

The Director of Planning
City of Edinburgh Council
Market Street
Edinburgh

RFA Development Planning
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15 October 2014

Dear Sir,

**WEST LOTHIAN LOCAL DEVELOPMENT PLAN: LAND AT LANGTON ROAD, EAST CALDER, EAST
LOTHIAN (EOI 0113)**

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 Langton Road, East Calder owned by Mr D. Irvine.

The subject site is not identified within the MIR as being suitable for residential development. A formal letter of support has previously been submitted to Proposed LDP fully 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 approximately 120 predominantly residential units on the 5.3Ha. The land is well contained by physical boundaries and its 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 as well as facilities within the village.
- Environmental Considerations indicate that the landscape and visual impact of development would not be significant.
- There are no environmental and landscape designations affected and bio-diversity would be improved.
- There is no risk of flooding and the development would be subject to SUDs;
- Drainage infrastructure and utilities exist locally for cost effective connections;
- Urban design would consolidate the village structure enhancing the gateway to East Calder and assist local facilities;

Indeed further information has been presented to the Council in respect of flood risk and drainage relating to this site in order to clarify the position.

Development Plan

The subject land is currently located outwith the settlement boundary of East 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 Scottish Planning Policy are therefore relevant.

The land being promoted is adjacent to the East Calder settlement boundary and in land designated as "Countryside" in the West Lothian Local Plan 2009. 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 apply.

Development proposed for housing is a logical, natural extension and rounding off of East Calder, situated immediately 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 East Calder.

The Proposed LDP 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 an essential requirement that a 5 year supply of housing is maintained to facilitate growth through the planning process. 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 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 11420 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 4371 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.

A greater degree of flexibility is therefore required in the range a type of allocations both within and outwith CDAs. The Calderwood CDA is not performing and protecting this area is not compliant with SPP or PAN 2 /2010.

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;'

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.

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. Langton Road East Calder is situated in a sustainable location and meets the tests for housing allocations. Unlike the wider CDA it can be developed independently of other sites and integrated areas within West Calder. Its allocation would assist and facilitate the delivery of infrastructure and services required for other sites in the CDA.

The Langton Road site 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.

Response to the MIR Comments

Land at Langton Road 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 East Calder in accordance with SESplan and Scottish Planning Policy.

In summary the MIR rules out the Langton Road site for the following reasons:

- The site lies within an area designated as countryside belt and provides a countryside edge to East Calder.
- Development would likely be highly visible from the A71 resulting in visual intrusion.
- There are infrastructure issues associated with this site. There is no education capacity to support development.

The Council's preferred strategy for West Lothian is largely dependent on the performance of Core Development Areas. It is clear that the performance there 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 East Calder.

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.

Infrastructure and Education capacity constraints are cited as a reason for exclusion. We are unaware of any infrastructure that would inhibit the medium sized development being proposed. In addition 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.

The physical expansion of East 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 (including visibility from the A71) would indicate otherwise in terms of environmental capacity. Furthermore there is no cognisance of the socio-economic and community benefits that this development could deliver.

As above other more acceptable sites have not been demonstrated through the planning process. Existing allocations within East Calder (Calderwood) are not meeting planned targets and the policy is therefore restricting the availability of houses for new households. The existing allocations do not fully comply with PAN 2 /2010 and require to be reviewed.

Our client is concerned that no substantive evidence in relation to the reasons for dismissal of the site has been made transparent in the MIR or supporting documentation.

Development Potential

There are significant benefits in allocating additional land within East Calder, not least because of the locational characteristics and accessibility, which making this area an important node within West Lothian / A71 corridor. New housing will raise the socio-economic profile support existing services, sustain facilities and contribute to the growth and increased vibrancy of the town. This particularly the case in respect of educational and related contributions from the existing critical mass of development.

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 of additional land at East 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.

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.

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 Langton Road 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 in housing supply, environmental urban design and infrastructure terms in promoting economic recovery and investment.

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

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