimate of Total Houses Built on New LDP Allocations</b>	<b>912</b>	<b>2281</b>	<b>3,193</b>
<b>(14) Shortfall/Surplus</b>	<b>6,148 Shortfall</b>	<b>1,771 Shortfall</b>	<b>7,919 Shortfall</b>

- 3.12 Table 1 disaggregates the Housing Requirement into the two periods specified in SESplan Policy 5 and the Supplementary Guidance i.e. 2009 – 2019 and 2019 – 2024.
- 3.13 Working down the table, it is straight forward to identify the starting point which is the housing requirement +15% for each of the periods (Line 3). Paragraph 116 of Scottish Planning Policy, states:
- “Within the overall housing target, plans should indicate the number of new homes to be built over the plan period. This figure should be increased by a margin of 10 to 20% to establish the housing land requirement, in order to ensure that a generous supply of housing is provided. The exact extent of the margin will depend on local circumstances, but a robust explanation for it should be provided in the plan”.*
- 3.14 We have therefore adopted a generosity margin figure of 15% for current purposes.
- 3.15 The second part of the table deals with the existing potential sources of housing supply. The first component of this is the effective supply. The figure for 2009-2019 has been calculated from Housing Land Audit 2013 and excludes the ‘new’ sites within the MIR. The figure for 2019-2024 reflects the information contained with the SESplan SG Technical Note and MIR Housing Background Paper (Line 4). Clearly, this figure requires to be updated but unfortunately the Council MIR documentation does not do this.
- 3.16 Line 5 contains an estimate for the delivery of constrained sites. Given that the MIR and Housing Background Paper, upon our analysis, does not provide a robust explanation, supported by those that control the delivery of those sites, regarding likely development output we have concluded that constrained sites should not be counted on within Table 1.
- 3.17 Line 6 identifies total completions for the period 2009-2013 sourced directly from the Housing Background Paper which takes account of Housing Land Audit 2013.
- 3.18 Line 7 contains an assumption for the delivery of Windfall sites, but this is not justified by any evidence as required SESplan Policy 5. Notwithstanding this position we have utilised the Council’s figure of 880 homes from windfall sources during the period 2009 to 2024, which is the amount that was identified within the SESplan SG Technical Note)
- 3.19 Line 8 contains details of demolitions. We have taken these figures from the SESplan SG Technical Note and MIR Housing Background Paper.
- 3.20 Line 9 calculates the Total Supply from Existing Sources i.e. Effective Supply + Constrained + Windfall + Completions – Demolitions.
- 3.21 The second part of the table concludes by subtracting the existing housing supply sources from the LDP Housing Supply Targets (Line 12).
- 3.22 The third part of the table addresses the new LDP allocations. As noted, MIR Appendix 3 contains a List of Preferred Housing Sites and Proposed Phasing however this fails to take realistic account of delivery timescales with respect to the ‘new’ housing sites. Appendix 3 appears to be, very optimistically, assuming that new sites will deliver significant housing numbers in the period 2014-2019.

- 3.23 Given that the LDP is not scheduled for adoption until 2016, we can reasonably assume that little development will take place on these 'new' sites until 2017 at the earliest given the associated timescale to secure planning permission, and this assumes that planning applications relating to new sites are granted permission before the LDP is adopted.
- 3.24 Appendix 3 estimates that 3,193 units will be delivered by these new sites by 2024 – which is a 7 year period from 2017. Specifically, Appendix 3 assumes delivery of 2010 units (2014-19) and 1183 units (2019-2024). As an estimate it might therefore be reasonable to assume that 2/7 of 3,193 will be built in the period to 2019 (i.e. 912) which is the figure we have used at Line 13 in the 2009 – 2019 column. The remaining 2,281 units have been programmed across the 2019 – 2024 period. This is a rough calculation, and it is essential that the Council, in preparing the Proposed LDP, make as accurate an assessment as possible of the delivery programme of new sites.
- 3.25 Line 14 subtracts the estimate of total houses built on new LDP allocation (Line 13) from the House Building Target to be met through new LDP allocations (Line 12) to determine whether an overall shortfall or surplus exists.
- 3.26 This demonstrates that within the period 2009 – 2024 there is a significant shortfall in the number of houses that are likely to be delivered as an outcome of the MIR strategy. In the first period there is a shortfall of 6,148 homes to be precise (Line 14). Within the period 2019 – 2024, there is a shortfall of 1,771 houses. It should be noted that this shortfall in the second period is in addition to the shortfall in the first period. Therefore, overall, by the end of 2024 there will be a total deficit of 7,919 houses.

## **4. Conclusion**

- 4.1 The MIR is not consistent with SESplan and its Supplementary Guidance, or Scottish Planning Policy in respect to meeting housing land requirements. A substantial number of additional effective housing sites need to be allocated, and various sections of the MIR need to be rewritten to properly reflect the terms and requirements of SESplan and SPP. Additional analysis is also required to substantiate the basis for assumptions on supply flexibility and housing delivery from constrained sites.