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City of Edinburgh Council
Market Street
Edinburgh

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15 October 2014

Dear Sir,

***WEST LOTHIAN LOCAL DEVELOPMENT PLAN: LAND AT BALGREEN FARM,
LIVINGSTON (EOI-0111)***

RFA wishes to make a representation to the West Lothian Local Development Plan (MIR) on behalf of DRR Rural in respect of land at Balgreen Farm, Livingston, West Lothian, EH54 9AN owned by [REDACTED].

The subject site has been subject to previous representations to the MIR as part of a planned approach. A formal letter of support has been submitted to the Proposed LDP identifying planning reasons for inclusion of the land as a good and effective residential development opportunity.

Our client fundamentally disagrees with the approach being taken and wishes to submit a formal objection to the LDP MIR. We do not accept the Council's logic or reasons for excluding this site and should the site not be progressed in the Proposed LDP would wish to be represented at the LDP Examination / Hearings.

We would also draw the Council's attention to the provisions of Planning Circular 6/2013 on Development Planning and believe that the Council's decision is not compliant with due processes.

The land has been brought forward at this stage in response to mounting development pressures in Livingston and the West Lothian corridor, a perceived shortage of housing land, and the status of the site in the emerging LDP. It is considered that this site is a most sustainable location within this area and has the potential to meet key planning objectives within both SESPlan and the LDP.

Land at Balgreen does not have any overarching infrastructure constraints and can be serviced to allow development. It is well located for local services.

Site Description and Characteristics

Balgreen Farm is located immediately south of Murieston, approximately 6 miles south of Livingston. It is immediately adjacent to the Murieston boundary and would allow a logical expansion to the urban area over the plan period.

It is 29.5 Ha (or thereby) and has the capacity for a significant release with a critical mass of housing. It is particularly well contained by tree belts adjoining housing and a railway line. The site has excellent accessibility and Castleview Lane feeds into the M8 and the A71, connecting the site with Livingston, Edinburgh and Glasgow.

Development Plan

The subject land is located outwith the Settlement Boundary of Livingston within the *West Lothian Local Plan 2009* and is identified as Countryside Belt. Policy ENV32 and Countryside Policy ENV2-7 ENV 9 and ENV 19-20 apply. The plan is significantly out of date and does not comply with SESplan or Scottish Planning Policy.

The development proposal for housing is a logical, natural extension of Murieston and Livingston South. Guidance within SPP and PAN 2/2010 advises a range of house types and sizes must be provided in both market and affordable tenures. Planning Authorities need to be ambitious in their targets in order to satisfy local requirements working in collaboration with landowners and developers to meet housing requirements for established and effective land in marketable locations such as Livingston.

The Proposed Local Development Plan must be prepared in accordance with the approved SESplan (as modified by Supplementary Planning Guidance on Housing and the requirements of new Scottish Planning Policy (June 2014)

It is a key requirement that a 5 year supply of housing is maintained to facilitate growth through the planning process. The Scottish Government advises that 'the planning system should contribute to raising the rate of new house building by identifying 'a generous

supply' of land for the provision of a range of housing in the right places'. SPP required planning authorities to be ambitious in setting their targets for a 5 year housing land supply to meet local needs and demands within the HMA's.

SESPlan provides the parameters for the spatial strategy and scale of housing and employment growth required to secure economic recovery in the West Lothian Corridor. Housing provision is based on a Housing Need and Demand Assessment (HDNA) and Supplementary Planning Guidance (SPG) approved by Scottish Ministers in June 2014.

SESPlan recognises the importance of the West Lothian Corridor as an important area for employment and economic growth. As of 31 March 2013 the effective land supply in West Lothian was 14,470 units out of an established Land Supply of 22,533. The SPG identifies an overall requirement of 11,420 houses for the period 2009-19 and 6,590 houses for the period 2019-24. Based on the information within the 2013 Housing Land Audit it is estimated that there is a shortfall in the 5 year land supply of approximately 45% or 4,371 units.

The preferred strategy appears to focus on increasing numbers within the Core Development Areas and much of this earmarked for phased development beyond 2019 and indeed beyond 2024. This approach is considered to be flawed in so far that it is over reliant on large allocations, constrained sites and windfalls which will not deliver effective sites and could constrain the level of house building.

Paragraph 110 of SPP states that 'The planning system should: identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5-year supply of effective housing land at all times'. This clearly is not the case and there is a possibility that the LDP will result in under supply without additional allocations.

Notwithstanding the housing figures, there is a need to take a more realistic and pragmatic view in formulating a more ambitious vision for West Lothian that is more in line with SPP and SESplan. Housing supply in Livingston should therefore be given the status commensurate with a key strategic location.

In relation to sites that have not been developed or are constrained, there is a need to consider how the feasibility and viability of such allocations can be improved through the planning system in order to attract development. Murieston is a prime marketable site situated in a sustainable location and meets the tests for housing allocations being unconstrained.

Land at Muireston is effective, capable of being delivered in the short to medium term and will help to meet housing need in West Lothian. The landowner therefore believes that it should be allocated for housing development in the emerging Proposed Local Development Plan.

An allocation at Balgreen Farm for housing development will accord with the housing and economic development priorities of West Lothian Council. It will increase the provision of new market and affordable housing and will create a range of choice of housing type and tenure.

Development proposals will be subject to a masterplan in accordance with SPP policy principles; PAN 44; PAN 67: PAN 83 and in line with best practice set out in Designing Places, Designing Streets. Adherence to these principles will allow a successful integration with Muireston.

The development will link into the existing transport network and a new access will be created off Castleview Lane. Proposals will be of an exceptionally high design standard and will comply with best practice design guidance. It will integrate sympathetically into the surrounding landscape and will be of a design and density that is sympathetic to the rural location.

Response to the MIR Comments

The land at Balgreen Muireston can assist the Council in meeting the strategic housing land requirements within the Housing Market Area (HMA), and provide an enhanced range and mix of housing including affordable housing for Livingston in accordance with SESplan and Scottish Planning Policy objectives.

In summary the MIR rules out the Balgreen Farm for the following reasons:

- Development of the site is not in accordance with the Council's preferred development strategy which supports development within the core development areas and other strategic locations and the release of brown-field land in the first instance for development. There are other more suitable sites available for development.
- Those education capacity constraints within the area which prevent development of this site in the short term.
- The physical development of this site would constitute an intrusive physical expansion into the Countryside Belt and that more acceptable sites are proposed to be brought forward to support development requirements.

The Council's preferred strategy for West Lothian is largely dependent on the performance of Core Development Areas and key strategic locations which includes Livingston. It is clear that the performance of these, and in other strategic locations, has been variable and not in accordance with strategic targets. There is an over reliance on these areas at the expense of equally sustainable and more marketable locations such as Livingston which should be a major focus for housing and economic development.

The assertion that there are other more suitable sites available for development is not fully justified in the MIR contrary to SPP and Planning Circular 6 / 2013. It is not transparent how the opportunities submitted have been assessed and evaluated.

Education capacity constraints are cited as a reason for exclusion in the short term but not over the plan period. However it is not clear that there is an educational constraint and the landowner would wish to challenge this assertion in the absence of detailed figures. As an aside we are unaware of any infrastructure that would inhibit the development being proposed.

The physical expansion of Muireston has not been fully tested and there is no evidence that an alteration to the urban boundary envelope would constitute an intrusive physical expansion. Landscape, topographical and visual assessment of site conditions indicate that there is the environmental capacity to accommodate development. Furthermore, there is no cognisance of the associated socio-economic and community benefits that this development could deliver including affordable housing.

As above other more acceptable sites have not been demonstrated through the planning process. Existing allocations are not performing in accordance with PAN 2/2010 and are precluding more effective and marketable sites such as this one from being progressed.

Development Potential

The objective in proposing this allocation is to promote a sustainable and high quality development which responds to strategic housing requirements. The site is well located and can be fully integrated into the urban structure. It is free from constraints and is capable of being effectively developed. Balgreen Farm provides an outstanding development opportunity that should be promoted through the emerging West Lothian LDP.

In particular land allocation of Balgreen Farm would:

- Assist in addressing the supply of land within an established growth corridor in order to meet established demand within the housing market area;

- Address issues regarding land supply, choice and range of housing tenures and type and affordable provision to be addressed;
- Allow a high growth market recovery strategy to be pursued in conjunction with other key allocations and infrastructure decisions;
- Address development pressures within the SESplan region by allocating an effective, sustainable housing use;
- Use available infrastructure and allow development close proximity to the transport network, jobs services and commercial facilities;

Effectiveness Services and Infrastructure

In terms of PAN 2/2010 we are not aware of any ownership, physical, financial or marketing constraints that would preclude this site from coming forward in the short-medium term and form part of the 5 year land supply. Infrastructure and services are available to support the development of this land during the plan period.

Developer contributions will be negotiated with the Council for Education, Transport, Affordable Housing and Community Contributions in accordance with Supplementary Guidance and through Section 75 Agreements and Planning Obligations.

In accordance with the Town and Country Planning Scotland Act any application coming forward for the site will need to be determined in accordance with the development plan unless material considerations indicated otherwise.

Nonetheless we consider there to be very strong material arguments which would give significant weight to any application coming forward in the future.

In particular SPP seeks to increase the supply of housing and maintain a 5 year supply of effective housing land at all times as part of a generous supply for house builders. It also acknowledged that some development will need to take place on green field land adjacent to existing settlements.

Conclusions

The site at Balgreen Farm has been rejected for allocation for residential development and given the issues above we see no reason why the full site should not be allocated within the LDP. It is ideally suited for the provision of family housing for both Livingston and where incorporating urban fringe land that forms a logical extension to Muireston.

In addition to providing a feasible and effective proposal, it can be justified in housing supply terms in order to meet the strategic land requirement in West Lothian. It can be accessed and has no over arching constraints that would preclude development. There are significant benefits in allocating this land.

In terms of urban design the site provides a good opportunity for quality place-making integrated into the existing community infrastructure. A Masterplan / Development Framework will be brought to the Council in due course for discussion in relation to the planning issues raised in this paper.

The site does not make significant contribution to the Countryside Belt objectives or active recreational use. In addition it would assist in developing defensible urban boundaries and associated access improvements within the area.

It is therefore respectfully requested that West Lothian Council fully re-considers the potential of this land against the SESplan requirements and makes an allocation in the emerging LDP.

Should the site not be allocated, our client reserves the right to make representations at the Local Plan Examination. Furthermore RFA would be pleased to discuss the justification for this proposal with the Council.

Yours,

Rick Finc, MRTPI, MIED, Principal

RFA | Edinburgh | 15 October 2014