



West Lothian Council is charged with preparing a Local Development Plan (LDP) for the West Lothian area. Preparation of the LDP is a requirement of the Planning etc (Scotland) Act 2006. The LDP will, in time, replace the current adopted West Lothian Local Plan.

The LDP will set out detailed policies and proposals for the area which, together with supplementary planning guidance, will inform decisions on future development when the council assesses planning applications. This is important as Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

As part of the process in producing the LDP, a Main Issues Report (MIR) must be published. The council is now seeking to engage formally with interested parties to inform the preparation of the MIR. This expression of interest form invites the submission of expressions of interest for future development or land use allocations. We are also interested in your views on what you consider to be the key issues which should be taken into account in preparing the LDP.

As part of the MIR, all sites will be assessed on their own merits and in the context of the strategic requirement for new housing land and other land uses, in addition to identifying and assessing any constraints. Strategic requirements for housing land are set out in the Strategic Development Plan, prepared by SESplan - the Strategic Development Plan Authority. More information is available at [sesplan.gov.uk](http://sesplan.gov.uk)

Where appropriate, all information will be made available to the public, in order to promote an open, accessible and transparent process.

Please note that by submitting a site for consideration as part of the LDP, this does not guarantee that the site will move forward for inclusion and allocation in the West Lothian Local Development Plan. Any sites that are included will also be subject to the normal planning application process.

**NB This form must be returned by no later than 4pm on Friday 6 May 2011. Any submissions received after this date or where no contact name or address is provided will not be considered. It will also be preferred if submissions can be made electronically by e-mail, or by submission on CD.**

**Please use one form for each proposed site.**

Submissions should also be limited to no more than 2000 words, in the interests of expediency and returned by email: [localdevelopmentplan@westlothian.gov.uk](mailto:localdevelopmentplan@westlothian.gov.uk)

or by writing to: **Development Planning Manager, Planning and Economic Development, County Buildings, High Street, Linlithgow, West Lothian, EH49 7EZ**

Please fill in your contact details so that we can keep you informed of progress on the West Lothian Local Development Plan.

<b>1 Contact details</b> (e.g. agent where applicable)	
Name	David Tough
Company	RYDEN
Address	46 Castle Street, EDINBURGH
Postcode	EH2 3BN
Telephone	0131 225 6612
Fax	0131 225 5766
Email	david.tough@ryden.co.uk

**2 Land owner details** (if different from contact details)

Name	Forkneuk Consortium(Ashdale Land&Property Co; Forkneuk Farming Partnership & Walker Group / Meikle) +		
Company	c/o RYDEN +		
Address	46 Castle Street EDINBURGH		
Postcode	EH2 3BN +		
Telephone	0131 225 6612 +	Fax	0131 225 5766 +
Email	david.tough@ryden.co.uk +		

**3 Site details** Please attach an Ordnance Survey (OS) location plan/map (if possible) showing the boundary of the site. Maps can be purchased from OS through the following web link: <http://www.ordnancesurvey.co.uk/oswebsite/>

Address	Forkneuk, North Uphall				
Postcode					
National Grid Ref (if known)					
Area (hectares)	192ha +				
What is the site currently used for or most recently used for?	Agriculture				
What is the proposed use for the site: (e.g. housing, business, retail, other)?	Housing				
If the site is vacant, have there been any buildings on the site in the past?	No				
If housing is proposed, please indicate the number of units	1750 - 2000 +				
Has there been any planning application on this site within the last 10 years? (include reference number if known)	No				
Please indicate the availability of this site for housing development or other developments					
<input type="radio"/>	0-5 years	<input checked="" type="radio"/>	5-10 years	<input type="radio"/>	over 10 years

**4 Supporting statement.** Please use the space below to provide any supporting statement for the above site and proposal *(if necessary, please continue on a separate sheet)*

See separate sheet.

**5 Site constraints** (please tick below any known constraints that relate to the site)

- |                                                                                                                                          |                                                 |
|------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> Roads access/parking/traffic impact                                                                             | <input type="checkbox"/> Contamination          |
| <input type="checkbox"/> Flood risk                                                                                                      | <input type="checkbox"/> Water supply           |
| <input type="checkbox"/> Nature conservation (e.g. trees, TPOs, protected species etc)                                                   | <input type="checkbox"/> Foul drainage disposal |
| <input type="checkbox"/> Archaeological or built heritage (conservation area/ listed buildings)                                          | <input type="checkbox"/> Surface water disposal |
|                                                                                                                                          | <input type="checkbox"/> Ownership              |
|                                                                                                                                          | <input type="checkbox"/> Rights of way          |
| <input checked="" type="checkbox"/> Other (please specify) <input type="text" value="Ground stability may require mitigation in parts"/> |                                                 |

**6 What do you consider to be the key issues which should be taken into account in preparing the Local Development Plan for West Lothian?**

Thank you for taking the time to complete this questionnaire.

Should you wish to contact us to discuss completion of this form please telephone us on **01506 775231** (**01506 282457** after 17 February) or please e-mail us at [localdevelopmentplan@westlothian.gov.uk](mailto:localdevelopmentplan@westlothian.gov.uk)

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**Forkneuk Consortium**

**Local Development Plan Expression  
of Interest – Supporting Statement  
relating to land at Forkneuk, Uphall,  
West Lothian**

**April 2011**

**Ryden LLP  
46 Castle Street  
Edinburgh  
EH2 3BN  
Tel: 0131 4733225  
fiona.clandillon@ryden.co.uk**

## Contents Amendment Record

Issue	Description	Date	Signed
1	LDP EoI Submission	21.04.11	FC

## 1.0 INTRODUCTION

1.1 The Forkneuk Consortium comprises three parties who have substantial landholdings located to the west and north of Uphall, West Lothian. The Consortium members are Ashdale Land and Property Company Ltd, the Forkneuk Farming Partnership and the Walker Group on behalf of the Meikle Family (East Bangour Farm). Together they control land capable of producing circa 2,000 houses and associated uses.

1.2 At the West Lothian Local Plan Inquiry in 2006, Forkneuk was promoted as a site to meet housing targets set out in the Edinburgh and the Lothians Structure Plan 2015 for the Uphall / Broxburn East / Winchburgh Core Development Area, principally as an alternative to Winchburgh should development at that location not proceed or not achieve its target of 3,500 houses. It was recognised that Winchburgh presented a significant planning challenge as the scale of residential and employment uses required a new road junction on the M9 Motorway and its sustainable transport credibility was based on the development of a new station at Winchburgh.

1.3 The Forkneuk Consortium did not object to the proposed allocation at Winchburgh. However, if Winchburgh proved unable to deliver the expected level of development within the stated timescale, the Consortium put forward its site at Uphall for consideration to ensure the Core Development Area targets in the structure plan could be met.

1.4 The Reporter in his findings on the local plan objection lodged by the Forkneuk Consortium stated :-

*'We have found that the Forkneuk site has potential and that it could accommodate some development. We believe that West Lothian Council's criticisms of this site are overstated, particularly those relating to coalescence, landscape and traffic. We consider that it would be possible for an acceptable scheme to be devised either on the Forkneuk site as proposed or something resembling that site. However, it does not have the capacity of the Winchburgh allocations and it falls considerably short of the potential transport infrastructure associated with these proposals. Forkneuk also does not appear to include an employment element as part of the proposals. Overall we are satisfied that at this stage, the Winchburgh allocation would be preferable.'*

1.5 It is clear that Forkneuk is a credible development site capable of producing housing. It could also deliver employment use if required. The only reason it was not recommended for allocation by the Reporter was that Winchburgh was considered capable of delivering large scale development.

## 2.0 Changes since 2006 Inquiry

### Strategic Development Plan

#### Housing Requirement

- 2.1 The publication of the Main Issues Report (MIR) for SESplan was a disappointment for many. The conservative approach taken to calculating the need for future development. The 'preferred' scenario set a target of 27,000 houses as the additional requirement for housing land for the SESplan area in the period to 2032. This would require no additional housing land to be identified in the period to 2019 and only 7,000 houses in the period to 2024. In the West Lothian Corridor, 5,750 additional homes beyond existing allocations are proposed up to 2032.
- 2.2 The MIR justifies its approach based on the Housing Needs and Demand Assessment prepared by Tribal Consultants in March 2010 and the approved Housing Land Audits from the respective local authorities. GRO projections were also adjusted downwards to take account of the economic and housing market slowdown.
- 2.3 Ryden has already challenged the findings of the MIR in its consultation response on behalf of the Forkneuk Consortium. GRO projections support a target of 45,000 houses to meet housing need to 2032. These projections already take into account the impact of the economic slowdown. We are also aware of the challenge to the MIR position by Homes for Scotland.
- 2.4 It is hoped that the higher growth target will prevail. One key advantage of the 'higher growth' scenario is that allows half of the higher target to be delivered in the period to 2024 and half post 2024. This ensures further land can come forward in the short/medium term rather than solely relying on existing housing allocations, many of which are now proven not to be 'effective'.

#### Sustainable Development and Transportation Strategy

- 2.5 In addition, sustainable development is clearly a high priority for SESplan. The Executive Summary states that SESplan will continue the delivery of identified development areas and link the development strategy to the availability and provision of supporting infrastructure, promoting a sustainable pattern of development. The preferred approach set out in the MIR is to guide new development, where possible, to locations that are well served by public transport, thereby reducing the need to travel by car.

- 2.6 The emerging West Lothian LDP must respond to these priorities. It has an opportunity to assess whether identified development areas can comply with these criteria given difficulties in delivering sustainable transport infrastructure some CDAs are experiencing.
- 2.7 Alternative sites which meet these objectives more fully must be considered to be able to partially or wholly replace previously allocated sites which are not developed and cannot be considered to comprise sustainable development.
- 2.8 Since the Inquiry, Uphall Station, located approximately 2km from Forkneuk, has been improved with extended platforms, increased services and an enlarged car park. Uphall Station is on the Airdrie to Bathgate Rail Link, which has now opened. This provides a high quality services with four trains per hour to both Edinburgh and Glasgow. Given the investment that has already taken place along the Airdrie to Bathgate Rail Link, it is reasonable to expect the West Lothian LDP will favour a spatial strategy that takes advantage of this in order to maximise opportunities for sustainable development in West Lothian.

#### **Delivery**

- 2.9 In addition, the Scottish Government is placing a renewed emphasis on ensuring the housing land requirement can be met since the adoption of the West Lothian Local Plan. This is due to concern about the concentration of housing supply into large sites, such as West Lothian's Core Development Areas, and the failure of these large, infrastructure heavy sites to deliver housing to date. This failure is mainly due to the lack of debt financing and the difficulties in delivering upfront costs associated with servicing large sites.
- 2.10 Scotland's Chief Planner, in a letter dated 29<sup>th</sup> October, encouraged local authorities to monitor their 5 year supply of effective housing land through the housing land audit. Where a failure in the 5 year supply is anticipated, he makes it clear that measures should be taken to ensure that this is addressed to ensure the Scottish Planning Policy requirement is met.
- 2.11 This guidance is likely to influence the content and strategy of the proposed SESplan.

#### **Winchburgh**

- 2.12 The West Lothian Local Plan Reporter's conclusions on Forkneuk /Winchburgh suggested that if Winchburgh could not deliver to its full potential, a stage could be reached where Forkneuk could come forward.

- 2.13 Some progress has been made in delivering housing at Winchburgh. An outline planning application for 3450 homes was lodged by Regenco and in 2010, West Lothian Council decided it was "minded to grant" consent subject to a Section 75 agreement being signed. West Lothian Council expects this agreement to be signed in the coming months. Transport Scotland has confirmed that the first piece of key infrastructure, a motorway junction, will be delivered. However Network Rail has stated that it is not their intention to build a railway station at Winchburgh.
- 2.14 The motorway junction will not be required until the 1000 homes are built at this location. It is expected that planning applications for up to 550 homes will come forward in the coming years.
- 2.15 It is clear that while progress has been made at the site, it has been very slow. In addition, the failure to deliver a commitment to a train station within the West Lothian Local Plan period is a significant flaw in the development. This calls into question the sustainability of the proposal and the ability of the development to deliver a modal split that is not heavily car-based.
- 2.16 Winchburgh's ability to deliver transport infrastructure was a key reason for the Reporter finding favour with it ahead of Forkneuk. Given its failure to deliver a train station and the implications this has for the development's sustainability credentials, the heavy concentration of development at Winchburgh must be called into question within the new Local Development Plan.

### **3.0 Land at Uphall – Expression of Interest**

- 3.1 The positive merits of Forkneuk as a sustainable location, both in transport terms due to its proximity to a newly upgraded train station servicing both Edinburgh and Glasgow and in terms of its ability to support the regeneration of Uphall by expanding the settlement, accords with the SESplan MIR objectives of growth in appropriate locations.
- 3.2 The Forkneuk Consortium is pleased to convey its continued interest in seeing its landholding at Uphall developed for a mix of uses. The following factors support the site's prospects for development:
- i. The West Lothian Local Plan Inquiry Reporter narrowly found against Forkneuk. In his findings, the Reporter accepted the merits of the site, however Winchburgh was favoured due to its ability to deliver sustainable transport infrastructure.
  - ii. SESplan has strengthened the requirement for development to take place at sustainable locations.

- iii. Winchburgh has failed to deliver a railway station. Without this element of infrastructure, the development cannot be considered to be 'sustainable' as it is reliant on car-based transport.
- iv. Winchburgh has also failed to deliver housing. While some housing is predicted in the short to medium term, its ability to deliver 3450 homes has not been conclusively established.
- v. The West Lothian LDP is required to comply with SESplan. Therefore all sites, including those previously allocated, require to be assessed against the new Strategic Development Plan policy objectives.
- vi. On the basis that the land at Forkneuk meets the sustainable development criteria in terms of transport and regeneration, there are considerable grounds for support for the option of Forkneuk to come forward as a housing allocation in the West Lothian LDP alongside Winchburgh. This will build in flexibility to the LDP and help ensure the 5 year housing land supply is effective.

Fiona Clandillon MRTPI

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**Associate Partner**  
For and on Behalf of Ryden LLP

21/04/2011



**Local Development Plan preparation**

West Lothian Council is required to prepare a Local Development Plan (LDP) for West Lothian. Preparation of the LDP is a requirement of the Planning etc (Scotland) Act 2006.

The LDP and the Strategic Development Plan (SDP), currently being prepared by SESplan, the Strategic Development Planning Authority for Edinburgh and South East Scotland, will form the statutory Development Plan for West Lothian. The SDP sets out the strategic vision for the area and provides the context for preparation of the LDP. More information on SESplan is available at [www.sesplan.gov.uk](http://www.sesplan.gov.uk). The LDP will set out detailed policies and proposals to inform development and land use allocations and to inform and aid planning decisions. This is important as Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

The first stage in producing the LDP is the publication of the Main Issues Report (MIR) which will set out the council's general proposals for local policy development and land use within West Lothian, assessing both preferred and alternative options. The MIR will identify the key priorities for the council in terms of development.

What is the purpose of the Local Development Plan Main Issues Report?

- To stimulate debate and discussion on the preferred approach and alternatives for development and land use within West Lothian;
- Front load the Development Plan system to speed up the overall decision making process;
- Provide an opportunity for the wider public to get involved and comment.

**How do I get involved in the process?**

This questionnaire is intended to provide you with an early opportunity to input into the preparation of the MIR for the LDP. We would like your views on what you consider to be the main issues in terms of policy and land use within West Lothian.

Further details on the process and timescales for preparing the LDP are contained within the Development Plan Scheme, DPS no.3 which is available on the council's website at the following web link: <http://www.westlothian.gov.uk/1210/161/178/>

**This questionnaire must be returned by 4pm on Friday, 6 May 2011.**

1 Contact details	
Name	David Tough
Company	RYDEN
Address	obo Forkneuk Consortium (Ashdale Land & Property Co; Forkneuk Farming Partnership & Walker Group obo Meikle Family), 46 Castle Street, EDINBURGH
Postcode	EH2 3BN
Telephone	0131 225 6612
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**2 Key topics.** Please rank what you consider to be the five most important key priorities for West Lothian from the list below. Select five only and number from 1 to 5, 1 being your top priority.

	1	2	3	4	5
Improvements and provision of new roads and transport networks	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Creation and retention of employment opportunities	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Development of appropriate renewable energy developments	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provision of affordable housing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Provision of new housing for sale / to buy	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Ensuring good design in new development	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Protection of European Protected Species	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Preservation and enhancement of built heritage ( <i>conservation areas, archaeological sites and listed buildings</i> )	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Protection and enhancement of the natural environment	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Safeguard and enhancement of local biodiversity	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improvements to school capacities to help support further development in West Lothian	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Continue to develop the role of schools to provide additional community provision in the form of nursery, meeting rooms, halls, pools and sports facilities to local communities	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other Issues – please add and rank accordingly	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sufficiency / provision of community open space and open space facilities e.g. parks, amenity greenspace, play facilities, woodlands, civic space etc.	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Integration of open space networks – greenspaces / woodland	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

**3 Major land use issues**

**Housing provision - choose the statement you most agree with (one only)**

- More land should be allocated for housing
- There is sufficient land allocated for housing
- There is too much land allocated for housing

**3 Major land use issues** *(continued)*

**Affordable housing provision - choose the statement you most agree with (one only)**

- The council should reduce its requirements for affordable housing provision
- The council should introduce higher percentage requirements for affordable housing
- The council should maintain its present affordable housing requirements

**Employment opportunities - choose the statement you most agree with (one only)**

- More office/industrial land should be allocated
- The development of offices/industrial land should carry on at the same rate
- There is too much office/industrial land allocated at present

**3 Major land use issues** *(continued)*

*Sustainable retail and shopping provisions (to what extent do you agree with the statements)*

	Strongly agree	Agree	No view	Disagree	Strongly disagree
The variety of shops available is satisfactory	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Shops are well located within settlements	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Town centres display vitality and viability	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Prime retail frontages are vibrant and prosperous places	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
There is a requirement for more supermarkets within settlements	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

**3 Major land use issues** *(continued)*

*Community facilities and sense of place (to what extent do you agree with the statements)*

	Strongly agree	Agree	No view	Disagree	Strongly disagree
There are sufficient community facilities	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Community facilities are in appropriate locations	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
There is a strong sense of place within the area	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**3 Major land use issues** *(continued)*

*Promoting West Lothian as a tourist destination (to what extent do you agree with the statements)*

	Strongly agree	Agree	No view	Disagree	Strongly disagree
There are sufficient tourist attractions within the West Lothian	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The council is doing enough to promote the area as a tourist destination	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

**3 Major land use issues** *(continued)*  
*Infrastructure flooding and renewables (to what extent do you agree with the statements)*

	Strongly agree	Agree	No view	Disagree	Strongly disagree
The council has adequate measures in place to deal with flood risk	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Infrastructure (water supply and foul drainage) is satisfactory	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Roads and transport networks are satisfactory and regularly improved	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The council is doing enough to encourage development of renewable technologies in a sustainable manner	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

**3 Major land use issues** *(continued)*  
*Infrastructure flooding and renewables (to what extent do you agree with the statements)*

	Strongly agree	Agree	No view	Disagree	Strongly disagree
The council is doing enough to protect wildlife and habitats from harmful developments	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The council is right to ensure housing developments are providing sufficiency of open space or access to open space for use by residents	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The council is right to ensure communities have sufficiency of differing types of open space to enhance and meet local community needs	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The council is right to ensure all communities have access to a local park within 500 metres of their home to meet open space standards	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The council is doing enough to protect open spaces and parks from harmful development	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The council is doing enough to integrate new development into the surrounding landscape	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**3 Major land use issues** *(continued)*

*Design and built heritage (to what extent do you agree with the statements)*

	Strongly agree	Agree	No view	Disagree	Strongly disagree
New development continues to satisfactorily demonstrate a high standard of design	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The council is doing enough to protect and enhance conservation areas	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The council is doing enough to protect and enhance listed buildings	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The council is doing enough to protect and enhance the built heritage of the area	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The council is doing enough to promote regeneration within settlements	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Please use this space below to make any additional points that have not been covered above**

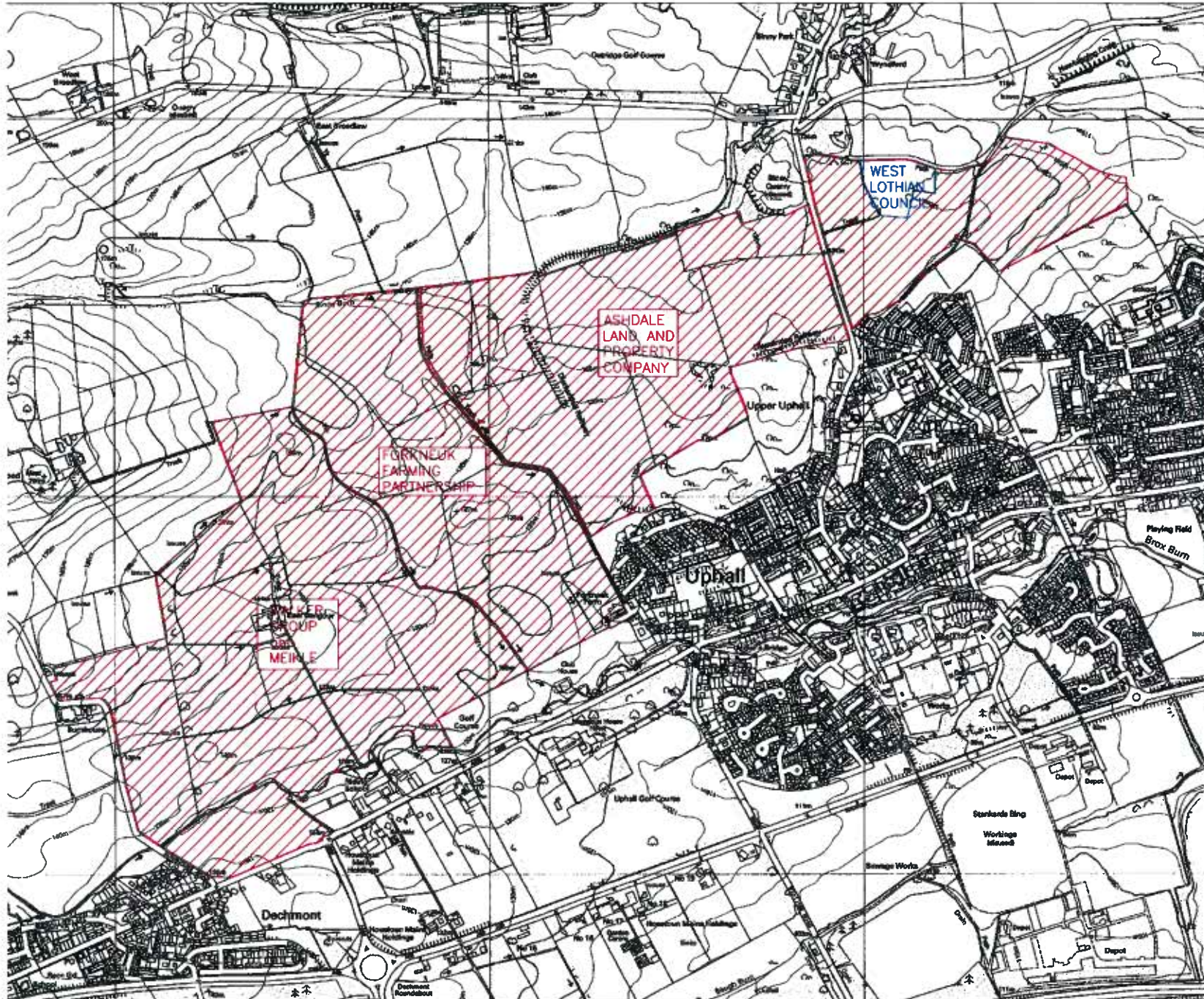
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Notes

Plan based upon Crown Copyright OS Data reproduced under license number AL10002547

Gross Site Area  
192.311ha (475.217ac)

Rev A - West Lothian Council Area added and Forkneuk FP name corrected. (GC 27.04.11)

Revision



Project:  
**FORKNEUK  
NORTH UPHALL**

Drawing Title:  
**CONSORTIUM OWNERSHIP  
PLAN**

Scale:  
**1:10000**

Original Sheet Size:  
**A3**

Drawn:  
**GC**

Date:  
**03.02.11**

Drawing No.  
**FOR56-700**

Rev:  
**A**



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**NB This form must be returned by no later than 4pm on Friday 6 May 2011. Any submissions received after this date or where no contact name or address is provided will not be considered. It will also be preferred if submissions can be made electronically by e-mail, or by submission on CD.**

**Please use one form for each proposed site.**

Submissions should also be limited to no more than 2000 words, in the interests of expediency and returned by email: [localdevelopmentplan@westlothian.gov.uk](mailto:localdevelopmentplan@westlothian.gov.uk)

or by writing to: **Development Planning Manager, Planning and Economic Development, County Buildings, High Street, Linlithgow, West Lothian, EH49 7EZ**

Please fill in your contact details so that we can keep you informed of progress on the West Lothian Local Development Plan.

1 Contact details (e.g. agent where applicable)	
Name	Fiona Clandillon
Company	RYDEN
Address	46 Castle Street Edinburgh
Postcode	EH2 3BN
Telephone	0131 2256612
Fax	
Email	fiona.clandillon@ryden.co.uk

**2 Land owner details** (if different from contact details)

Name	Forkneuk Farming Partnership	
Company	c/o RYDEN	
Address	46 Castle Street Edinburgh	
Postcode	EH2 3BN	
Telephone	0131 2256612	Fax
Email	fiona.clandillon@ryden.co.uk	

**3 Site details** Please attach an Ordnance Survey (OS) location plan/map (if possible) showing the boundary of the site. Maps can be purchased from OS through the following web link: <http://www.ordnancesurvey.co.uk/oswebsite/>

Address	Land at Station Road, Uphall	
Postcode		
National Grid Ref (if known)		
Area (hectares)	9.4 hectares	
What is the site currently used for or most recently used for?	Agricultural use	
What is the proposed use for the site: (e.g. housing, business, retail, other)?	Employment uses (Classes 4, 5 and 6)	
If the site is vacant, have there been any buildings on the site in the past?	No	
If housing is proposed, please indicate the number of units	NA	
Has there been any planning application on this site within the last 10 years? (include reference number if known)	No	
Please indicate the availability of this site for housing development or other developments	<input checked="" type="radio"/> 0-5 years <input type="radio"/> 5-10 years <input type="radio"/> over 10 years	

**4 Supporting statement.** Please use the space below to provide any supporting statement for the above site and proposal (if necessary, please continue on a separate sheet)

**LAND BY STATION ROAD, UPHALL**

Ryden, on behalf of the Forkneuk Farming Partnership (FFP), submits the following expression of interest in land at Station Road, Uphall, which it is promoting for development through the emerging West Lothian Local Development Plan process.

The site extends to 9.4 hectares, and is located to the south of the settlement of Uphall. The site is bounded to the north by the A89 and to the west by Station Road (B8046) which leads to Uphall Station approximately 0.5 km south of the site. The site's southern boundary is marked by a private access road and a tree belt beyond which is countryside and the M8. To the site's east is countryside and industrial and employment uses. The site is currently being used for agricultural purposes.

**CURRENT LOCAL PLAN STATUS**

In the adopted West Lothian Local Plan the site is located within the Countryside Belt around the settlements of Livingston, Uphall and Whitburn (ENV22 – 23). This designation seeks to prevent development leading to the coalescence of settlements. For any development to take place, the proposal must be assessed against the criteria set out in ENV22 to justify an exception being made to this policy. The site is not within any settlement boundary.

The adopted West Lothian Local Plan made a large employment land allocation of 33 hectares to the site's south west at Beugh Burn (ELv64) off Junction 3 of the M8. Paragraph 5.43 of the local plan also indicates that land to the east of Station Road (Uphall West) should be considered as part of an overall masterplan for the area.

**EXPRESSION OF INTEREST**

The Forkneuk Farming Partnership wishes to formally express its interest in promoting the land by Station Road, Uphall for employment (Use Classes 4, 5 & 6).

To ensure the delivery of effective employment sites in West Lothian, employment allocations must be made to sites which are effective and serviceable within a five year time-scale according to the Scottish Government's consolidated Scottish Planning Policy (SPP para 46).

Also relevant is the Scottish Government's overarching aim of increasing sustainable economic growth (SPP para 33). Growth is required at sustainable locations to reduce car based travel and minimise travel to work distances. This emphasis is sustained by the SESplan Main Issues Report, which signalled a preference for sustainable development at locations accessible by good transport linkages (paragraph 7.2).

It is the Forkneuk Farming Partnership's position that the proposed site at Station Road, Uphall is both deliverable and sustainable.

Due to its proximity to the A89 and the recently upgraded Uphall railway station, it is anticipated that there will be strong developer and occupier demand for the proposed site at Station Road. There are no known constraints on development at this location. The site's size will also make it easier to service than large employment sites. Therefore, this site is likely therefore to become effective within five years. In addition, there is the opportunity to link the site with the ongoing plans for employment development at Beughburn.

The site is in a location accessible by road and rail. The site's development would utilise existing transport and service infrastructure. The allocation of this site would lead to the creation of jobs at sustainable location in West Lothian thus meeting Scottish Government ambitions for sustainable development.

While the site is within the Countryside Belt, the development of this site would not lead to coalescence of Uphall and Uphall Station. The site is well contained. A strong tree belt to the south forms a natural boundary. The A89 also acts as a strong and robust division between the settlements. There is also precedence for employment development along the A89 as can be seen to the site's east and west. Any concerns about this aspect can be addressed through a development framework for the site.

**CONCLUSION**

On the basis that this site at Station Road, Uphall will deliver employment uses at a sustainable location that builds on existing infrastructure such as Uphall Railway Station, the Forkneuk Farming Partnership is pleased to express its interest in promoting this site for employment uses through the West Lothian Local Development Plan.

**5 Site constraints** (please tick below any known constraints that relate to the site)

- |                                                                                                 |                                                 |
|-------------------------------------------------------------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> Roads access/parking/traffic impact                                    | <input type="checkbox"/> Contamination          |
| <input type="checkbox"/> Flood risk                                                             | <input type="checkbox"/> Water supply           |
| <input type="checkbox"/> Nature conservation (e.g. trees, TPOs, protected species etc)          | <input type="checkbox"/> Foul drainage disposal |
| <input type="checkbox"/> Archaeological or built heritage (conservation area/ listed buildings) | <input type="checkbox"/> Surface water disposal |
| <input type="checkbox"/> Other (please specify) <input type="text"/>                            | <input type="checkbox"/> Ownership              |
|                                                                                                 | <input type="checkbox"/> Rights of way          |

**6 What do you consider to be the key issues which should be taken into account in preparing the Local Development Plan for West Lothian?**

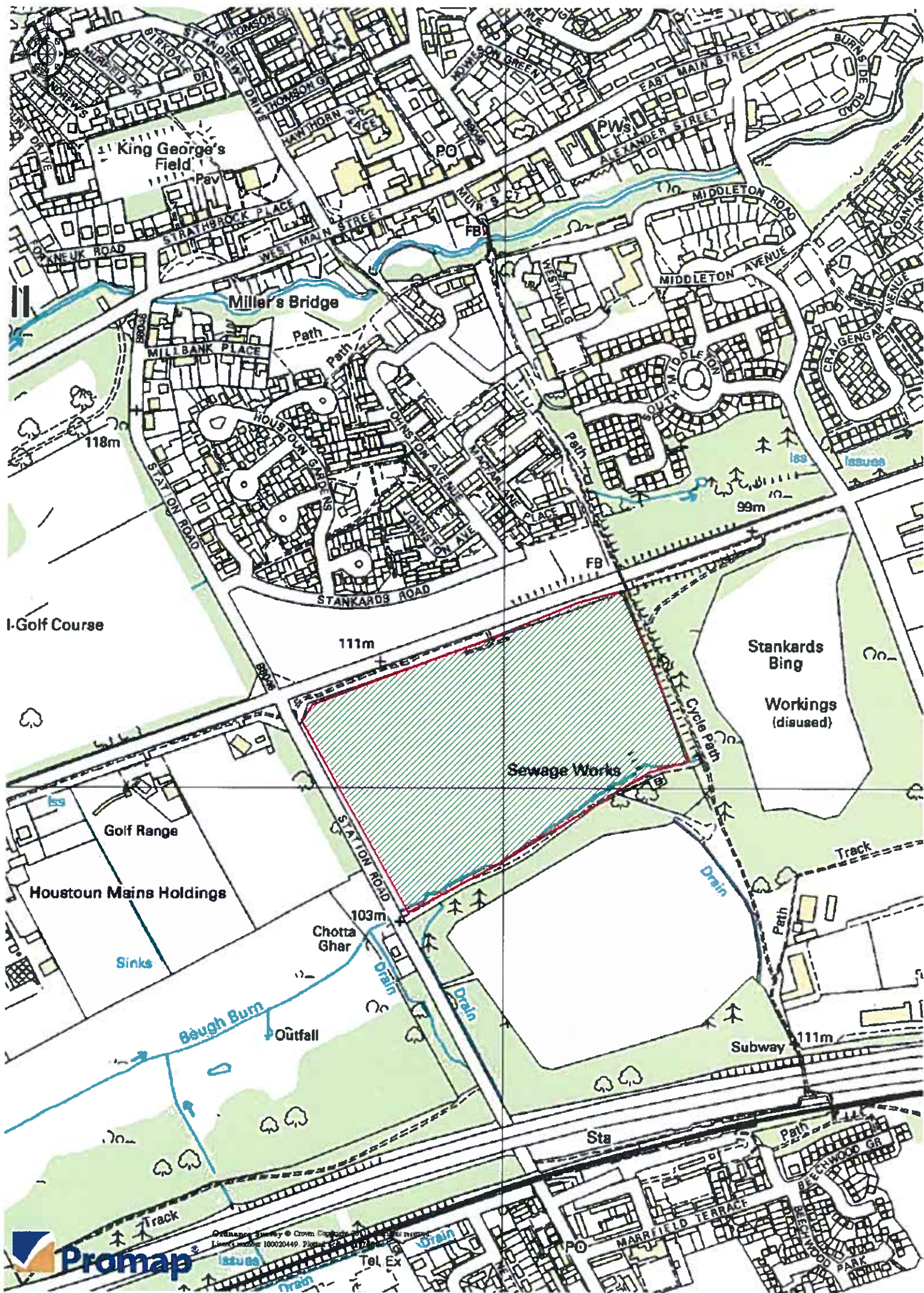
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King George's Field

Miller's Bridge

STANKARDS ROAD

111m

Sewage Works

Stankards Bing

Workings (disused)

Golf Range

Houstoun Mains Holdings

Sinks

Chotta Ghar

Baugh Burn

Outfall

103m

Subway 111m

Sta



West Lothian Council is charged with preparing a Local Development Plan (LDP) for the West Lothian area. Preparation of the LDP is a requirement of the Planning etc (Scotland) Act 2006. The LDP will, in time, replace the current adopted West Lothian Local Plan.

The LDP will set out detailed policies and proposals for the area which, together with supplementary planning guidance, will inform decisions on future development when the council assesses planning applications. This is important as Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

As part of the process in producing the LDP, a Main Issues Report (MIR) must be published. The council is now seeking to engage formally with interested parties to inform the preparation of the MIR. This **expression of interest** form invites the submission of expressions of interest for future development or land use allocations. We are also interested in your views on what you consider to be the key issues which should be taken into account in preparing the LDP.

As part of the MIR, all sites will be assessed on their own merits and in the context of the strategic requirement for new housing land and other land uses, in addition to identifying and assessing any constraints. Strategic requirements for housing land are set out in the Strategic Development Plan, prepared by SESplan - the Strategic Development Plan Authority. More information is available at [sesplan.gov.uk](http://sesplan.gov.uk)

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or by writing to: **Development Planning Manager, Planning and Economic Development, County Buildings, High Street, Linlithgow, West Lothian, EH49 7EZ**

Please fill in your contact details so that we can keep you informed of progress on the West Lothian Local Development Plan.

1 Contact details (e.g. agent where applicable)	
Name	Fraser Littlejohn
Company	Montagu Evans LLP
Address	4th Floor Exchange Tower 19 Canning Street Edinburgh
Postcode	EH3 8EG
Telephone	0131 229 3800
Fax	0131 229 2588
Email	fraser.littlejohn@montagu-evans.co.uk

**2 Land owner details** (if different from contact details)

Name	Mr & Mrs Comrie		
Company	Houston Farm Riding School		
Address	1 Houston Mains Uphall Broxburn		
Postcode	EH52 6JX		
Telephone	Per Agent	Fax	Per Agent
Email	Per Agent		

**3 Site details** Please attach an Ordnance Survey (OS) location plan/map (if possible) showing the boundary of the site. Maps can be purchased from OS through the following web link: <http://www.ordnancesurvey.co.uk/oswebsite/>

Address	Houston Farm Riding School 1 Houston Mains Uphall Broxburn				
Postcode	EH52 6JX				
National Grid Ref (if known)	304684 671222				
Area (hectares)	Circa. 4.85 ha				
What is the site currently used for or most recently used for?	Site of the existing Houston Farm Riding School.				
What is the proposed use for the site: (e.g. housing, business, retail, other)?	As well as accommodating built development associated with the expansion and consolidation of the existing riding school use in the shorter term, it is considered that the land holdings represent a medium term opportunity for development potentially comprising a variety of land uses including housing, business and commercial development.				
If the site is vacant, have there been any buildings on the site in the past?	N/A				
If housing is proposed, please indicate the number of units	TBA				
Has there been any planning application on this site within the last 10 years? (include reference number if known)	0449/FUL/10 - "Erection of a 675 sqm replacement riding school" (grid ref. 304684 671222)				
Please indicate the availability of this site for housing development or other developments					
<input type="radio"/>	0-5 years	<input checked="" type="radio"/>	5-10 years	<input type="radio"/>	over 10 years

**4 Supporting statement.** Please use the space below to provide any supporting statement for the above site and proposal *(if necessary, please continue on a separate sheet)*

Houston Farm Riding School is an existing and established use in the Countryside.

The school is a local business of over 30 years. Recent proposals to upgrade the riding school building was approved by the Council in October 2010.

The owners of the riding school are keen that the Local Development Plan reflect the nature of the existing and established use, not least to assist in any proposals to develop and expand the successful rural business in going forward including in relation to the development of further ancillary outbuildings and related uses.

It is noted that the site is presently located within an area of Countryside, as defined within the current and adopted West Lothian Local Plan.

The Local Development Plan should reflect the opportunities that exist to expand and develop existing and established rural businesses in accordance with Scottish Planning Policy.

Paragraph 92 of SPP states that:-

"The planning system has a significant role in supporting sustainable economic growth in rural areas. By taking a positive approach to new development, planning authorities can help to create the right conditions for rural businesses and communities to flourish....."

Paragraph 93 continues that ".....development plans should promote economic activity and diversification in all small towns and rural areas, including development linked to tourism and farm diversification....."

As well as accommodating built development associated with the expansion and consolidation of the existing riding school use in the shorter term, it is considered that the land holdings also represent a medium term opportunity for development potentially comprising a variety of land uses including housing, business and commercial development.

The options that exist at the site, including its removal from the Countryside allocation and identification as a potential development opportunity, should be considered in the context of the Council's preparation of the Local Development Plan.

**5 Site constraints** (please tick below any known constraints that relate to the site)

- |                                                                                                 |                                                 |
|-------------------------------------------------------------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> Roads access/parking/traffic impact                                    | <input type="checkbox"/> Contamination          |
| <input type="checkbox"/> Flood risk                                                             | <input type="checkbox"/> Water supply           |
| <input type="checkbox"/> Nature conservation (e.g. trees, TPOs, protected species etc)          | <input type="checkbox"/> Foul drainage disposal |
| <input type="checkbox"/> Archaeological or built heritage (conservation area/ listed buildings) | <input type="checkbox"/> Surface water disposal |
| <input type="checkbox"/> Other (please specify) <input type="text"/>                            | <input type="checkbox"/> Ownership              |
|                                                                                                 | <input type="checkbox"/> Rights of way          |

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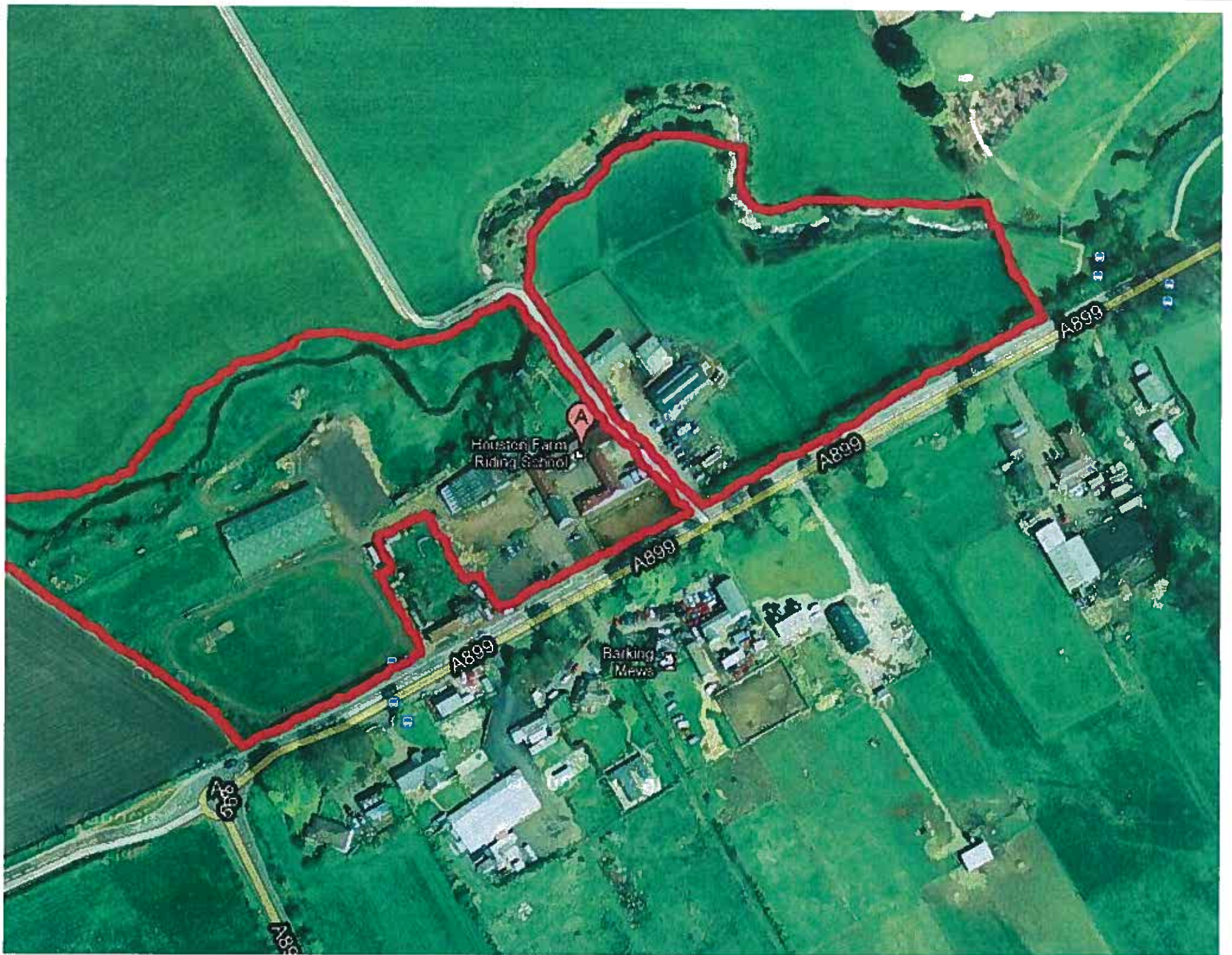
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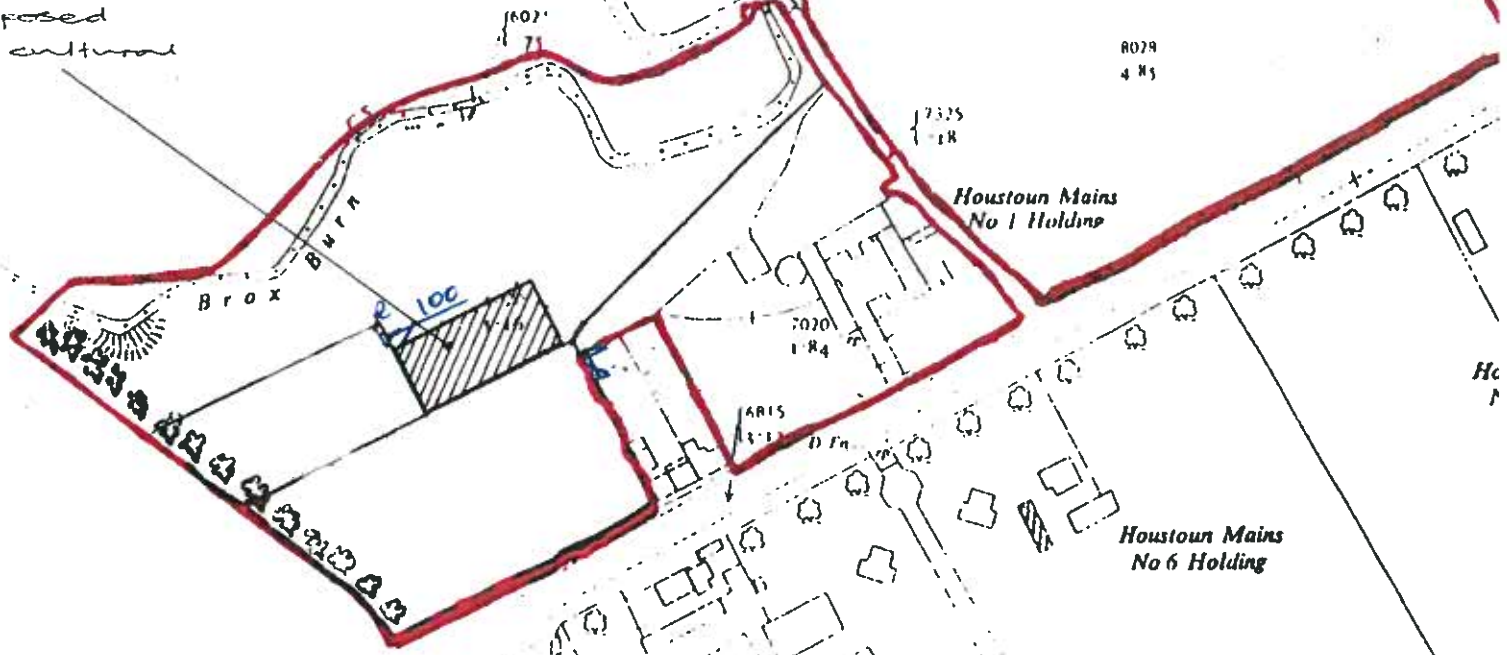
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4113  
R R 1

Siting of Proposed  
Class 1 Agricultural  
Building.



1610  
14/97

LOCATION PLAN  
SCALE 1:2500.

LINLITHGOW 7 MAR 1994

APPROVED ON BEHALF OF  
WEST LOTHIAN DISTRICT COUNCIL

*James Heald*

Building Control Officer

Drain  
Lattices

044 Houstoun Mains No 1 Holding 045  
WEST LOTHIAN CO CONST  
NT 0470

1000 1500 2000



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Please fill in your contact details so that we can keep you informed of progress on the West Lothian Local Development Plan.

**1 Contact details** (e.g. agent where applicable)

Name	Property Management & Development		
Company	West Lothian Council		
Address	West Lothian Civic Centre Howden South Road Livingston West Lothian		
Postcode	EH54 6FF		
Telephone	01506 281836	Fax	01506 281863
Email	Propertymanagement@westlothian.gov.uk		

**2 Land owner details** (if different from contact details)

Name

Company

Address

Postcode

Telephone  Fax

Email

**3 Site details** Please attach an Ordnance Survey (OS) location plan/map (if possible) showing the boundary of the site. Maps can be purchased from OS through the following web link: <http://www.ordnancesurvey.co.uk/oswebsite/>

Address

Postcode

National Grid Ref (if known)

Area (hectares)

What is the site currently used for or most recently used for?

What is the proposed use for the site: (e.g. housing, business, retail, other)?

If the site is vacant, have there been any buildings on the site in the past?

If housing is proposed, please indicate the number of units

Has there been any planning application on this site within the last 10 years? (include reference number if known)

Please indicate the availability of this site for housing development or other developments

0-5 years     5-10 years     over 10 years

**4 Supporting statement.** Please use the space below to provide any supporting statement for the above site and proposal *(if necessary, please continue on a separate sheet)*

A large, empty rectangular box with a thin black border, intended for providing a supporting statement.

**5 Site constraints** (please tick below any known constraints that relate to the site)

- |                                                                                                 |                                                 |
|-------------------------------------------------------------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> Roads access/parking/traffic impact                                    | <input type="checkbox"/> Contamination          |
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| <input type="checkbox"/> Archaeological or built heritage (conservation area/ listed buildings) | <input type="checkbox"/> Surface water disposal |
| <input type="checkbox"/> Other (please specify) <input type="text"/>                            | <input type="checkbox"/> Ownership              |
|                                                                                                 | <input type="checkbox"/> Rights of way          |

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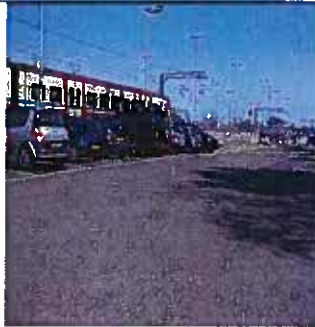
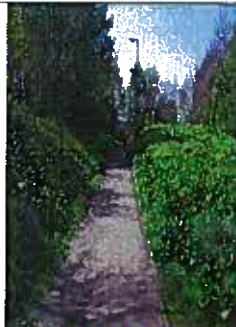


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	<b>Carledubs, Uphall / Broxburn. 3.247 ha</b>	<b>1:2500</b>	
	<b>Property Management &amp; Development, Civic Centre, Livingston, West Lothian, EH54 6FF.</b>	<b>09:24 26/04/2011</b>	

# A LOCAL PLAN DEVELOPMENT PLAN: EXPRESSION OF INTEREST

## WEST LOTHIAN COUNCIL

	<u>Retail/Food</u>		<u>Public Transport</u>		<u>Business</u>	
						
<u>Industry</u>		<u>Access</u>		<u>Pedestrian</u>		<u>VacantLand</u>

## UPHALL ESTATE: BROXBURN

An Integrated Concept Master Plan

## WEST LOTHIAN: STRATEGIC INVESTMENT CORRIDOR

James Barr |

Uphall  
Estates Ltd **UE**  
01259 727600

**CONTENTS**

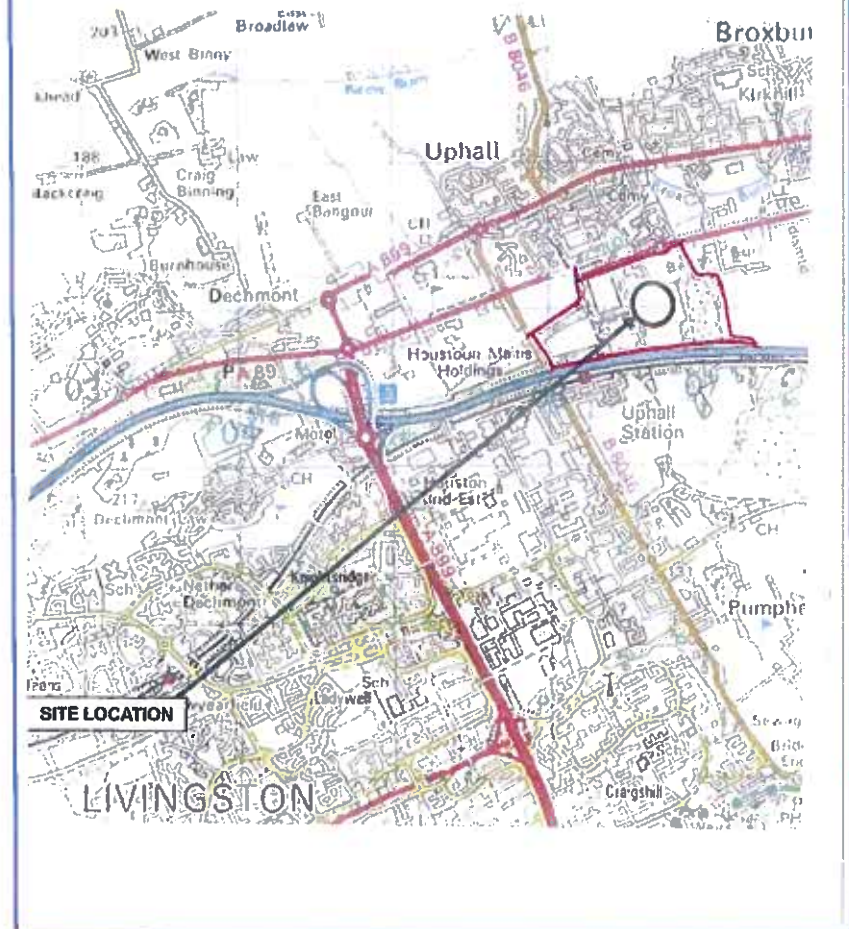
**APPENDICES**

	<b>PAGE</b>
<b>INSET: AERIAL PHOTOGRAPH OF UPHALL ESTATE: BROXBURN</b>	
<b>1. INTRODUCTION .....</b>	<b>1</b>
<b>2. UPHALL INDUSTRIAL ESTATE: LAND AND EMPLOYMENT CHARACTERISTICS.....</b>	<b>2</b>
<b>3. CONCEPT PLAN .....</b>	<b>3</b>
<b>4. REASONED JUSTIFICATION .....</b>	<b>5</b>
<b>5. CONCLUSIONS .....</b>	<b>7</b>
<b>6. RECOMMENDATIONS .....</b>	<b>8</b>

- 1. EXPRESSION OF INTEREST FORM (WLC)**
- 2. RURAL WEST EDINBURGH LOCAL PLAN: REPORT OF EXAMINATION**
- 3. COPY OF COMMENTS/REPRESENTATIONS MADE TO THE SES PLAN (MIR) 2010 ON BEHALF OF UPHALL ESTATES LIMITED.**
- 4. CONCEPT MASTER PLAN**



# James Barr |



## 1.0 INTRODUCTION

- 1.1 The existing Uphall Estate is now in single ownership.
- 1.2 The Estate extends to some 169 acres, comprising a variety of business and industrial operations. There also exists however, considerable vacant and under-utilised brownfield and greenfield land, which is deemed a wasted resource.
- 1.3 The land is situated in a visible and strategic location, at the entrance to Broxburn on the A89. The main access to the site is presently from a signalised junction with the A89. There is however a number of suitable access points to this area.
- 1.4 The land is adjacent to the new Uphall railway station and provides for a sustainable location.
- 1.5 The various businesses within the Estate provide existing employment for some 100 full time jobs. There is however, considerable scope to increase employment opportunities as the area and buildings are only at 25 - 30 % occupancy. The objective is therefore to rejuvenate this area through investment and new developments, creating new jobs, through a 'concept' Master Plan. It is this plan which is to be promoted as part of the West Lothian Local Development Plan Review.
- 1.6 The Uphall area is also being promoted within SES Plan (MIR 2010) as being within the West Lothian Corridor Strategic Growth Area.
- 1.7 The principles of this Concept Master Plan complies with this Strategic Growth Area, where employment, development and investment is to be encouraged.



## West Lothian Local Plan

West Lothian Council delivers

[westlothian.gov.uk](http://westlothian.gov.uk)



### 2.0 UPHALL INDUSTRIAL ESTATE: LAND AND EMPLOYMENT OPPORTUNITIES

- 2.1 The existing Uphall Industrial Estate, in single ownership, extends to some 169 acres.
- 2.2 The industrial estates is situated in a clearly visible location, between the A89 and the M8. The rail line and the new Uphall Railway Station is adjacent to the south of the site. There exists various 'open' areas to the west and east with various spoil heaps (re-colonised) visible. The B8046 provides the western boundary with various access points to the proposed residential area to the south-west of the site.
- 2.3 The existing employment area is served by various vehicular and pedestrian access points. This area is characterised by various buildings and operational land, of different intensities of use, comprising vacant buildings and land, as well as undeveloped open grassed areas.
- 2.4 The employment area and existing businesses (mainly Class 4, 5 and 6) presently provides for some jobs, which is significant. There is clearly however the opportunity to create additional employment opportunities.
- 2.5 It is planned, through the Local Development Plan Review, to promote various development opportunities, providing for a range of compatible land uses, encouraging investment, infrastructure improvements, employment generation and growth.
- 2.6 The 'concept' Masterplan for Uphall promotes new development initiatives to the front of the existing industrial estate, utilising redundant buildings, land and existing/improved access points. These new uses, under terms of the Town and Country Planning (Scotland) Use Classes Order 1997 can be categorised into:-
- Class 1 Retail
  - Class 3 Food and Drink
  - Class 4 Business/ Commercial
  - Class 5/6 Industry/Open Storage
  - Class 7 Hostels and Hotels
  - Class 11 Houses
- 2.7 The simple and logical land use in spatial terms is to promote Classes 1, 3 and 7 along the road frontage to the Uphall Estate, with Classes 4, 5 and 6 in sequential order, to the rear of the site (see Concept Plan). Class 11 (residential) is situated adjacent to the new railway station in a 'self-contained' landscape setting.



### 3.0 CONCEPT PLAN

3.1 The regeneration of this area is set within the context of the SES Plan (2010) recognising the Uphall corridor as a strategic growth area.

3.2 There is an emphasis upon investment, growth and employment where sustainable development is encouraged.

3.3 Development (as detailed with the 1997 Use Classes Order) is now recognised as regeneration (including housing) and is to be encouraged where sites are deemed sustainable and effective.

3.4 The Concept Plan therefore considers a variety of land uses, not only taking account of market conditions, but also site characteristics and proximity to the new Uphall Rail Station and car park

### 3.5 Technical Aspects

- (i) The site extends to some 169 acres, comprising buildings, hardstanding, brownfield land, Greenfield areas and former 'bings' x 2 (now re-colonised with vegetation).
- (ii) The site has a number of access/egress opportunities, including the design for a designated leg off the roundabout (A89). Existing access is off the A89 with a signalised junction, with pedestrian phases, and a dedicated right turn lane for east bound traffic entering the site. Access to and from the Estate complies with design parameters as confirmed in a recent Transport Assessment. There is also a parallel cycle route.
- (iii) A recent contamination investigation confirms minimal contamination, but recommends more detailed surveys as appropriate.
- (iv) Whilst there exists all services to the site (other than gas), it is recognised that significant investment is required to upgrade services to suitable standards.

### 3.6 Proposed Land Uses (See Concept Plan)

A number of Use Classes have been considered as being appropriate, however the land areas identified may be subject to alteration, subject to future discussion:-

#### Class 1 - Retail

It is acknowledged that WLC have, through a recent RIA, identified a preferred location for a 'superstore' to the north-east of Broxburn, in a recognised settlement area. It is considered that a retail facility at general Location A on the attached plan would provide for recognisable economic benefits to the local area.

#### Class 3 - Food/Drink

Uphall is situated in a transportation corridor. The new Uphall Rail Station will generate additional traffic in the area. The upgrading of this strategic corridor will increase demand for various facilities such as fast food outlets. General Location B suggests sites where such uses would be deemed acceptable and effective.



#### Class 4 - Business/Commercial

Investment in this area, through enabling development, will provide for improved facilities and encourage new employment and business opportunities. There are several sites already available for such uses, comprising general Location C.

#### Class 5 and 6- Industrial/Open Storage

This land use, by its nature, is proposed to the southern part of the site, centred on the existing large buildings, Location D.

#### Class 7 - Hostels/Hotels

There is the opportunity to promote a hotel facility at this location where it is understood there is a local NEED. A number of sites would be possible (parts thereof) such as general Locations A and B. This would comply with the overall growth and investment for this recognised strategic corridor.

#### Class 11 - Houses

The SES Plan establishes housing need in the area, whereby it is understood that some 7,000 housing units are required from 2019 to 2024, with a remaining 20,000 houses from 2024 to 2032. There are several locations where housing would be suitable, however the most appropriate site is identified as general Location E, adjacent to the Uphall Rail Station. The site benefits from its own access; sits within its own landscape setting and is sustainable in terms of travel patterns, with significant employment opportunities adjacent. This is a favoured site, however other sites such as general Location A and might also be deemed suitable.

3.7 The Concept Plan is subject to change, however it is considered the principles are mutually compatible and effective in terms of the LDP.

#### 3.8 Renewable Energy

Considerable investigation has taken place into providing a locally based renewable energy source. This could include an AD system or community based miniature turbine system. It is requested however that WLC promotes suitable policies to encourage such sustainable energy initiatives at this location. This would comply with the Scottish Government's policies on renewable energy targets for 2020.



#### 4.0 REASONED JUSTIFICATION

- 4.1 The existing Uphall Industrial Estate is extensive in size, extending to some 169 acres.
- 4.2 The improvement to services and infrastructure will permit more appropriate use of vacant land and buildings, providing for significant employment opportunities.
- 4.3 The existing land ownership can be logically categorised into four distinct areas, which are mutually compatible in land use terms and all inter-linked by existing services and infrastructure.

##### (i) Retail/Food Drink/Hotel

It is proposed to locate such uses as Class 1 Retail, adjacent to the existing roundabout. There is a demand for such additional retail facilities in this area, providing for choice. It is also proposed to promote smaller service/food and drink facilities, along the main road frontage, replacing existing unsightly redundant buildings. These uses such as fast food outlets and hotel will create employment and improve the economic aspect of this area.

##### (ii) Commercial

Whilst there exists a number of various businesses in the Estate, generating many jobs, it is considered that this can be significantly improved. New investment is required to regenerate this area, utilising the 'wasted' resources in the area.

##### (iii) Industry

The Estate at present is a mix of various industrial uses and open storage. The rear of the site, with its large buildings and open areas is the natural location of these uses. It is advocated that there is demand in the area for such facilities which can be catered for by improvement into services and infrastructure.

##### (iv) Residential

This area to the south-west of the site, extends to some 30 acres. It is well screened from the industrial area, albeit adjacent. It has its own access and importantly is situated adjacent to the new improved Uphall passenger rail station (5 minutes walk). This area could accommodate some 200 houses of mixed tenure in a sustainable location. Pedestrian access to the adjacent employment area, also promotes and supports its sustainable location. The site is EFFECTIVE and can be developed within a short time period. Development of this site will generate ENABLING INVESTMENT for the improvement of the adjacent Uphall Estate.

- 4.4 The existing Local Plan, subject to review, identifies the Uphall Estate as General Needs Industrial Use, comprising Classes 4, 5 and 6 - Business, General and Storage/Distribution. It is also noted however, that the recent SES Plan (MIR) 2010 recognises this area as being within the West Lothian Corridor Strategic Growth Area. This incorporates all land uses with a particular emphasis on investment, employment growth and effective development.



- 4.5 National Planning Guidance places a new emphasis upon sustainable development and economic regeneration, which includes residential development.
- 4.6 The rejuvenation of the Uphall Estate and surrounding land, fully complies with this Local and National Planning Guidance. It provides for employment, housing and is situated adjacent to the new Uphall Railway station.
- 4.7 This is a SUSTAINABLE and EFFECTIVE site for investment and development for the various land uses promoted as part of the CONCEPT Masterplan.





## 5.0 CONCLUSIONS

- 5.1 The existing site extends to some 169 acres, providing some 100 jobs.
- 5.2 The site is effectively at 25 % employment capacity, whereby through new investment and certain infrastructure improvements, employment generation could readily increase to 400 - 500 jobs..
- 5.3 There is the opportunity to provide for new retail facilities along the main road at strategic locations adjacent to existing access points to the Uphall Industrial Estate. These uses comprise a new food store facility to assist in stemming out flows of expenditure, without adverse impact upon the existing town centre.
- 5.4 There is also demand for new retail facilities such as 'fast food' outlets, utilising existing redundant buildings. There is also the opportunity to providing a new 'Gateway Feature' to this area, such as a hotel generating potential inward investment to the region.
- 5.5 The Uphall Estate is situated adjacent to the new Uphall Rail Station and car parking facility. This provides for economic impetus, is a sustainable location and readily accessible. This site complies with the Local and National Planning Guidance in new developments, where employment, regeneration and investment are a priority.
- 5.6 The proposed 'self-contained' residential site, for some 200 houses is adjacent to the new rail station, with excellent pedestrian access. The site could accommodate some 200 houses, with additional affordable units. The site can be independently accessed, has all suitable services in close proximity and is sustainable. The site is considered an effective site and will readily form part of the housing supply for West Lothian. The purpose of this proposed allocation, however is to contribute to the regeneration of the Uphall Estate, rather than to meet strategic housing allocations. A development of this size could offer greater regeneration benefits by increasing the potential for investment in employment, business and other services in Uphall Estate.
- 5.7 In conclusion, the brownfield site (with some greenfield sites) has the opportunity to significantly increase employment opportunities within this section of West Lothian. In addition, the introduction of new uses such as retail and residential will provide for ENABLING development to assist in the rejuvenation of this area.



## 6.0 RECOMMENDATIONS

- 6.1 It is respectfully requested that West Lothian Council identifies this site as a MIXED USE development site (the Concept Master Plan), comprising some retail, food/drink, hotel, business/employment generation and residential use.
- 6.2 That West Lothian Council recognises and promotes favourable policies for local renewable energy initiatives.
- 6.3 That West Lothian Council supports these new uses, through to adoption of the new Local Development Plan.



3 May 2011

**APPENDIX 1**





**West Lothian  
Council**

**Local Development Plan  
Expression of interest form**

January 2011

Site reference  
(FOR OFFICIAL USE ONLY)

E01-0216

West Lothian Council is charged with preparing a Local Development Plan (LDP) for the West Lothian area. Preparation of the LDP is a requirement of the Planning etc (Scotland) Act 2006. The LDP will, in time, replace the current adopted West Lothian Local Plan.

The LDP will set out detailed policies and proposals for the area which, together with supplementary planning guidance, will inform decisions on future development when the council assesses planning applications. This is important as Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

As part of the process in producing the LDP, a Main Issues Report (MIR) must be published. The council is now seeking to engage formally with interested parties to inform the preparation of the MIR. This **expression of interest** form invites the submission of expressions of interest for future development or land use allocations. We are also interested in your views on what you consider to be the key issues which should be taken into account in preparing the LDP.

As part of the MIR, all sites will be assessed on their own merits and in the context of the strategic requirement for new housing land and other land uses, in addition to identifying and assessing any constraints. Strategic requirements for housing land are set out in the Strategic Development Plan, prepared by SESplan - the Strategic Development Plan Authority. More information is available at [sesplan.gov.uk](http://sesplan.gov.uk)

Where appropriate, all information will be made available to the public, in order to promote an open, accessible and transparent process.

Please note that by submitting a site for consideration as part of the LDP, this does not guarantee that the site will move forward for inclusion and allocation in the West Lothian Local Development Plan. Any sites that are included will also be subject to the normal planning application process.

**NB This form must be returned by no later than 4pm on Friday 6 May 2011. Any submissions received after this date or where no contact name or address is provided will not be considered. It will also be preferred if submissions can be made electronically by e-mail, or by submission on CD.**

**Please use one form for each proposed site.**

Submissions should also be limited to no more than 2000 words, in the interests of expediency and returned by email: [localdevelopmentplan@westlothian.gov.uk](mailto:localdevelopmentplan@westlothian.gov.uk)

or by writing to: **Development Planning Manager, Planning and Economic Development,  
County Buildings, High Street, Linlithgow, West Lothian, EH49 7EZ**

Please fill in your contact details so that we can keep you informed of progress on the West Lothian Local Development Plan.

**1 Contact details (e.g. agent where applicable)**

Name	J. S. MacGAVIE		
Company	JAMES BARR LTD		
Address	226, WEST GEORGE ST GLASGOW		
Postcode	G2 2LN		
Telephone	0141 300 8000	Fax	
Email	smacgavie@jamesbarr.co.uk		

**2** Land owner details (if different from contact details)

Name UPHALL ESTATES LTD

Company

Address WEST GOGAR  
BLAIRLUCHE  
STIRLING

Postcode FK9 5QB

Telephone 010 AGENT Fax

Email

**3** Site details Please attach an Ordnance Survey (OS) location plan/map (if possible) showing the boundary of the site. Maps can be purchased from OS through the following web link: <http://www.ordnancesurvey.co.uk/oswebsite/>

Address UPHALL INDUSTRIAL ESTATE : BROXBURN  
WEST LOTHIAN  
(SEE LOCATION PLAN).

Postcode

National Grid Ref (if known) —

Area (hectares) 169 Acres

What is the site currently used for or most recently used for?  
BUSINESS / INDUSTRIAL AND SURPLUS BROWFIELD LAND  
INCLUDING :-  
VACANT DEVELOPMENT OPPORTUNITIES

What is the proposed use for the site: (e.g. housing, business, retail, other)?  
EMPLOYMENT, COMMERCIAL, RETAIL, BUSINESS AND  
RESIDENTIAL :- MIXED USES

If the site is vacant, have there been any buildings on the site in the past?  
PART VACANT / PART DEVELOPED

If housing is proposed, please indicate the number of units 150 — 200 houses

Has there been any planning application on this site within the last 10 years? (include reference number if known)  
VARIOUS PLANNING HISTORY ON THIS LARGE, DISJOINED SITE.

Please indicate the availability of this site for housing development or other developments

0-5 years     5-10 years     over 10 years

**4** **Supporting statement.** Please use the space below to provide any supporting statement for the above site and proposal (if necessary, please continue on a separate sheet)

PLEASE SEE ATTACHED PLANNING JUSTIFICATION AND  
SUPPORTING INFORMATION.

—  
5<sup>th</sup> MAY 2011.

SM.

**5 Site constraints** (please tick below any known constraints that relate to the site)

- |                                                                                                 |                                                 |
|-------------------------------------------------------------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> Roads access/parking/traffic impact                                    | <input type="checkbox"/> Contamination          |
| <input type="checkbox"/> Flood risk                                                             | <input type="checkbox"/> Water supply           |
| <input type="checkbox"/> Nature conservation (e.g. trees, TPOs, protected species etc)          | <input type="checkbox"/> Foul drainage disposal |
| <input type="checkbox"/> Archaeological or built heritage (conservation area/ listed buildings) | <input type="checkbox"/> Surface water disposal |
| <input type="checkbox"/> Other (please specify)                                                 | <input type="checkbox"/> Ownership              |
|                                                                                                 | <input type="checkbox"/> Rights of way          |
- Other (please specify) **HIGH PRESSURE GAS MAIN (SEE PLANS)**

**6 What do you consider to be the key issues which should be taken into account in preparing the Local Development Plan for West Lothian?**

1. EFFECTIVE DEVELOPMENT
2. EMPLOYMENT GROWTH / OPPORTUNITIES
3. SUSTAINABLE TRAFFIC PATTERNS : PUBLIC TRANSPORT
4. DEVELOPMENT IN CLOSE PROXIMITY TO RAILWAY STATIONS
5. INFRASTRUCTURE IMPROVEMENTS
6. PROVISION OF MIXED TENURE HOUSING IN SUSTAINABLE LOCATIONS.
7. FLEXIBLE PLANNING POLICIES TO ENCOURAGE INVESTMENT AND GROWTH.

SM  
5<sup>th</sup> May 2011.

Thank you for taking the time to complete this questionnaire.

Should you wish to contact us to discuss completion of this form please telephone us on **01506 775231** (**01506 282457** after 17 February) or please e-mail us at [localdevelopmentplan@westlothian.gov.uk](mailto:localdevelopmentplan@westlothian.gov.uk)

**Customers with special requirements**

Information is available in **Braille, tape, large print** and **community languages**. Please contact the **interpretation and translation** service on **01506 775000**

**Text phones** offer the opportunity for people with a hearing impairment to access the council. The text phone number is **18001 01506 464427**. A loop system is also available in all offices.



Local Development Plan  
It's your plan, please get involved  
January 2011

Local Development Plan preparation

West Lothian Council is required to prepare a Local Development Plan (LDP) for West Lothian. Preparation of the LDP is a requirement of the Planning etc (Scotland) Act 2006.

The LDP and the Strategic Development Plan (SDP), currently being prepared by SESplan, the Strategic Development Planning Authority for Edinburgh and South East Scotland, will form the statutory Development Plan for West Lothian. The SDP sets out the strategic vision for the area and provides the context for preparation of the LDP. More information on SESplan is available at [www.sesplan.gov.uk](http://www.sesplan.gov.uk). The LDP will set out detailed policies and proposals to inform development and land use allocations and to inform and aid planning decisions. This is important as Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

The first stage in producing the LDP is the publication of the Main Issues Report (MIR) which will set out the council's general proposals for local policy development and land use within West Lothian, assessing both preferred and alternative options. The MIR will identify the key priorities for the council in terms of development.

What is the purpose of the Local Development Plan Main Issues Report?

- To stimulate debate and discussion on the preferred approach and alternatives for development and land use within West Lothian;
- Front load the Development Plan system to speed up the overall decision making process;
- Provide an opportunity for the wider public to get involved and comment.

How do I get involved in the process?

This questionnaire is intended to provide you with an early opportunity to input into the preparation of the MIR for the LDP. We would like your views on what you consider to be the main issues in terms of policy and land use within West Lothian.

Further details on the process and timescales for preparing the LDP are contained within the Development Plan Scheme, DPS no.3 which is available on the council's website at the following web link: <http://www.westlothian.gov.uk/1210/161/178/>

This questionnaire must be returned by 4pm on Friday, 6 May 2011.

<b>1 Contact details</b>	
Name	J.S. MAC GARNIE
Company	JAMES BARR LTD
Address	226 WEST GEORGE ST GLASGOW
Postcode	G2 2LX
Telephone	0141 200 8000
Fax	
Email	

**2 Key topics.** Please rank what you consider to be the five most important key priorities for West Lothian from the list below. Select five only and number from 1 to 5, 1 being your top priority.

	1	2	3	4	5
Improvements and provision of new roads and transport networks	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Creation and retention of employment opportunities	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Development of appropriate renewable energy developments	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provision of affordable housing	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provision of new housing for sale / to buy	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ensuring good design in new development	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Protection of European Protected Species	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Preservation and enhancement of built heritage ( <i>conservation areas, archaeological sites and listed buildings</i> )	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Protection and enhancement of the natural environment	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Safeguard and enhancement of local biodiversity	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improvements to school capacities to help support further development in West Lothian	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Continue to develop the role of schools to provide additional community provision in the form of nursery, meeting rooms, halls, pools and sports facilities to local communities	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other Issues – please add and rank accordingly	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sufficiency / provision of community open space and open space facilities e.g. parks, amenity greenspace, play facilities, woodlands, civic space etc.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Integration of open space networks – greenspaces / woodland	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**3 Major land use issues**

**Housing provision - choose the statement you most agree with (one only)**

- More land should be allocated for housing
- There is sufficient land allocated for housing
- There is too much land allocated for housing

**3 Major land use issues** *(continued)*

**Affordable housing provision - choose the statement you most agree with (one only)**

- The council should reduce its requirements for affordable housing provision
- The council should introduce higher percentage requirements for affordable housing
- The council should maintain its present affordable housing requirements

**Employment opportunities - choose the statement you most agree with (one only)**

- More office/industrial land should be allocated
- The development of offices/industrial land should carry on at the same rate
- There is too much office/industrial land allocated at present

**3 Major land use issues** *(continued)*

*Sustainable retail and shopping provisions (to what extent do you agree with the statements)*

	Strongly agree	Agree	No view	Disagree	Strongly disagree
The variety of shops available is satisfactory	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Shops are well located within settlements	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Town centres display vitality and viability	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Prime retail frontages are vibrant and prosperous places	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
There is a requirement for more supermarkets within settlements	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**3 Major land use issues** *(continued)*

*Community facilities and sense of place (to what extent do you agree with the statements)*

	Strongly agree	Agree	No view	Disagree	Strongly disagree
There are sufficient community facilities	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Community facilities are in appropriate locations	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
There is a strong sense of place within the area	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

**3 Major land use issues** *(continued)*

*Promoting West Lothian as a tourist destination (to what extent do you agree with the statements)*

	Strongly agree	Agree	No view	Disagree	Strongly disagree
There are sufficient tourist attractions within the West Lothian	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
The council is doing enough to promote the area as a tourist destination	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

**3 Major land use issues** *(continued)*

*Infrastructure flooding and renewables (to what extent do you agree with the statements)*

	Strongly agree	Agree	No view	Disagree	Strongly disagree
The council has adequate measures in place to deal with flood risk	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Infrastructure (water supply and foul drainage) is satisfactory	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Roads and transport networks are satisfactory and regularly improved	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The council is doing enough to encourage development of renewable technologies in a sustainable manner	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

**3 Major land use issues** *(continued)*

*Infrastructure flooding and renewables (to what extent do you agree with the statements)*

	Strongly agree	Agree	No view	Disagree	Strongly disagree
The council is doing enough to protect wildlife and habitats from harmful developments	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The council is right to ensure housing developments are providing sufficiency of open space or access to open space for use by residents	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The council is right to ensure communities have sufficiency of differing types of open space to enhance and meet local community needs	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The council is right to ensure all communities have access to a local park within 500 metres of their home to meet open space standards	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The council is doing enough to protect open spaces and parks from harmful development	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The council is doing enough to integrate new development into the surrounding landscape	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

**3 Major land use issues** *(continued)*

*Design and built heritage (to what extent do you agree with the statements)*

	Strongly agree	Agree	No view	Disagree	Strongly disagree
New development continues to satisfactorily demonstrate a high standard of design	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The council is doing enough to protect and enhance conservation areas	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The council is doing enough to protect and enhance listed buildings	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The council is doing enough to protect and enhance the built heritage of the area	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The council is doing enough to promote regeneration within settlements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Please use this space below to make any additional points that have not been covered above

No Comment

  
5<sup>th</sup> May 2011.

Thank you for taking the time to complete this questionnaire.

Should you wish to contact us to discuss completion of this form please telephone us on **01506 775231** (**01506 282457** after 17 February) or please e-mail us at [localdevelopmentplan@westlothian.gov.uk](mailto:localdevelopmentplan@westlothian.gov.uk)

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## APPENDIX 2



Mr J Stuart MacGarvie  
**Representing:** The Usher Trust  
James Barr  
226 West George Street  
Glasgow  
G2 2LN

**Date:** 24 March 2011

**Our Ref:** RWELP/AK

Dear Mr MacGarvie

**Rural West Edinburgh Local Plan Alteration**

I am writing because you submitted a representation to the Finalised Rural West Edinburgh Local Plan Alteration in Spring 2010.

A development plan examination was held into all unresolved representations and the Council has now received the examination report containing the Reporters' recommendations on the issues considered. On 24 February 2011, the Council's Planning Committee agreed to make the eight modifications recommended by the Reporters and proceed towards adoption of the Alteration.

The Alteration in the form in which the Council proposes to adopt and the list of modifications have been published and can be inspected at the Planning and Building Standards Reception, The City of Edinburgh Council, Waverley Court, 4 East Market Street, Edinburgh between the hours of 08.30 – 17.00 (Mon – Thurs) and 08.30 – 16.40 (Fri). They are also available at the following Council libraries during opening hours: Queensferry, Kirkliston, Ratho, Currie, Balerno, Corstorphine and Central; and on the Council's website at [www.edinburgh.gov.uk/rwelp](http://www.edinburgh.gov.uk/rwelp).

The Council will now submit the modified Alteration to Scottish Ministers for their consideration prior to proceeding to adoption.

If you have any queries regarding the Alteration, please do not hesitate to contact me on 0131 469 3590 or [alison.kirkwood@edinburgh.gov.uk](mailto:alison.kirkwood@edinburgh.gov.uk)

Yours sincerely

  
Alison Kirkwood  
Principal Planner, Strategic Planning Policy Team.

**Dave Anderson, Director, City Development**  
Planning, Waverley Court G.2, 4 East Market Street, Edinburgh EH8 8BG



RURAL WEST EDINBURGH LOCAL PLAN: REPORT OF EXAMINATION

<b>Issue 2</b>	<b>Housing Proposals at Ratho Station and Newbridge</b>	
<b>Development plan reference:</b>	Alterations 4 - 6	<b>Reporter:</b> Timothy Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Ratho Station Residents Association and Murray Estates Ltd (10) Scottish Association for Public Transport (SAPT) (11) West Craigs Limited (16) West Lothian Council (17)		
<b>Provision of the development plan to which the issue relates:</b>	Proposal HSP5 to east of Ratho Station amends an existing proposal in the adopted RWELP. Proposal HSP8 at Newbridge is a new housing site.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Ratho Station Residents Association (RSRA) and Murray Estates Limited object to Proposal HSP5 on the grounds that the site should be larger to accommodate 150-200 units (site shown in supporting document). If this change is not made, they also object to the requirement to provide a community building. They do not support the reference to creating a frontage towards land safeguarded for the future development of Scotland's National Showground.</p> <p>SAPT suggests that HSP8 be reallocated for employment/distribution purposes. The reason for this is to avoid extra housing under the aircraft flight path.</p> <p>West Craigs Limited queries the justification for Proposals HSP5 and HSP8, in particular within the context of the approved Structure Plan.</p> <p>West Lothian Council objects to Proposals HSP5 and HSP8 because these will have implications for denominational education provision in West Lothian.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p>Ratho Station Residents Association and Murray Estates Limited suggest:</p> <ul style="list-style-type: none"> <li>- a revised boundary to provide a larger housing site with a capacity of 150-200 units.</li> <li>- the deletion of the requirement for a community building (if the above change is not made)</li> <li>- the deletion of the reference to creating a frontage towards the showground</li> </ul> <p>No modification to HSP5 and HSP8 is suggested by West Craigs Limited.</p>		

SAPT suggests HSP8 remains as a business proposal.

West Lothian Council suggests the RWELP Alteration should mention that the proposed housing allocations are included within the school catchment areas for denominational primary and secondary schools in West Lothian. It should also state that school capacity issues need to be addressed through the requirement for developer contributions. If catchment area reviews are required these should not be at the expense of West Lothian Council. Alternatively, West Lothian Council is of the view that the two housing proposals in the Alteration should be deleted.

**Summary of responses (including reasons) by planning authority:**

The Council's response to Issue 5 sets out the justification for the proposed boundary between housing site HSP5 and the Royal Highland Centre/Scotland's National Showground safeguard. The adopted RWELP includes a proposal HSP5 for 50 houses and community building at Ratho Station and environmental/open space proposal ENV7 on adjacent land (Core Document CD07 pages 108 -111). Proposal HSP5 in the Alteration involves reconfiguration of the housing and open space elements resulting in a larger housing area focussed around the existing playing field. It has been introduced in response to strong local community support to bring forward housing led-regeneration in the village and to create a strong boundary between the village and future showground site.

The proposal for a community building was identified in the adopted RWELP (Core Document CD07 page 109) and has been continued in the Alteration. The Council's Services for Communities Department has been considering how best to deliver this facility and has recently undertaken a feasibility study relating to school and community facilities in Ratho Station. It suggests that there may be greater community benefit if resources were directed towards improving existing community facilities at the Norwood Community Centre adjacent to the school rather than seeking additional provision. To reflect this view and in response to the representation from RSRA and Murray Estates, an amendment to the text is suggested to allow more flexibility in delivering community benefits (see section below).

The reference to the creation of a frontage between housing development at Ratho Station and the proposed showground use reflects the guidance in the West Edinburgh Strategic Design Framework. (Core Document CD10 Chapter 10). Its inclusion in the RWELP Alteration is as supporting information. The removal of this reference in para 5.25 wouldn't alter the fact that this is a design principle in the WESDF which has the status of Edinburgh Planning Guidance and will be a material consideration in the determination of planning applications.

The Edinburgh and the Lothians Structure Plan 2015 identifies a strategic housing requirement of 1,000 units in the Newbridge/Kirkliston/Ratho core development area (CDA). Policy HOU3 of the structure plan states that "land shall be allocated in local plans to accommodate the approximate numbers of dwellings identified in the Schedule 3.1" (Core Document CD05 page 24). Housing proposal HSP5 for 50 houses was included in the adopted RWELP to contribute to meeting the structure plan requirements of *approximately* 1,000 units in the CDA. (Core Document CD07 page

91) The larger site will also contribute to this requirement but it is being brought forward mainly to assist the regeneration of the village as outlined above.

Proposal HSP8 is not required to meet a strategic housing allocation. However, as indicated in para 5.27a of the Alteration “the site will contribute to the overall housing land supply and provide additional housing choice in one of the Structure Plan’s Core Development Areas”. The reallocation of this site from a business and industry proposal (ECON8) in the adopted RWELP (Core Document CD07 page 127) to a housing proposal (HSP8) in the Alteration is being brought forward to deliver housing-led regeneration in Newbridge and is supported by Policies HOU2 and ECON1 in the Edinburgh and the Lothians Structure Plan (Core Document CD05 pages 23 and 30). It also reflects the decision of the Council’s Development Management Sub-Committee on 12 November 2008 to grant planning consent for 490 houses and a care home subject to conditions and legal agreements (which have not yet been concluded) (Core Document CD12). The amenity considerations arising from air traffic noise are recognised. However, these concerns are outweighed by the regeneration benefits. A representation in support of Proposal HSP8 in the finalised Alteration was submitted by Ediston Properties (Additional Document AD 2.1).

It is acknowledged that the Alteration does not make a specific reference to the need for developers to make financial contributions towards denominational schools in West Lothian. The existing adopted Local Plan Policy IMP2 (Core Document CD07 page 166) requires agreements between developers and the Council to be in place to secure the key items in Schedule 2 of the accompanying Action Plan prior to the granting of Planning Consent. The most recent version of the Action Plan does make reference to the denominational school capacity issues in West Lothian (Core Document CD11 Schedule 2). However, to provide greater transparency, an amendment to the text of the Alteration is supported by the Council (see section below).

**Any further plan changes commended by the planning authority:**

Suggested amendment in response to representation from Murray Estates and RSRA (10).

Insert the following text after the last sentence of para 5.25:

*As an alternative to providing a new community building at this location, the development or enhancement of community facilities elsewhere in the village may be acceptable.*

Suggested amendment in response to representation from West Lothian Council (17).

Insert the following text after para 5.27b:

*5.27c It should be noted that a proportion of the Newbridge/Ratho/Kirkliston core development area forms part of the catchment area of denominational primary and secondary schools in West Lothian and therefore West Lothian Council (WLC) is the education authority. The Edinburgh and the Lothians Structure Plan Action Plan identifies the need for developer contributions to fund the expansion of existing primary schools and the provision of a district wide denominational secondary school in West Lothian. Therefore, developers with proposals for housing development which are within the catchment area of a WLC school, will be expected to make an appropriate*

*contribution towards the new school requirements to the satisfaction of the City of Edinburgh Council (CEC) and WLC by way of Section 75 or other legal agreements. Alternatively, a joint CEC/WLC catchment review may be undertaken, funded by developers, with the aim of aligning denominational school catchment boundaries with Council boundaries.*

**Reporter's conclusions:**

**Land at Ratho Station (HSP5):** The background to the proposal to safeguard an area of land at Norton Park for Scotland's National Showground is outlined in the consideration of Issue 5 later in this report. The Vision Map forming part of the West Edinburgh Planning Framework (WEPF) is indicative only, but identifies an area of land for the purpose bounded by Gogarstone Road to the east, the A8 Glasgow Road to the north, the railway line to the south, and Ratho Station to the west. The definition of the precise boundary of the safeguarded area, which partly depends on the extent of development on the east side of Ratho Station, is a matter for this local plan Alteration.

The safeguarding area is required to enable the Royal Highland Centre to relocate from its established site at Ingliston in the event that the site is needed to allow Edinburgh Airport to expand. The airport expansion (and the related showground relocation) are national priorities which are highlighted in National Planning Framework 2 and the WEPF. It is therefore essential to ensure that a sufficient area of land is safeguarded for Scotland's National Showground, which is expected to offer improved facilities and enhanced economic impact. Failure to reserve an adequate site could prejudice the delivery of this important national project.

The boundary of the safeguarded area shown on the Proposals Map of the local plan Alteration matches the indicative boundary on the Vision Map of the WEPF, except at its western edge where it is reduced to allow for the eastern extension of the built up area of Ratho Station. The boundary in the local plan Alteration excludes the area of land which was identified in Proposal ENV7 of the adopted RWELP for the relocation of playing fields in conjunction with Proposal HSP5 for housing. Alteration 4 would change the distribution of those uses and increase the housing allocation. However, it involves essentially the same area of land, so the implications for the western boundary of the safeguarded area would be similar.

The existing showground site has an area of approximately 110 hectares, whereas the site at Norton Park to be safeguarded through the local plan Alteration would cover an area of around 120 hectares.

The agents for the Royal Highland and Agricultural Society of Scotland (RHASS) have advised that the area considered for the national showground was subject to discussion and detailed representation during the WEPF consultation process, which established the extent of the site required. Having updated the initial concept masterplan for the development, the RHASS objected to the planning application by PPG Ltd for residential development which would have encroached on the safeguarded area. In subsequent meetings the RHASS have reiterated their position that the entire site is required for Scotland's National Showground.

The detailed layout of the showground site at Norton Park will not be known until a

masterplan has been finalised. Only at that stage will it become evident whether there would be any surplus land capable of use for another purpose. Meanwhile I consider that it would be unwise to reduce the safeguarding area, given the national significance of the scheme. I accept that the adjustment proposed by RSRA and Murray Estates would affect only 4 hectares at the western edge of Norton Park which was shown as overflow car parking in the draft masterplan. However, it is not possible to be sure at this stage whether that disposition of uses will remain in the finalised masterplan, or whether an equivalent alternative site could be found for car parking if required.

The proposed alteration to Policy H2 would increase the indicative capacity of Proposal HSP5 from a maximum of 50 new homes to 50-100, by retaining the existing playing field and developing the area previously designated as ENV7. The purpose of this additional allocation is to contribute to the regeneration of the village of Ratho Station, rather than to meet strategic housing allocations. This is consistent with a key objective of the WEPF to improve the general level of amenity for the communities within West Edinburgh.

The appropriate time to evaluate the adequacy of the supply of land for housing in the City of Edinburgh, including Ratho Station and Newbridge, will be during the production of the Edinburgh Local Development Plan. It is not a matter for this Alteration to RWELP, which is required to apply the proposals and vision of the WEPF.

There is demonstrable community support for a substantial residential development on the east side of Ratho Station. This is seen as a means of arresting the decline of the village, which suffers from a poor environment (dominated by neighbouring industry and the A8), an ageing population and reducing school roll, and limited facilities. New housing would provide a fillip to the primary school and local shops and services, and would present the opportunity to provide enhanced community facilities in the village.

A larger development of 150-200 houses as envisaged by RSRA and Murray Estates could offer greater regeneration benefits by increasing the potential for investment in retail and other services in Ratho Station, and by further securing the future of the Hillwood Primary School (though the proposed housing site at Newbridge West, discussed below, is also in the catchment area of the primary school). Another potential benefit of the larger development proposal is the scope to create a right turning facility in and out of the village, thereby improving its accessibility.

The possible benefits to the residents of Ratho Station of a larger scheme have to be weighed against the need not to compromise a key provision of national policy. At present there is insufficient information to demonstrate that the safeguarding area at Norton Park is excessive to fulfil the requirements of NPF2 and the WEPF. In those circumstances I could not recommend an expansion of the HSP5 housing site which would reduce the area of land safeguarded for the new showground. In the future if an approved masterplan for the site indicates otherwise, or if other circumstances change, the matter could be reconsidered at that stage.

The need for more community facilities at Ratho Station is seen as a priority by local residents, and has been long recognised by the council. The adopted local plan proposed a general community building for the use of local residents, incorporating changing facilities for visiting teams and funded through the housing development

(HSP5). The Alteration continues the requirement to provide a new community building adjacent to the open space, as one of the prerequisites of the enlarged allocation of 50-100 houses. I agree that this is a reasonable requirement for a development of this scale, though I recognise that the provision might be better made by enhancing the existing community facilities adjacent to the school. The council's amended wording would allow potential developers to agree an appropriate solution in consultation with the council and the local community.

The reference in the replacement paragraph 5.25 to the need to create a frontage towards land safeguarded for the future development of Scotland's National Showground derives from non-statutory guidance contained in the West Edinburgh Strategic Design Framework. The layout of both sites will be the subject of detailed consideration at a later stage, when the non-statutory guidance will be an important factor. It would be wrong to be too prescriptive in the development plan, when the arrangement of activities on the proposed showground site has not been fixed.

Land at Newbridge West (HSP8): The former Continental Tyres site at Newbridge West was allocated for business and industry (ECON8) in the adopted Rural West Edinburgh Local Plan. However, Alteration 6 now identifies the site as an additional housing proposal (HSP8) to promote housing-led regeneration in Newbridge. In proposing this Alteration the council has assessed that the need for additional housing and related facilities in the village is more important than the site's contribution to the supply of land for economic development in the City. The proposal also recognises the advantages of bringing this derelict site of over 20 hectares back into beneficial use. The site is bounded by established housing to the north, and the River Almond, a designated site of importance for nature conservation, to the west. However, there are industrial sites to the east, and to the south (beyond the railway line).

The allocation of the site at Newbridge West for housing could result in more than 1000 new units being built in the Newbridge/Kirkliston/Ratho core development area. That was the number which was envisaged in the strategic housing allocations in the approved structure plan (policy HOU3). However, the council's approach accords with structure plan policy HOU2, which supports the development of suitable brownfield sites for housing. It is also consistent with structure plan policy ECON1, which states that local plans should review the established supply of business and industrial land and, where appropriate, reallocate to other uses sites no longer suitable for industrial or business use.

Above all, the proposed re-allocation of the site for housing would help to achieve a key objective of the West Edinburgh Planning Framework "to improve the general level of amenity for the communities within West Edinburgh". It would also meet the principles for development at Newbridge outlined in the West Edinburgh Strategic Design Framework.

In any case, there is now a commitment in principle to allow residential development on the site at Newbridge West. The council's Development Management Sub-Committee resolved in November 2008 that it was minded to grant outline planning permission for residential development (including 75 affordable homes) and a care home on the site, subject to conditions and legal agreements. The decision was also made subject to the findings of further studies into noise and odour, and measures to

safeguard the interests of adjoining industrial users, amongst other issues. To date all the matters outstanding have been addressed to the council's satisfaction, apart from an issue concerning contributions to education provision in West Lothian, which is under discussion. The application will ultimately require to be referred to Scottish Ministers as a departure from the development plan.

West Lothian Council: At present the sites of proposed housing allocations at Ratho Station (Proposal HSP5) and Newbridge (Proposal HSP8) lie within the catchment areas of denominational primary and secondary schools in West Lothian, where West Lothian Council is the education authority.

The Rural West Edinburgh Local Plan: Action Plan Update in August 2010 notes that the council seeks financial contributions from developers where existing schools have inadequate or no capacity for the additional pupils likely to be generated by housing developments.

The Edinburgh and the Lothians Structure Plan Action Plan highlights the need for developer contributions to finance the expansion of existing primary schools and the provision of a new district wide denominational secondary school in West Lothian. Developers are expected to make an appropriate contribution to the new school requirements by means of an agreement under section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended) or similar agreement.

It is appropriate for the RWELP Alteration to draw attention to this requirement which applies to the proposed allocations at Ratho Station and Newbridge, and to note that the situation will change if a developer funded review results in the catchment area boundaries coinciding with local authority boundaries.

**Reporter's recommendations:**

No modification in response to the representations by Scottish Association for Public Transport and West Craigs Ltd.

In response to the representations by Ratho Station Residents Association and Murray Estates Limited, delete the words "and create a frontage towards land safeguarded for the future development of Scotland's National Showground" in the last sentence of paragraph 5.25, and insert the following text after the same sentence:

As an alternative to providing a new community building at this location, the development or enhancement of community facilities elsewhere in the village may be acceptable.

In response to the representation by West Lothian Council, insert the following text after paragraph 5.27b:

5.27c It should be noted that a proportion of the Newbridge/Ratho/Kirkliston core development area forms part of the catchment area of denominational primary and secondary schools in West Lothian and therefore West Lothian Council (WLC) is the education authority. The Edinburgh and the Lothians Structure Plan Action Plan identifies the need for developer contributions to fund the

expansion of existing primary schools and the provision of a district wide denominational secondary school in West Lothian. Therefore, developers with proposals for housing development which are within the catchment area of a WLC school, will be expected to make an appropriate contribution towards the new school requirements to the satisfaction of the City of Edinburgh Council (CEC) and WLC by way of Section 75 or other legal agreements. Alternatively, a joint CEC/WLC catchment review may be undertaken, funded by developers, with the aim of aligning denominational school catchment boundaries with Council boundaries.

# APPENDIX 3



# James Barr

JSM/CA

FAO: Alice Martin  
contactus@sesplan.gov.uk

31 August 2010

Dear Madam

**SES PLAN - MAIN ISSUES REPORT 2010  
RESPONSE ON BEHALF OF UPHALL ESTATES LTD - UPHALL (WEST LOTHIAN)**

As agreed, please find enclosed response to the Main Issues Report 2010 (For and on behalf of Uphall Estates Limited).

Please acknowledge receipt.

Yours sincerely

**J. Stuart MacGarvie - Director**

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Mobile: 07879 602741  
E-mail: [smacgarvie@jamesbarr.co.uk](mailto:smacgarvie@jamesbarr.co.uk)

Enc

SES PLAN  
MAIN ISSUES REPORT  
MAY 2010  
RESPONSE ON BEHALF OF UPHALL ESTATES LIMITED  
UPHALL (WEST LOTHIAN)

**James Barr** |

JSM/CA

# James Barr

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31 August 2010

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Dear Madam

**SES PLAN - MAIN ISSUES REPORT 2010  
RESPONSE ON BEHALF OF UPHALL ESTATES LTD  
UPHALL (WEST LOTHIAN)**

As agreed, please find formal response to the above plan.

The responses to the questions are in sequential order and concentrate upon investment and growth in and around the main settlement of Uphall, which is in the "West Lothian Corridor".

Whilst it is acknowledged that site specific matters will be further dealt with by the representative authorities, through respective LDP's, it is important to take account of the strategic location of this brownfield site to the south west of Uphall.

I would be obliged if you could consider the responses as listed and I look forward to your comments.

## General

It is acknowledged that the spatial strategy should provide for CLEAR direction for new development up to year 12 from plan approval, with a broad indication of the scale and direction of growth up to year 20.

The key aims of the plan are to:-

- Grow the economy
- Meet housing demand and provide community facilities
- Promote infrastructure
- Encourage sustainable development
- Conserve the environment

It is recognised that some 7,000 housing units are required from 2019 to 2024, with a remaining 20,000 houses from 2024 to 2032.

The MIR also suggests priority locations for future economic development and growth areas. It is advocated that Uphall is such an area, particularly due to its location on the Airdrie to Bathgate rail line.

#### Question 1: Response

The main objections of the SES Plan are supported. Particular attention should be made to strategic brownfield sites with good existing infrastructure, such as Uphall.

#### Question 2: Response

As above.

#### Question 3: Response

It is acknowledged that Uphall is an identified priority location for development, where some 5,750 houses and 650 hectares of employment land is required. Due to the development pressures for West Lothian where there is existing infrastructure and travel capacity, the SES Plan should plan for the 'high growth' figures. It is advocated that areas such as Fife should initially temper the figures as there are significant pressures on travel congestion over the River Forth.

#### Question 4: Response

Sustainable development is appropriate. Particular emphasis should be placed upon brownfield sites that would benefit from environmental improvements through enabling development; such as Uphall.

#### Question 5: Response

It is considered that contributions towards essential infrastructures are appropriate BUT only where there is a direct and tangible link between the development and improved infrastructure.

#### Question 6: Response

Development to sustainable accessible locations is supported, such as the case at Uphall.

#### Question 7: Response

SES Plan should promote strategic growth areas, particularly where the land is brownfield or requires environmental improvement and is close to good access/transport links.

#### Question 8: Response

Due to the growing importance of Livingston and the West Lothian Corridor, it is advocated that the alternative approach to retail hierarchies is adopted; where each individual authority will set its own retail strategies through the LDP process.

#### Question 9: Response

It is advocated that greater emphasis for housing development should be centred on mixed use site in sustainable locations.

The Uphall site is a case in question where additional development in the area could result in improved local amenity.

Further, addition houses should be considered for the period up to 2008 - 2019 as it would be an error to rely on the existing supply to be developed in this timeframe. Greater flexibility is promoted, with an emphasis on sites which can deliver mixed uses, not just housing.

#### Question 10: Response

Supported

#### Question 11: Response

Recent experiences in the Reporter's recommendations to the East Ayrshire Local Plan, suggests clearly that there should be sound assessment of affordable housing requirements in each area and to simply apply a blanket 25% contribution is flawed. It is therefore advocated that each area should be properly assessed and no blanket % contribution is adopted.

#### Question 12: Response

Noted

#### Question 13: Response

Noted, however, special reference should be made to former 'worked areas' (e.g. bings) which could be properly negated through enabling development.

#### Question 14: Response

Noted

#### Question 15: Response

There should be an alternative approach to development in the countryside. Such policies exist in Perth & Kinross and Stirling, where there is a presumption in favour of housing in rural areas/countryside, where groupings of houses or new houses are permitted on former brownfield sites. This complies with National Policy and does add to the sustainable argument for rural areas.

Question 16: Response

Noted

Question 17: Response

The support of renewable industries is supported.

Question 18: Response

Noted

Question 19: Response

Noted

Question 20: Response

Noted

Question 21: Response

Noted

Question 22: Response

It is noted that the preferred approach takes into account the newly published Zero Waste Plan 2010. This is therefore the correct approach to adopt.

Question 23: Response

Noted

Question 24: Response

Noted

Question 25: Response

Noted

**Question 26: Response**

It is advocated that the West Lothian corridor be given greater priority than the SE Edinburgh approach. This is based upon existing infrastructure capabilities, brownfield land and sustainable development in the Uphall/Livingston area.

**Question 27: Response**

See above.

**Question 28: Response**

Noted

**Question 29: Response**

Noted

**Question 30: Response**

The preferred approach is appropriate. Particular reference is made to Uphall, where there exists the opportunity to further develop mixed use sites.

In conclusion, it is advocated that the site in question is appropriate for development and should be denoted in the SES Plan as a site where development and growth should happen.

I look forward to discussing the representations with you, however, in the interim I look forward to your acknowledgment.

Yours faithfully

**J. Stuart MacGarvie - Director**

**For and on Behalf of Uphall Estates Limited**

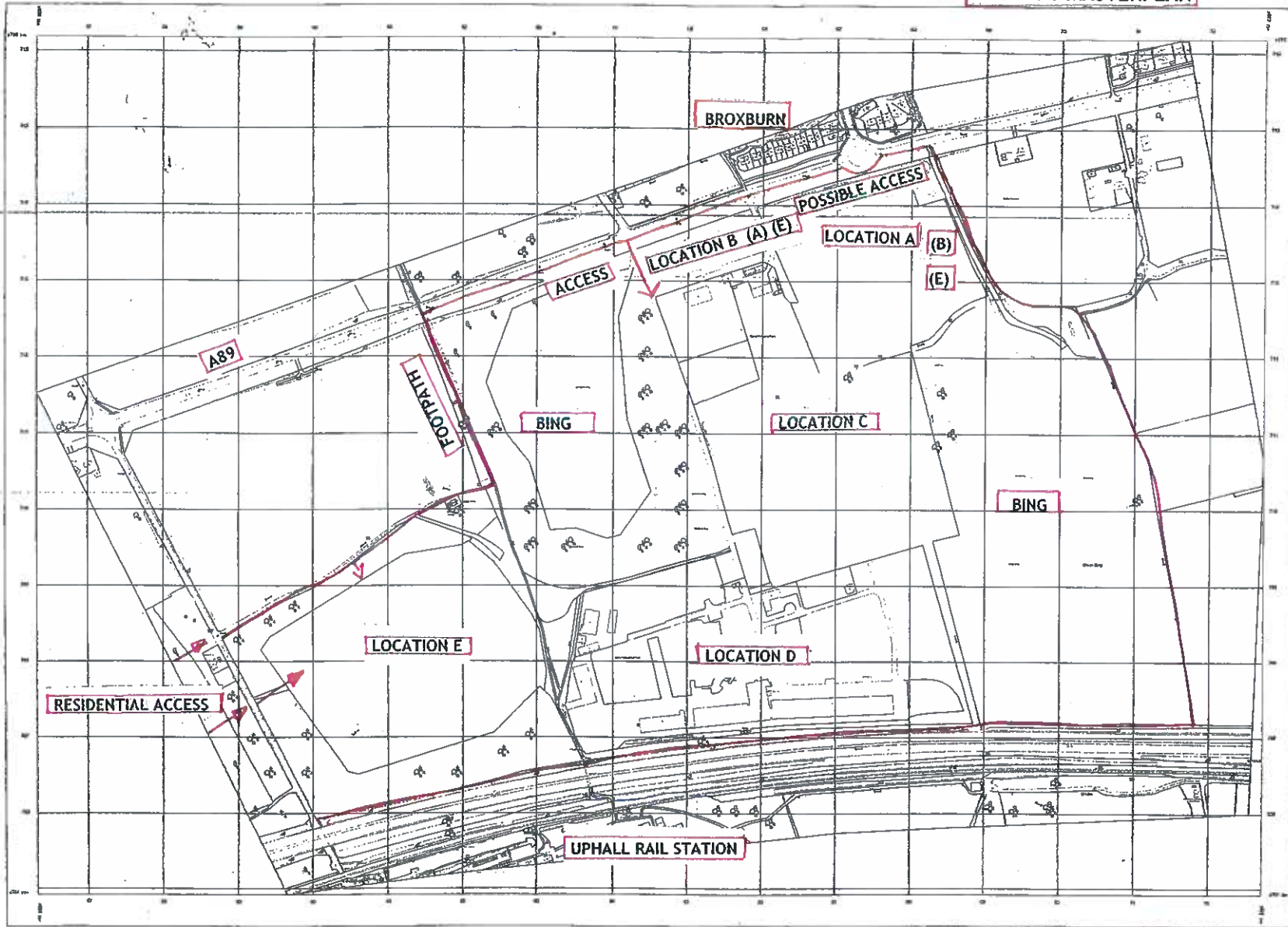
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# APPENDIX 4

**UPHALL ESTATE:  
CONCEPT MASTERPLAN**



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14 February 2007

**WITHOUT PREJUDICE**

Ronnie Simpson  
Leisure, Freight & Waterway Development Manager  
British Waterways Scotland  
Canal House  
1 Applecross Street  
GLASGOW G4 9SP

Dear Mr Simpson

**PROPOSED CANAL RELATED DEVELOPMENT AT MUIREND FARM, BY BROXBURN**

I refer to your letter and enclosures of 17 January 2007 concerning the above which were originally addressed to the council's tourism officer, John Masson. These have now been passed to me for a direct response since they specifically relate to matters of planning policy.

There are particular planning policy issues associated with any proposal to develop land at this location being that the site lies within the countryside, is within an Area of Special Agricultural Importance (ASAI), and affects the Union Canal, a Scheduled Ancient Monument.

Applications for planning permission require to be determined in accordance with the prevailing Development Plan which, in this instance, is the adopted Broxburn Area Local Plan (BALP) and the Edinburgh and the Lothians Structure Plan 2015 (ELSP).

At this time the council would also be obliged to have regard to the policies of the Finalised West Lothian Local Plan (FWLLP05) which it is intended will supersede the adopted BALP in due course. This is the most up to date expression of the council's planning policy and is becoming increasingly more relevant when determining planning applications.

The most relevant planning policies are E 5, E 8 and R 4 of the BALP, ENV 1c, ENV 1d and ENV 3 of the ELSP and policies ENV 7, ENV 9, ENV 17, ENV 18, ENV 31, ENV 32, ENV 33, ENV 36, ENV 37, HER 12 and HER 14 of the FWLLP05, all of which relate to new development in the countryside, development within ASAI's or development affecting the Union Canal.

**Development in the Countryside**

Policy E5 of the BALP generally seeks to restrict new development in the countryside to that which is specifically required for the purposes of managing an agricultural enterprise or otherwise meriting a rural location for business purposes. Proposals which do not have such justification will not normally be approved by the council and this is effectively reinforced by policy ENV 3 of the ELSP, and policies ENV 31, ENV 32 and ENV 33 of the FWLLP05.

#### **Development affecting Areas of Special Agricultural Importance**

Policy E 8 of the BALP identifies a presumption against development within the intensively farmed, high quality areas of land located to the north and south of Broxburn and designated as ASAI. Policies ENV 1d of the ELSP and ENV 7 and ENV 9 of the FWLLP05 afford similar protection to land from inappropriate development.

#### **Development affecting the Union Canal (Scheduled Ancient Monument)**

Policy R4 of the BALP is specifically concerned with the Union Canal and recognises that it has considerable recreational potential. While supporting the promotion of leisure activities, it observes that this has to be done whilst conserving wildlife and its architectural and engineering importance.

Policies ENV 1c of the ELSP and HER 12 and HER 14 of the FWLLP05 affords protection to scheduled ancient monuments such as the Union Canal, from inappropriate development which might harm its character, appearance and setting.

Policies ENV 17 and ENV 18 of the FWLLP05 specifically support recreational and economic proposals associated with the Union Canal providing they sustain and enhance the natural built heritage of the canal and its setting and comply with local plan policies and any development briefs approved by the council. The council is also committed to integrate the canal within its future core path network of footpaths and cycle paths and to work with others to promote its recreational value.

Policy ENV 36 is of a more general nature relative to Leisure and tourist developments and supports these in rural areas where they are appropriate to a rural location, and where they conform to the other relevant countryside and heritage policies of this local plan. A developer must nevertheless satisfy the council by:

- applying sequential testing to show that no alternative sites are available within a settlement envelope (where such a development would be appropriate to an urban area);
- showing there are no practical alternative locations within the countryside that provide a more appropriate site, or which secured significant environmental improvements to a degraded landscape;
- showing that the development would not lead to coalescence in the case of a Countryside Belt;
- showing that the development would not adversely impact on the biodiversity interest of the site;
- ensuring development is designed to a high standard;
- integrating development within the area by using contours, avoiding skylines and exposed locations;
- avoiding development along the roadside;
- showing, where appropriate, that the development can be accessed by means other than the car and promoting initiatives to provide access by public transport, and by foot and bicycle;
- incorporating landscaping proposals to ensure the development sits unobtrusively in the countryside in both short and long range views;
- satisfying access and parking standards; and
- showing the development does not affect the amenity of existing housing areas.

With/

With regard to ancillary uses, eg housing, Policy ENV 37 advises that these will only be supported where they are proven to be essential in enabling the leisure or tourist development to proceed, and where the ancillary uses are at a modest scale which could be accommodated, by design and layout, within the rural setting. The highest quality landscaping and environmental treatment will be required in support of all such developments.

At this time the FWLLP05 is the most up to date expression of the council's planning policy and is arguably of more importance and relevance to the determination of planning applications given that it is intended to supersede the adopted Broxburn Area Local Plan in the very near future.

In general, the canal is recognised as offering a unique opportunity to promote and realise recreation, tourist and economic benefits in West Lothian. Within the urban areas in particular there are a number of canal side development opportunities which can take advantage of this setting and provide environmental improvements, bringing brownfield land back into use. In countryside locations however, there is a need to sustain the natural and built heritage of the canal within its primarily rural setting, as in this instance, and there is therefore a delicate balance to be achieved.

On the basis of the information provided, it is concluded that proposals for a mooring facility and a canal related information centre / shop / watersports centre would be consistent with planning policies. The acceptance of leisure or tourist-related proposals is however limited to those uses that enhance and can be absorbed by the countryside or urban fringe environment, and which do not raise other planning issues. Most other forms of commercial leisure development should be located within urban areas and conform to the requirements of NPPG 8 *Town Centres and Retailing*, which establishes the principles of sequential testing, favouring town centre and edge-of-centre locations.

While the erection of a single, modest house for the manager of this facility may also be capable of deriving support from said policies, there is likely to be difficulties in reconciling the suggested ancillary residential development. It is generally the case that new residential development in the countryside and on a greenfield site would not be in accordance with the council's preferred development strategy. The council has a clear and long standing policy of exercising restraint with regard to proposals, especially for new housing in the countryside, and this is underpinned and reinforced by local, regional and national planning policies detailed above.

It is also necessary to draw attention to servicing issues, specifically education. There is no guarantee that a residential development of this nature could be accommodated by catchment area schools at this time. Education Services have advised that there are already significant pressures on these schools from approved and planned developments and that they could have difficulty in making placements available. However even if this was possible, it should be noted that new development would be subject to policies which required developer contributions to be made in order to help fund new schools and improvements to existing schools. A paper amplifying these contributions is available.

The Union Canal Moorings Study, which was commissioned by British Waterways in 2005, was designed to reconcile the heritage, recreational and tourism benefits of the canal with the emerging planning context.

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The study regards Broxburn as one of several important "nodes" along the length of the canal but with the main facilities being located at Candleworks, Albyn and Port Buchan, all sites within the urban area

While it identifies Muirend as a suitable location for canal related development opportunities, specifically for winter storage and accommodating 45 private moorings, there is no explicit support for more extensive facilities or for that matter ancillary development such as housing.

Notwithstanding the foregoing you will appreciate that the full merits of any proposal, taking into account the provisions of the development plan and other material considerations, can only be fully examined if an application for planning permission is submitted. As a consequence I am obliged to point out that the comments made in this letter must be without prejudice to any final decision the council may take upon receipt of a planning application.

I trust that the above comments help to clarify planning policy as it relates to these proposals. However should you wish to discuss any matters arising please do not hesitate to contact me.

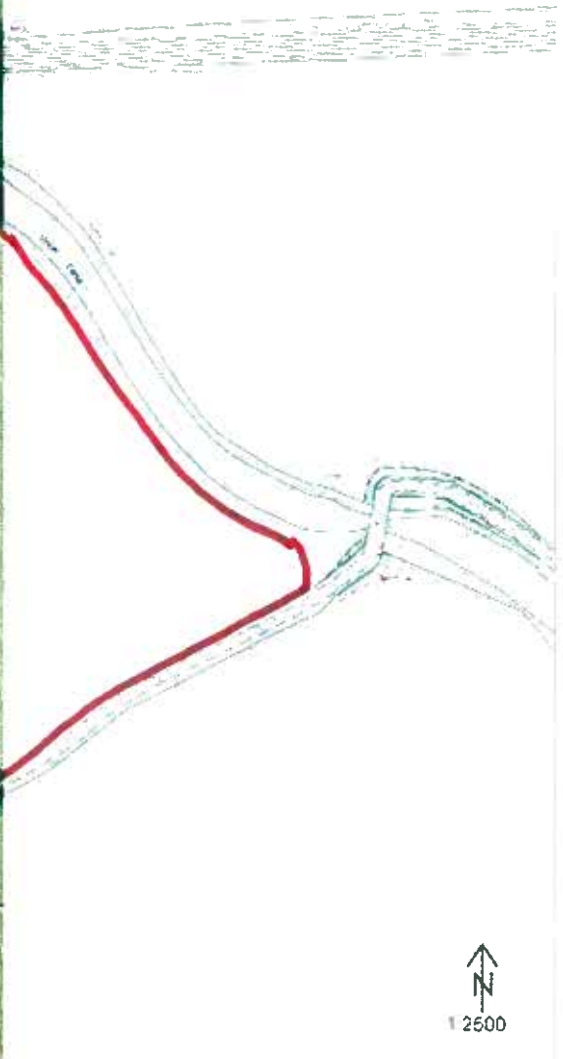
If it is decided to make a planning application there is the option of applying for full or outline planning permission, the latter being the least expensive in so far as it only requires the submission of a site location plan and should not require the engagement of a professional architect or agent. Application forms can be downloaded from the Planning and Building Standards page of the council's website at [www.westlothian.gov.uk](http://www.westlothian.gov.uk) or by calling 01506 775222. I would also recommend that an appointment is made in advance of submitting any application with a Development Control Officer and this can also be done by calling the number above.

Yours sincerely



Stephen J Lovell  
Planning Officer : Development Planning

cc : John Masson, West Lothian Council, Lennox House, Almondvale Boulevard,  
LIVINGSTON, EH54 6QP



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