

The Director of Planning
City of Edinburgh Council,
Market Street,
Edinburgh

RFA Development Planning
3 Walker Street
Edinburgh EH3 7JY
0131 220 2403

rick.finc@rickfincassociates.com

15 October 2014

Dear Sir,

***WEST LOTHIAN LOCAL DEVELOPMENT PLAN: LAND AT HARTWOOD ROAD, WEST CALDER
(EOI-0052)***

On behalf of Davidson and Robertson Rural, RFA wishes to make a representation to the West Lothian Local Development Plan (LDP), Main Issues Report in respect of land at Hartwood Road, West Calder.

The subject site is not identified within the MIR as being suitable for community facilities, care home and parking purposes. A formal letter of support has previously been submitted to Proposed LDP identifying planning reasons for inclusion of the land as a housing site.

My client does not accept the Council's reasons for the non inclusion of this land and wishes to challenge the decision through a formal objection as part of the Proposed LDP. 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.

It is anticipated that subject to an agreed layout and design that the site could accommodate community facilities, a care home and parking on 1.55Ha. The land is well contained by physical boundaries and the landform has the capacity to accommodate built development. In addition it has been demonstrated that the site:

- Can be satisfactorily accessed via A71 in accordance with normal highway standards and it is accessible to public transport and rail services.
- Environmental considerations indicate that the landscape and visual impact of development would not be significant.
- There are no environmental and landscape designation affected and biodiversity would be improved.
- There is no risk of flooding and the development would be subject to a SUDs Management Scheme
- Drainage infrastructure and utilities exist locally for cost effective connections subject to a satisfactory Drainage Impact Assessment by Scottish Water.
- Urban design would consolidate the village structure enhancing the urban edge to the south through infill development.

Development Plan

The subject land is currently located outwith the settlement boundary of West Calder within the *West Lothian Local Plan 2009* and is identified as Countryside Belt. This plan is significantly out of date and does not comply with SESplan, other material planning conditions including the emerging LDP are therefore relevant. Therefore, the following policies are applicable; Policy ENV31: Housing in the Countryside and Policy ENV32: Countryside Policies ENV 2-7, ENV 9, ENV 19-20.

The development proposal for housing / care and community uses is a logical, natural extension of West Calder, situated just south of an existing residential development. 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 West Calder.

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 paramount 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 requires 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 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.

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 confirms the need for a generous supply of housing land to be available at all times, and this should cater for all types of housing need. Furthermore the Strategic Development Plan has a clear aim of promoting sustainable development, whilst creating opportunities for satisfying the full range of housing needs, including housing for the elderly.

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. West Calder is situated in a sustainable location and meets the tests for housing allocations.

As part of the HDNA, local authorities are required to consider the need for specialist provision that covers accessible and adapted housing, wheelchair housing and supported accommodation, including care homes and sheltered housing. This supports independent living for elderly people and those with a disability. Where a need is identified, planning authorities should prepare policies to support the delivery of appropriate housing and consider allocating specific sites.

The HDNA outlines that there has been a consistent large percentage increase in the elderly population aged 80+, largely due to greater life expectancy. Generally, the population is ageing.

The West Lothian Partnership paper "Reshaping Care For Older People Joint Commissioning Plan Older People 2013-2023" states that as a consequence of a growing number of older people living longer and with increasing frailty the volume of equipment and need for more specialist equipment is expected to increase. Furthermore, this plan states that "Priority is given to applications which

focus on respite and short breaks”

Scottish Government’s Caring Together: The Carers Strategy for Scotland 2010-2015, “emphasises the importance of providing flexible, personalised short breaks provision to carers. Innovative solutions are required to help meet demand”

The West Lothian Community Health and Care Partnership (CHCP) also outlines a need for specialised housing for the elderly. The CHCP’s overall aim is to ensure that older people receive a good, interlinked provision of quality social, health and housing services relevant to their assessed needs as those needs arise and change with time, these services include care homes and short stay/ respite facilities.

It is fair to say that both on a national level (The Scottish Governments’ Caring Together Strategy) and a local level, (The West Lothian CHCP and West Lothian Reshaping Care For Older People Plan), this documents outline strong support for specialised accommodation for the elderly and in particular supports the need for care homes and short stay/respice facilities.

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

Response to the MIR Comments

The land at Hartwood Road, West Lothian 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 to suit all needs including those of the elderly in West Calder in accordance with SESplan and Scottish Planning Policy.

In summary the MIR rules out the Hartwood Road site 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.
- Generally, there are other more suitable sites available for development that can be brought forward to support development requirements. The Strategic Development Plan gives priority to redeveloping brownfield land in advance of green-field sites such as this.

- Development of this site would be visually and environmentally intrusive and detract from the rural character of the site and its surroundings.
- Development could be prejudicial to the continued development of the CDA which the Council is committed to supporting.
- There are concerns regarding access via Hartwood Road and the impact of development on the local road network into West Calder and vehicular access to the site could be challenging.
- There is a small watercourse in the western tip of the development site which may pose a risk of flooding and SEPA would require that a Flood Risk Assessment and Drainage Assessment be submitted.
- In terms of waste water treatment the site is served by the AVSE PFI EAST CALDER waste water treatment works (WWTW) where there is insufficient capacity.

The Council's preferred strategy for West Lothian is largely dependent on the performance of Core Development Areas. 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.

In any case West Calder is an important strategic location and there is no good planning reason why development in the town should be exclusively restricted to the CDA.

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. This presumably is a reference to the CDA at West Calder and we do not agree with this assertion.

The physical expansion of West Calder has not been fully tested and there is no evidence that an alteration to the village envelope would constitute an intrusive physical expansion to the village. Landscape, topographical and visual assessment of site conditions would indicate otherwise in terms of environmental capacity.

It is not considered that the site is of 'rural character' however it does provide an opportunity for infill and rounding of this part of the town as a windfall site.

There is no cognisance of the socio-economic and community benefits that this development could deliver in conjunction with Housing Associations and NHS Lothian. This not only includes private investment for community facilities but also the employment spin offs for local residents.

As above, other more acceptable sites have not been demonstrated through the planning process. Existing CDAs within the town are not performing and are restricting the availability of houses for new households. Existing allocations do not fully comply with PAN 2 /2010.

WLC appear to wish to protect the continued commitment to the West Calder CDA despite the requirement for additional housing and community facilities. We consider this reason to be non-compliant with Planning Circular 6 /2013.

A preliminary traffic and transport assessment of the site confirms that there is sufficient capacity within the road network to cope with any increase in traffic. The community uses would not operate normal peak hour movements and there would be no conflict with other road users or pedestrians.

A Flood risk and Drainage Impact Assessment would both be undertaken at the appropriate stage in the development process.

It is claimed that there is insufficient capacity within the WWTW. We are confident that this technical drainage issue can be overcome to permit an allocation to be made during the plan period. Capacity may be reserved for the CDA but this is not likely to be taken up in the short to medium term.

Advantages and Benefits

There are significant benefits in allocating additional land within West Calder, not least because of the locational characteristics and accessibility, making this area an important node within West Lothian / A71 corridor. New community facilities and specialised housing will raise the socio-economic profile support existing services, sustain facilities and contribute to the growth and increased vibrancy of the town.

Furthermore, the area offers housing land that can be integrated into the settlement pattern and allows additional flexibility in housing land supply to meet sustainable development objectives. In particular, the allocation at West Calder will provide the following advantages and benefits to the local community in so far as it would widen the choice range and mix of housing available as well as enhancing local community facilities.

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.

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.

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 the land.

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.

Conclusions

Land at Hartwood Road, West Calder provides a feasible and effective proposition which is an excellent development opportunity that should be promoted through the emerging LDP. It forms a logical and natural extension to the area and can be justified for housing/community and care home provision.

The SESplan confirms the need for a generous supply of housing land to be available at all times, and this should cater for all types of housing need in accordance with the West Lothian LHS and Scottish Planning Policy. Furthermore the Strategic Development Plan has a clear aim of promoting sustainable development, whilst creating opportunities for satisfying the full range of housing needs, including housing for the elderly

The Council should recognise the significant benefits of a potential allocation and encourage deliverable development in this sustainable of locations.

Both on a national level (The Scottish Governments' Caring Together Strategy) and a local level, (The West Lothian CHCP and West Lothian Reshaping Care For Older People Plan) outlines a strong need for specialised accommodation for the elderly, and in particular supports the need for care homes and short stay/respite facilities.

It is therefore respectfully requested that West Lothian Council fully re-considers the potential of this land against the revised requirements of SESplan and makes an allocation the emerging Local Development Plan that can be taken forward in the short-medium term.

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 through their search and selection criteria when appropriate.

Yours,

Rick Finc, MRTPI, MIED, Principal

RFA 15 OCTOBER 2014