

## Appendix 7

### Proposed Minor Changes by the Council to the West Lothian Local Development Plan Proposed Plan and Proposed Changes to the West Lothian Local Development Plan for Consideration by the Reporter at Examination

(Minor Changes Proposed by the Council are shown in Black & Changes for the Reporter to consider are shown in red).

#### WEST LOTHIAN LOCAL DEVELOPMENT PLAN – PROPOSED PLAN

##### SCHEDULE 4 SUBMISSIONS BY SETTLEMENT

Schedule 4 Ref	Section / Page / Site/ Map	Minor Changes Proposed by the Council & Changes for Reporter to consider
2A	Appendix 1:Employment land Allocations, Page 101, E-AD1	Update Appendix 1: Flood Risk Assessment is required add “have regard to any structures, e.g. culverts, which may exacerbate flooding. Contact to be made with the flood prevention officer to discuss and investigate flooding issues in light of a subsequent review of the surface water 1 in 200 year flood map”.
3A		No modifications or changes.
3C	Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, Page 127 - H-AM 2 Page 128 - H-AM 5 Page 129 - H-AM 6 Page 132 - H-AM 12 Page 132 - H-AM 13	Update Appendix 2 for sites H-AM2, H-AM5, H-AM6, H-AM12 and H-AM13 with the addition of text that provides further details for consideration in site specific Flood Risk Assessments.
3D		No modifications or changes.
3E		No modifications or changes.
4A	Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, Page 138, H-BA5	Amend appendix 2 site delivery requirements to include “possible TPO to be promoted”.
4B	Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, Page 148, H-BA 26	Update Appendix 2 following the existing text add “Flood Risk Assessment should consider any structures, e.g. culverts, which may exacerbate flooding”.
4C	Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, Page 149, H-BA 27	Update Appendix 2 following the existing text add “the Flood Risk Assessment should consider any structures, e.g. culverts, which may exacerbate flooding and for contact to be made with the flood prevention officer to investigate flooding issues in light of a subsequent review of the surface water 1 in 200 year flood map”.
4D	Appendix 2:Schedule of Housing Sites/Site Delivery	Update Appendix 2 following the existing text add “Contact should be made with the flood prevention

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	Requirements, Page 147, H-BA 24	<i>officer to discuss and investigate flooding issues in light of a review of the surface water 1 in 200 year flood map”.</i>
4E		No modifications or changes.
4F	Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, Page 138, H-BA 6	<p><i>Update Appendix 2 following the existing text add “The scope of the Flood Risk Assessment should be extended to take account of another small watercourse”.</i></p> <p><i>Update Appendix 2 following the existing text add “The impact on Bathgate Water requires to accord with EMG 1 – Water Environment Improvement, EMG 2 – Flooding, EMG 3 – Sustainable Drainage, NRG 1– Climate Change and Sustainability, ENV 11 – Protection of the Water Environment/Coastline and riparian Corridors, ENV 21 – Protection of Formal and Informal Open Space and with DES 1 (f) - the development does not result in any significant adverse impact on the water environment as required by the Water Framework.”</i></p>
4G		No modifications or changes.
4I		No modifications or changes.
4J	Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, Page 136, H-BA 2	<i>Update Appendix 2 with the addition of text that requires the submission of a Flood Risk Assessment.</i>
4K	Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, Page 141, H-BA 11	<p><i>Updated Appendix 2 with the addition of text that requires the submission of a “Flood Risk Assessment to assess the risk from the Boghead Burn and small watercourses and to consider any structures, e.g. culverts, which may exacerbate flooding”.</i></p> <p><i>Update Appendix 2 to add “The ‘impact on Bathgate Water requires to accord with EMG 1 – Water Environment Improvement, EMG 2 – Flooding, EMG 3 – Sustainable Drainage, NRG 1– Climate Change and Sustainability, ENV 11 – Protection of the Water Environment/Coastline and riparian Corridors, ENV 21 – Protection of Formal and Informal Open Space and with DES 1 (f) - the development does not result in any significant adverse impact on the water environment as required by the Water Framework”.</i></p>
4L	Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, Page 144, H-BA18	<i>Updated Appendix 2 with the addition of text that requires the submission of a “Flood Risk Assessment and a Drainage Impact Assessment and to advise that contact is made with the flood prevention officer to discuss and investigate flooding issues in light of a</i>

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		<i>review of the surface water 1 in 200 year flood map”.</i>
4M		No modifications or changes.
4N	Map 4: Bathgate Area site - H-BA 23  Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, Page 146, H-BA 23	Amend Map 4 to reflect the approved development framework for Wester Inch the site boundary of the site.  <i>Update Appendix 2 to add “The ‘impact on Bathgate Water requires to accord with EMG 1 – Water Environment Improvement, EMG 2 – Flooding, EMG 3 – Sustainable Drainage, NRG 1– Climate Change and Sustainability, ENV 11 – Protection of the Water Environment/Coastline and riparian Corridors, ENV 21 – Protection of Formal and Informal Open Space and with DES 1 (f) - the development does not result in any significant adverse impact on the water environment as required by the Water Framework”.</i>
4O		No modifications or changes.
4P		No modifications or changes.
4R	Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, Page 137, H-BA3	<i>Update Appendix 2 to add “The ‘impact on Bathgate Water requires to accord with EMG 1 – Water Environment Improvement, EMG 2 – Flooding, EMG 3 – Sustainable Drainage, NRG 1– Climate Change and Sustainability, ENV 11 – Protection of the Water Environment/Coastline and riparian Corridors, ENV 21 – Protection of Formal and Informal Open Space and with DES 1 (f) - the development does not result in any significant adverse impact on the water environment as required by the Water Framework”.</i>
4S	Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, Page 137, H-BA4	<i>Update Appendix 2 to add “The ‘impact on Bathgate Water requires to accord with EMG 1 – Water Environment Improvement, EMG 2 – Flooding, EMG 3 – Sustainable Drainage, NRG 1– Climate Change and Sustainability, ENV 11 – Protection of the Water Environment/Coastline and riparian Corridors, ENV 21 – Protection of Formal and Informal Open Space and with DES 1 (f) - the development does not result in any significant adverse impact on the water environment as required by the Water Framework”.</i>
4T	Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, Page 141, H-BA11	<i>Update Appendix 2 to add “The ‘impact on Bathgate Water requires to accord with EMG 1 – Water Environment Improvement, EMG 2 – Flooding, EMG 3 – Sustainable Drainage, NRG 1– Climate Change and Sustainability, ENV 11 – Protection of the Water Environment/Coastline and riparian Corridors, ENV 21 – Protection of Formal and Informal Open Space and with DES 1 (f) - the development does not result in any</i>

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		<p><i>significant adverse impact on the water environment as required by the Water Framework”.</i></p> <p>Update Appendix 2 to include the requirement for a “Flood Risk Assessment (FRA). The FRA should assess the risk from the Boghead Burn and small watercourses consider any structures, e.g. culverts, which may exacerbate flooding”.</p>
5A		No modifications or changes.
5B	Appendix 1:Employment land Allocations, Page 103, E-BB5b and E-BB5d.	Update Appendix 1 to add the requirement for a Flood Risk Assessment in the Site Delivery Requirements for both sites.
6A	Appendix 1:Employment land Allocations, Page 104 E-BL1 and E-BL2	Update Appendix 1 with the addition of text that requires the submission of a “Flood Risk Assessment which assesses the risk from the small watercourse which is understood to flow through the site. The FRA should consider any structures, e.g. culverts, which may exacerbate flooding and for contact to be made with the flood prevention officer to discuss and investigate flooding issues in light of a subsequent review of the surface water 1 in 200 year flood map.
7A		No modifications or changes.
8A	Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, Page 162, H-BD 1  H-BD 5	Update Appendix Two: H-BD1 to remove reference to the need for a Flood Risk Assessment (FRA) on this site.  Update Appendix 2 to include reference to site H-BD 5 and site delivery requirements.
9A	Map 2: Broxburn – site H-BU 11	Remove small car park associated with Stewartfield Park from west site of H-BU 11 (derelict depot).
9B	Map 2: Broxburn – site H-BU 12	Reduce site area (and capacity of site from 45 to 20 houses)
9C		No modifications or changes.
9D		No modifications or changes.
9E		No modifications or changes.
9F		No modifications or changes.
9G		No modifications or changes.
9H		No modifications or changes.
9I		No modifications or changes.
9J		No modifications or changes.
9K		No modifications or changes.

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10A	<p>Map 2: Dechmont – Bangour Village Hospital H-DE 1, H-DE 2 &amp; H-DE 3</p> <p>Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, page 176</p> <p>Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, page 176</p> <p>Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, pages 176, 177 and 178</p>	<p><u>H-DE 1</u></p> <p>An adjustment should be made to the southern boundary of the allocated site to exclude the strip of land owned by the respondent and his neighbours residing at Nos 9, 11, 13 and 15 Goodall Place, Dechmont. This would adopt the same southern boundary as shown on the most recent planning application (0607/P/15).</p> <p><u>H-DE 1</u></p> <p>An adjustment should be made to Appendix 2 (page 176) under the ‘Transportation’ column stating that <i>“appropriate road infrastructure improvements arising from the transportation assessment process that will include Dechmont Roundabout will be required to be provided by the developer to allow Bangour Village Hospital site to be developed.”</i></p> <p><u>H-DE 1</u></p> <p>An adjustment should be made to Appendix 2 (page 176) under the ‘Transportation’ column to augment the statement “access is from the A89 but with opportunities (for paths) to link into Goodall Place and Burnside”. It should be made clear that this is intended to relate to linking the re-development of the hospital site with the village and for existing links to be used to create new paths to integrate with the existing village path network. No vehicular access is proposed via Burnside or Goodall Place.</p> <p><u>H-DE 1 , H-DE 2 AND H-DE 3</u></p> <p>The council accepts that reference should be included in Appendix 2 to Kirkhill Primary School as it does form part of the catchment area. This is a typographical omission which the council will be pleased to remedy when the Plan is finalised. (Such a revision would be</p>

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	<p>Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, page 177</p> <p>Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, page 178</p>	<p>applied to all three allocated sites in Dechmont).</p> <p><u>H-DE 2</u></p> <p>An adjustment should be made to the settlement statement and Appendix 2 to change the site area from 7.7ha to 9.95ha.</p> <p><u>H-DE 3</u></p> <p>An adjustment should be made to Appendix 2 by inserting under the “Planning” column “The proposal will contribute towards the delivery of a new primary school at Bangour Village Hospital (H-DE 1)”.</p>
11A	Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, Page 181 – H-EC 5	Revise Appendix 2 entry to reflect SEPA s request for FRA
11B	Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, Page 182 – H-EC 9	Revise Appendix 2 entry to reflect SEPA s request for FRA
11C	<p>Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, Page 182 : H-EC, 4,5,6,7,8 and 9</p> <p>Page 86 / Proposal P-26</p>	<p>H-EC 4, H-EC 5, H-EC 6, H-EC 7, H-EC 8 and H-EC 9 Revise Appendix 2 entry to reflect SEPA s request for FRA</p> <p>Spelling error (the Muddies) to be corrected</p>
11D		No modifications or changes.
11E	Proposals map 3, Livingston Area	See map change 23
12A	Appendix 2, H-FA 3, Page 184 and H-FA 11, Page 188	<p>Site H-FA 3 is identified in both parts of the document as the ‘Former Victoria Park Colliery’ and assigned a site area of 1.7ha and a capacity of 40 units. This is erroneous. Site H-FA 3 in in fact ‘Park View (West)’. The site area is 1.27 ha and the notional capacity is 30 units. The residual columns in this table and which detail ‘Planning’, ‘Transportation’, ‘Education’, ‘Flood Risk’ and ‘Other’ development requirements have also become transposed and are incorrect. The information set out in H-FA 3 under these headings instead applies to site H-FA 11.</p> <p>Site H-FA 11 is identified in both parts of the document</p>

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	Development Proposals by Settlement, Fauldhouse, Page 86	<p>as 'Croftfoot Farm' and assigned an area of 3.57ha and a capacity of 90 units. This is also erroneous. Site H-FA 11 is in fact 'Former Victoria Park Colliery'. The site are is 1.7ha and the notional capacity is 25 units.</p> <p>The residual columns in this table and which detail 'Planning', 'Transportation', 'Education', 'Flood Risk' and 'Other' development requirements are also incorrect. The correct information which should apply to site H-FA 3 (Park View (West)) is detailed below.</p> <table><tr><td>Status</td><td>Carried forward from WLLP</td></tr><tr><td>Planning</td><td>Identified as a site for housing</td></tr><tr><td>Transportation</td><td>Access via existing road at Park View to the south.</td></tr><tr><td>Education</td><td><b>Catchment Area Schools</b> Falla Hill Primary/Whitburn Academy/St John the Baptist Primary/St Kentigern's High</td></tr><tr><td>Flood Risk</td><td>Flood Risk Assessment required which assesses the flood risk from the small watercourses which flow along the north and west boundaries. Drainage Impact Assessment required.</td></tr><tr><td>Other</td><td><p>The Coal Authority has indicated that the site is located in an area with a coal/mining legacy and an assessment and or investigation may be required.</p><p>Limited capacity at Fauldhouse waste water treatment works and early discussion with Scottish Water required.</p><p>Requirement to accommodate a buffer strip of 6m between the development and the watercourse on the western boundary of the site.</p><p>Developer contributions required to enhance local park provision</p></td></tr></table>	Status	Carried forward from WLLP	Planning	Identified as a site for housing	Transportation	Access via existing road at Park View to the south.	Education	<b>Catchment Area Schools</b> Falla Hill Primary/Whitburn Academy/St John the Baptist Primary/St Kentigern's High	Flood Risk	Flood Risk Assessment required which assesses the flood risk from the small watercourses which flow along the north and west boundaries. Drainage Impact Assessment required.	Other	<p>The Coal Authority has indicated that the site is located in an area with a coal/mining legacy and an assessment and or investigation may be required.</p> <p>Limited capacity at Fauldhouse waste water treatment works and early discussion with Scottish Water required.</p> <p>Requirement to accommodate a buffer strip of 6m between the development and the watercourse on the western boundary of the site.</p> <p>Developer contributions required to enhance local park provision</p>
Status	Carried forward from WLLP													
Planning	Identified as a site for housing													
Transportation	Access via existing road at Park View to the south.													
Education	<b>Catchment Area Schools</b> Falla Hill Primary/Whitburn Academy/St John the Baptist Primary/St Kentigern's High													
Flood Risk	Flood Risk Assessment required which assesses the flood risk from the small watercourses which flow along the north and west boundaries. Drainage Impact Assessment required.													
Other	<p>The Coal Authority has indicated that the site is located in an area with a coal/mining legacy and an assessment and or investigation may be required.</p> <p>Limited capacity at Fauldhouse waste water treatment works and early discussion with Scottish Water required.</p> <p>Requirement to accommodate a buffer strip of 6m between the development and the watercourse on the western boundary of the site.</p> <p>Developer contributions required to enhance local park provision</p>													
13A	Appendix 2:Schedule of Housing Sites/Site Delivery Requirements: Page 189 - H-KN1  Page 190 – H-KN4  P-31	<p>Amend appendix 2 with the addition of text that requires a Flood Risk Assessment be submitted and for contact to be made with the flood prevention officer to discuss and investigate flooding issues in light of a subsequent review of the surface water 1 in 200 year flood map.</p> <p>Amend the entry referencing the site in Appendix 2 with the addition of text that contact is made with the flood prevention officer to investigate flooding issues in light of a subsequent review of the surface water 1 in 200 year flood map.</p> <p>Amend the entry referencing the site in Appendix 2</p>												

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	Page 55 - Policy ENV23	<p>with the addition of text that contact is made with the flood prevention officer to investigate flooding issues in light of a subsequent review of the surface water 1 in 200 year flood map.</p> <p>Amend Policy ENV 23 to more explicitly reference this review process and commit the council to undertaking Character Appraisals of each conservation area, their boundaries and the effectiveness of special planning policies and proposals, all to be progressed on a priority basis and made subject to consultation with local communities and drawing upon the published guidance in Planning Advice Note 71 : Conservation Area Management.</p>
14A	<p>“Land Suitable for low density housing (Policy ENV 2; sections 5.148 – 5.151)</p> <p>Map 3: Livingston Area</p>	<p>Should the Reporter be minded to move the policy boundary to west of the Freeport site boundary, as it is no longer an agricultural unit nor meets the terms of the lowland crofting policy, then the council would not object to such an alteration.</p> <p>The location of the symbol defining the Local Biodiversity Site related to the Breich Water riparian corridor to the south west of Freeport H-LW6 is noted and as such the map could be updated and the symbol relocated to the south east to straddle the river.</p>
14B	<p>Appendix 1:Employment land Allocations: Page 109 - E-LW3</p> <p>Appendix 2:Schedule of Housing Sites/Site Delivery Requirements: Page 190 - H-LW1, Page 191 – H-LW4 Page 192 H-LW5</p>	<p>Update Appendix 1 with the addition of text that requires the submission of a Flood Risk Assessment.</p> <p>Update Appendix 2 with the addition of text that requires the submission of a Flood Risk Assessment.</p>
15A	Appendix 2, pages 194, 198-200	<p>At site H-LL 4 Manse Road, H-LL 10 Clarendon Farm, H-LL 11, Wilcoxholm/Pilgrim’s Hill and H-LL 12 Preston Farm add under “Other” Requirement for Landscape Design.</p> <p>For site H-LL 11 under “Planning “ insert “early engagement required with Historic Environment Scotland on potential for impacts on scheduled monument. Scheduled monument consent required. ”</p> <p>For site H-LL 12 under “Planning” insert “early engagement required with Historic Environment</p>





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	Page 255	<p>Quality Management Area (AQMA) for Linlithgow declared due to exceedances of both Nitrogen dioxide (NO<sub>2</sub>) and fine particulates (PM<sub>10</sub>). Poor air quality in Linlithgow is largely due to traffic congestion and the council recognises that it has a role to play in the protection of air quality by ensuring that new development does not have an adverse effect.</p> <p>5.242 A range of well-established measures can be used to reduce traffic levels and influence driver behaviour. These measures will be examined with colleagues in transportation in conjunction with the local community to determine which ones would provide the required reduction in traffic and improvement in flow. The council has, however, already put in place an Active Travel Plan for the whole of West Lothian which seeks to encourage an approach to travel and transport that focuses on physical activity as opposed to motorised means.”</p> <p>Replace figure on page 255 for Linlithgow to read “569”</p>
15B		No modifications or changes.
15I	<p>Town Centres and Retailing Page 39 Figure 6</p> <p>Map 2: Linlithgow &amp; Broxburn Area</p>	<p>Under the ‘Centre’ column of figure 6 the site description should read ‘Linlithgow Bridge’ rather than ‘Stockbridge Retail Park.</p> <p>Addition of commercial centre boundary at Linlithgow Bridge to be added to Proposals Map 2</p>
15J		No modifications or changes.
15K		No modifications or changes.
15L		No modifications or changes.
15N		No modifications or changes.
15O	Appendix 3, page 261	Delete site reference E-LL 2 for land at Mill Road Industrial Estate, Linlithgow Bridge and insert “E-LL 1”.
16A		No modifications or changes.
16B		No modifications or changes.
16C	Appendix 1:Employment land Allocations, pages 92 and 117, site E-LV47	Change site area to 23.3ha and amend ownership to read “east part of site is in public ownership”
16F		No modifications or changes.
16G		No modifications or changes.
16H		No modifications or changes.
16I		No modifications or changes.
16J	Chapter 6 Development Proposals by Settlement	Delete the site entry from the housing table on page 90 and move it to the mixed use table on page 92 including

Schedule 4 Ref	Section / Page / Site/ Map	Minor Changes Proposed by the Council & Changes for Reporter to consider
	Page 90, H-LV31	reference to 24 units.
16K		No modifications or changes.
16L		No modifications or changes.
16M	Chapter 6 Development Proposals by Settlement Page 90, Map 3 Livingston Area	Modify to reinstate site at Craigshill as a housing allocation (was 'de-allocated ' at MIR stage)
16N		No modifications or changes.
16O		No modifications or changes.
16P		No modifications or changes.
16Q		No modifications or changes.
16R		No modifications or changes.
16S		No modifications or changes.
16T		No modifications or changes.
16U	Map3:Livingston Area, town centre boundary.  Livingston settlement statement mixed use table (page 92)	Amend Livingston town centre boundary to include site MU5.  A number of the site descriptions in the Livingston settlement statement mixed use table (page 92) have been incorrectly referenced to Map 3 Livingston Area and will be amended as follows:  <u>Amended Site Descriptions:</u> MU1 Site east of Almondvale Stadium MU2 Temporary, Car Park, Almondvale Road MU3 Former Police Station, Almondvale Road MU4 Site West of Almondvale Roundabout MU5 Almondvale Roundabout South North of Bluebell Glade, Adambrae MU6 Site north of College Roundabout MU7 Site north of Almondvale Way MU8 Site south of Almondvale Way MU9 Site north of Almondvale Road/west of Almondvale Place
16V		No modifications or changes.
16W	Appendix 1: Employment Land Allocations, page 111, under site entry: E-LV1 Brucefield Park West, column 7 "Infrastructure & other requirements"	Add "A Flood Risk Assessment by a developer is required for the site in relation to the small water courses along the site boundaries".
16X	Appendix 1: Employment Land Allocations, page 111, under site entry: E-LV 11 Caputhall Road column 7 "Infrastructure &	Add "A Flood Risk Assessment by a developer is required for the site in relation to the small water courses along the site boundaries".

Schedule 4 Ref	Section / Page / Site/ Map	Minor Changes Proposed by the Council & Changes for Reporter to consider
	other requirements”	
16Y	Appendix 1: Employment Land Allocations, page 112, under site entry: E-LV 15 Appleton Parkway east, column 7 “Infrastructure & other requirements”	<i>Add “A Flood Risk Assessment by a developer is required for the site in relation to the Lochshot Burn along the south boundary and adjacent small water courses”.</i>
16Z	Appendix 1: Employment Land Allocations, page 112, under site entry: E-LV 16 Appleton Parkway south, column 7 “Infrastructure & other requirements”	<i>Add “A Flood Risk Assessment by a developer is required for the site in relation to the Lochshot Burn along the north boundary.</i>
16Aa	Appendix 1: Employment land Allocations, page 112, under site entry “Appleton Parkway South West” E-LV17, column 7 “Infrastructure & other requirements”	Appendix 1 add “the majority of the site is likely developable”, subject to a Flood Risk Assessment being carried out; this requirement can be identified in the LDP.
16Ab	Appendix 1: Employment land Allocations, page 113, under site entry “Former Rosebank Nursery”: E-LV23, column 7 “Infrastructure & other requirements”	<i>Add “A Flood Risk Assessment by a developer is required for the site in relation to the adjacent Killandean Burn and small watercourse / culvert issuing to the south west”.</i>
16Ac	Appendix 1: Employment Land Allocations, page 113, under site entry “Former Rosebank Nursery”: E-LV24, column 7 “Infrastructure & other requirements”	<i>Add “A Flood Risk Assessment by a developer is required for the site in relation to the adjacent Killandean Burn and small watercourse / culvert to the southwest and watercourse northeast of the site”.</i>
16Ad	Appendix 1: Employment Land Allocations, page 113, under site entry “Former Rosebank Nursery”: E-LV25, column 7 “Infrastructure & other requirements” i.e.;	<i>Add “Following discussion with the council’s Flood Risk Management Team, a Flood Risk Assessment by a developer may be required in relation to the adjacent Killandean Burn and small watercourse within the site”.</i>
16Ae	Appendix 1: Employment Land Allocations, page 114, under site entry “Kirkton South Road”: E-LV 34,	<i>Add “A Flood Risk Assessment by a developer is required for the small watercourses running along the western boundary and through the middle of the site”.</i>

Schedule 4 Ref	Section / Page / Site/ Map	Minor Changes Proposed by the Council & Changes for Reporter to consider
	column 7 "Infrastructure & other requirements"	
16Af	Appendix 1: page 114, under site entry "Gregory Road": E-LV 36, column 7 "Infrastructure & other requirements"	<i>Add "A Flood Risk Assessment by a developer is required for the small watercourse along the northern boundary".</i>
16Ag	Appendix 1: Employment land Allocations, page 115, E-LV42	Update Appendix 1 to add "A Flood Risk Assessment is required contact should be made with the flood prevention officer to investigate flooding issues in light of a subsequent review of the surface water 1 in 200 year flood map".
16Ah	Appendix 1: Employment Land Allocations, page 115, under site entry "Starlaw Park east": E-LV 43, column 7 "Infrastructure & other requirements"	<i>Add "A Flood Risk Assessment by a developer is required for the small watercourse which runs under the adjacent Tailend Roundabout".</i>
16Ai	Appendix 1: Employment Land Allocations, page 116, under site entry "Beugh Burn": E-LV 45, column 7 "Infrastructure & other requirements"	<i>Add "A Flood Risk Assessment by a developer is required for the Beugh Burn, and several other small watercourses that run through the site and any proposed burn realignment, which will also require a CARS licence from SEPA".</i>
16Aj	Appendix 1: Employment Land Allocations, page 116, under site entry "Linhouse": E-LV 46, column 7 "Infrastructure & other requirements"	<i>Add "A Flood Risk Assessment by a developer is required for several small watercourses that run through the Linhouse site, including culverted water courses".</i>
16Ak	Appendix 1: Employment land Allocations, page 112, under site entry: E-LV 17 Appleton Parkway south west, column 7 "Infrastructure & other requirements"	<i>Add "A Flood Risk Assessment by a developer is required for the site in relation to a water course to the west of the site".</i>
16Al	Appendix 2: Schedule of Housing Sites Page 215 Column 10, Site H-LV 29, to the Site Delivery Requirements.	<i>Add "Flood Risk Assessment"</i>

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16Am		No modifications or changes.
16An	site H-LV 4 in Appendix 3, page 202	Delete reference to planning permission having being granted and amend text to read “H-LV 4: Proposed housing site. <u>Approved Planning Brief</u> ”
16Ao		No modifications
16Ap		No modifications
16Aq		No modifications
16Ar		No modifications
16As	Site H-LV 22, page 212 of Appendix 2: Schedule of Housing Sites/Site Delivery Requirements	Update to reflect grant of planning permission.
16At		No modifications or changes.
16Au	Appendix 1: Employment land Allocations, page 116, under site entry: E-LV 44 Deer Park, column 7 “Infrastructure & other requirements”	Proposal to amend the site boundary to include the north west corner providing high quality landscaping along this north boundary with the M8.
33A		No modifications or changes.
17A		No modifications or changes.
28A		No modifications or changes.
27A	Map 3: Livingston Area Site H-PB2 - Polbeth	Reference to site H-PB 2 is shown on Map 3 in error. The Council propose to update Map 3 removing the site allocation.
18A		No modifications or changes.
18B	Map 3: Livingston Area Sites H-PU2 and H-PU3 - Pumpherston	Correct the labelling of the sites on Map 3 so they correspond with the text in Appendix 2.
31A		No modifications or changes.
19A		No modifications or changes.
30A	Map 5: Torphichen	Amend settlement boundary to reflect 2 houses built to the west of The Beeches on Cathlaw Lane, Torphichen.
20A		No modifications or changes.
20C		No modifications or changes.
20D		No modifications or changes.
21A	Appendix 2, page 230	Update entries for H-WC 2 to reflect grant of planning permission
25A		No modifications or changes.
22A	Appendix 1: Employment Land Allocations, page 118, E-WH1, Proposals Map 4	The council contends that such alternative uses to classes 4, 5 and 6 to the those granted in the overall outline planning permission for this site (Heartlands Business Park reference 0439/P/2002 (CD XX)), would,

Schedule 4 Ref	Section / Page / Site/ Map	Minor Changes Proposed by the Council & Changes for Reporter to consider
		<p>if permitted, lead to a reduction in overall land supply for these uses in particular at this location and in the west of West Lothian, to the detriment of demand for class 4, 5 and 6 uses. Proposals already granted for such alternative uses on site E-WH 1 are of course deemed acceptable.</p> <p>Should the Reporter be so minded to allow for a widening of uses, it should be restricted to class 2 uses and car showrooms only as this is deemed an appropriate use in an industrial location such as this site that is also close to a motorway junction.</p>
22B	<p>Appendix 1: Employment Land at Whitburn, Page 118, E-WH1 (EWb4 – WLLP)</p> <p>Map 4: Whitburn Settlement</p>	If the reporter may be so minded, the council would allow a widening of uses classes to include class 2 and car showrooms within this industrial estate in line with other industrial estates, if so inclined.
22C		No modifications or changes.
22D		No modifications or changes.
22E		No modifications or changes.
22F	Whitburn/Charrette, Pg 26 Para 5.62	Correct mis-spelling of “Charrette” in Title and para
22G	<p>Vision Statement, Pg 9 - “Sustainable Housing Locations”</p> <p>Whitburn/Charrette, Pg 26 Para 5.62</p> <p>Map 4: Bathgate Area, H-WH 3</p> <p>Appendix 2: Schedule of Housing Sites/Site Delivery Requirements, Page 96, Whitburn Employment Table EWb4</p> <p>Map 4: Whitburn Settlement</p>	<p>Insert reference to “Heartlands”</p> <p>Correct mis-spelling of “Charrette” in Title and para</p> <p>Remove “search area for open casting” designation across “Heartlands” site</p> <p>Drafting error: EWb4 should read “E-WH 1”</p> <p>Add “P87A as local centre at “Heartlands” site.</p>
23A		No modifications or changes.
24A	Appendix 2: Schedule of Housing Sites/Site Delivery Requirements, Page 239 - H-WB2	Update Appendix 2 with the addition of text that “contact should be made with the flood prevention officer to investigate flooding issues in light of a subsequent review of the surface water 1 in 200 year flood map”.

Schedule 4 Ref	Section / Page / Site/ Map	Minor Changes Proposed by the Council & Changes for Reporter to consider
24B	Appendix 2:Schedule of Housing Sites/Site Delivery Requirements, Page 251 - H-WB15	Update Appendix 2 with the addition of text that “contact should be made with the flood prevention officer to investigate flooding issues in light of a subsequent review of the surface water 1 in 200 year flood map”.
24C		No modifications or changes.
24D		No modifications or changes.
24E	Chapter 6 - Development Proposals by Settlement, Winchburgh Page 253 H-WB 17 – Site north of Niddry Castle, Winchburgh	The council does not agree to the removal of this allocation from the LDP. However the council would not take issue if the Reporter considered it necessary to amend the allocation and site delivery requirements to require a robust evaluation and mitigation strategy for any development and also adjust the site capacity downwards to mitigate any potential landscape and visual impacts.
24F		No modifications or changes.
24G		No modifications or changes.
24H		No modifications or changes.
24I		No modifications or changes.
24J		No modifications or changes.
24K		No modifications or changes.
24M	Appendix 2, Page 252, H-WB 16, Site west of Ross’s Plantation , Winchburgh	<p>The council notes the comments made, and considers merit in this representation in that It is recognised that the development of this site is not without difficulties. The council acknowledges there are capacity constraints at Linlithgow Academy and residential development of this site is constrained and also taking into account that the site is predominantly identified for greenspace in Masterplan.</p> <p>The proximity of the site to the M9 also creates a potential for noise disturbance and a satisfactory solution to this issue would be required to enable residential development to proceed.</p> <p>The council would therefore not take issue if the Reporter considered it necessary to amend the allocation and site delivery requirements to require a robust evaluation and mitigation strategy for any development and also adjust the site capacity downwards to 189 units to mitigate any potential landscape and environmental impacts.</p>



## WEST LoTHIAN LOCAL DEVELOPMENT PLAN – PROPOSED PLAN

### SCHEDULE 4 SUBMISSIONS BY POLICY/OVERARCHING ISSUE

24N		No modifications or changes.
26A	Policy EMP 7 and supporting text paragraphs 5.24 - 5.25, page 17.	The wording to policy EMP 7 reflects that the Enterprise Area is specifically designated to support the food and drink industry. The amendment proposed by Scottish Enterprise to include the text “employment generation and particularly those which enhancing “adds no value to the policy as currently drafted in the LDP proposed plan. As such the council does not propose to amend the policy in this regard. The council does, however, see merit in the amendment to clause of the policy and would support the Reporter should they be minded to amend the policy as a result.
1A	<p>Terminology – Plan Wide</p> <p>Figure 5, Page 22</p> <p>Paragraph 5.51 and Policy HOU2, Page 23</p> <p>Paragraph 5.41, Page 21</p> <p>Figure 4, Page 21</p>	<p>The council would have no objection to the Reporter requiring the substitution of redundant words and terms to reflect those used in SPP 2014 should this be considered helpful in improving the legibility and understanding of the Plan.</p> <p>With particular regard to Figure 5 (page 22), the term ‘Housing Supply Target’ (HST) should replace references to ‘Housing Requirement’. This would have the effect of line A being re-titled the ‘West Lothian LDP Housing Supply Target’ and line C changed to the ‘LDP Housing Land Requirement’.</p> <p>Terminology used in paragraph 5.51 and the first sentence of Policy HOU 2 (page 23), the council would have no objection to the Reporter requiring the substitution of ‘sites from the established land supply which are effective or expected to become effective in the plan period’ with ‘effective or shown to be capable of becoming effective’ to accord with SPP 2014 in both instances should this be considered helpful in improving the legibility and understanding of the Plan.</p> <p>Paragraph 5.41 quite clearly states that ‘the LDP must conform to the SDP’ and that ‘the LDP continues to meet the housing requirements set out in the SDP in full’. It is difficult to see how this could have been made any clearer but the council would not be opposed to modifying the text should this be considered helpful in improving the legibility and understanding of the Plan.</p> <p>The council considers the inclusion of Figure 4 (page 21) of the Proposed Plan to be informative in illustrating the nature and quantum of housing need as currently assessed by HNDA [2] and is helpful in understanding the narrative. It is not however regarded as essential and the council would not take issue if the Reporter was minded to delete Figure 4 (and the immediately preceding sentence in paragraph 5.41 ‘Requirements arising from HNDA 2 are set out in Figure 4’.</p>

Paragraph 5.48, Page 22

Figure 5, Page 22

The council acknowledges that Homes for Scotland have not endorsed the output and programming which has been identified to meet the LDP Housing Land Requirement and it accepts that the first sentence of paragraph 5.48 has the potential to be read as implying otherwise. Accordingly, the council would not object to the Reporter requiring this sentence to be re-worded.

It is acknowledged that the terminology used in Figure 5 (page 22) is not always consistent with SPP 2014. The council would therefore have no objection to the Reporter requiring Figure 5 to be amended to properly reflect the correct terminology to accord with SPP 2014 should this be considered helpful in improving the legibility and understanding of the Plan.

It is acknowledged that the terms used within this table do not reflect those used within Scottish Planning Policy Diagram 1 which refers to LDPs meeting the housing land requirement and the council sees merit in a modification to address issues relating to terminology and also identifying an LDP Housing Land Supply Target for the period 2024 to 2027. The following table is proposed as its replacement (and incorporates other corrections referenced below).

	2009-2019	2019-2024	2009-2024	2024-2027
SETTING THE WEST LoTHIAN LDP HOUSING LAND SUPPLY TARGET				
LDP Housing Supply Target	11,420	6,590	18,010	2,784
Generosity Allowance (+10%)	1,142	659	1,801	278
LDP Housing Land Requirement	12,562	7,249	19,811	3,062
Effective Supply <sup>1</sup>	4,422	4,279	8,701	1,364 <sup>6</sup>
Constrained sites coming forward <sup>2</sup>	642	3,716	4,358	692 <sup>7</sup>
Completions (2009-2014) <sup>3</sup>	2,440	0	2,440	0
Windfall <sup>4</sup>	240	400	880	240
Demolitions <sup>5</sup>	-568	-100	668	-60
Total Supply from Existing Sources	7,416	8,295	15,711	2,236
Allocations	5,	1. 046	4,100	826

		<b>Required</b>	<b>146</b>			
		<b>Programming of Proposed Allocations</b>	<b>1, 496</b>	<b>2, 610</b>	<b>4,106</b>	<b>0</b>
		<b>Shortfall / Surplus</b>	<b>-3, 650</b>	<b>+3, 656</b>	<b>+6</b>	<b>+826</b>

  

SOURCES  
1 Appendix 1 of the Housing Land Position Statement  
2 Contribution of sites recorded as constrained in HLA 2014  
3 Completions recorded in HLAs for the period 2009 to 204  
4 Table 3.2 of SDP SG Housing Land Technical Note  
5 Table 3,2 of SDP SG Housing Land Technical Note  
6 Figure derived from continuing the same annual level of output from effective sites as in previous periods  
7 Figure derived from continuing the same annual level of output from constrained sites as in previous periods

**21862570-67b27a** (PPCA Ltd on behalf of Winchburgh Developments Ltd)

Figure 3, Page 20

It is recognised that Figure 3 is potentially misleading in so far as the title does not accurately describe the information shown. The council would therefore have no objection to the Reporter requiring the reconfiguration of Figure 3 (page 20) to omit the column titled 2009/24 'additional allowance' should this be considered helpful in improving the legibility and understanding of the Plan.

Policy HOU1, Page 22

The council is not opposed to the insertion of the words 'at all times', recognising that it accords with paragraph 119 of SPP 2014. Similarly, it is not opposed to text being inserted which has the effect of re-enforcing the safeguarding of employment land and it would therefore not take issue if the Reporter was minded to amend Policy HOU 1 to accommodate these revisions. An alternative form of wording to that suggested by the respondents would however be preferred, as would the opportunity to reconfigure the sequencing of the text in order to render it more coherent than perhaps currently presented in the Proposed Plan.

*Policy HOU 1 Allocated Housing Sites*

*The sites listed in Appendix Two of the Plan and shown on the Proposals Map are allocated as housing sites which contribute to meeting the LDP housing land requirements for a period of 10 years from the date of adoption of the LDP, as required by the Strategic Development Plan (SDP1) and are compliant with the spatial strategy set out in this plan.*

*Development of housing on these sites will be supported in principle and proposals shall have regard to and be in accordance with Supplementary Guidance 'Residential Development Guide'. Where applicable, proposals must also*

		<p><i>accord with the specific development requirements identified in Appendix Two and/or any other development guidance issued by the council.</i></p> <p><i>To ensure that an effective 5 year supply of housing land is maintained at all times, proposals for uses other than housing, except for subsidiary ancillary uses which may be appropriate to provide in a residential area, will not be supported unless it can be demonstrated that:</i></p> <ul style="list-style-type: none"> <li><i>a. there is a constraint on the site and there is no reasonable prospect of it becoming available for housing development within the plan period;</i></li> <li><i>b. the alternative use facilitates regeneration or offers significant environmental, economic or community benefits that are considered to outweigh the need to maintain the intended housing use; and</i></li> <li><i>c. there shall be no detriment to other employment land allocated in the Plan and to the overall supply of employment land generally where sites are developed for employment uses.</i></li> </ul> <p>For the avoidance of doubt, it is not the council's intention to restrict the capacity of housing developments to the indicative capacity set out in the Plan. Indicative capacities are given as a notional guide as to the numbers of houses that a site may be capable of accommodating but it is accepted that this will be subject to change through the planning application process. It is not uncommon for developments on the ground to be slightly at variance with the numbers quoted in a plan. The council would however not object to the Reporter requiring the indicative nature of these figures to be made more explicit, perhaps in the introductory text to Chapter 6 – Development Proposals by Settlement (page 79) should this be considered helpful in improving the legibility and understanding of the Plan.</p>
	Chapter 6 – Development Proposals by Settlement, page 79	
	Appendix 2, Page 178, H-DE 3	<p>The respondents suggestion that the entry relating to this site in Appendix 2 (page 178) should be amended to reflect site investigation works relative to flood risk are noted and the council would not object to the Reporter requiring this to be reflected in the commentary should it be considered helpful in improving the legibility and understanding of the Plan. Similarly, should site H-DE 3 be developed, it might also be appropriate to make it clear that there would be expectations on developers to contribute proportionately to funding whatever education provision was deemed necessary to serve this development.</p>
	Paragraph 5.37, Page 20	<p>The respondent's suggestion that specific reference is made in the Plan to there being a demand for housing of various tenures is accepted and the council would therefore not object</p>

		<p>to the Reporter requiring the insertion of additional text. The following example is offered as a suggestion to be inserted at paragraph 5.37 after “land for housing and before “the key objectives”:</p> <p>“To create a fully functioning housing system, we need to provide people with a range of housing options at a range of prices to meet different needs. This includes supporting development in the intermediate and private sectors as well as increasing the supply of social housing.”</p> <p>The council does not however consider there to be any particular requirement to make further mention of the Scottish Government’s support for increasing the supply of housing. The Proposed Plan already references Scottish Government’s support for providing a generous supply of land at appropriate parts of the Plan, specifically paragraphs 5.37, 5.50 and within the text of Policy CDA 1. The council considers this to be adequate and does not propose to modify the plan in response to this representation. However, should the Reporter be minded otherwise, the council would comply without objection.</p> <p>The respondent’s request for revision to Appendix 3 – Schedule of Land Ownership (page 264) to record that site H-WC 2 is land owned by the council and that it is to be developed for affordable housing is noted and accepted.</p> <p>The council does not propose to remove the words ‘endeavour to’ in Policy HOU 2 as it accurately describes its intentions and what it is practically able to do. While the council will do all that it can to maintain a five year land supply it should be understood that this is dependent on other factors, for example, the availability of education infrastructure. If there is insufficient infrastructure then the council cannot be expected to maintain the land supply. A Court of Session judgement in respect of an unsuccessful planning appeal at Seafeld Road, Blackburn (Hallam Land Management Limited against Scottish Ministers) served to confirm that maintaining a five year land supply needs to be read in parallel with education infrastructure and recognised that if there is no infrastructure the council cannot be expected to maintain a five year land supply.</p> <p>The council is however agreeable to revisions to Policy HOU 2 to reflect the wording in SPP 2014 which references effective land. The council would not object to the Reporter requiring these words to be amended to mirror the text in SPP 2014.</p> <p>The council has considered specific representations (from</p>
	<p>Schedule of Land Ownership, Page 264, Site H-WC 2</p> <p>Policy HOU2, Page 23</p>	

		<p>Wallace Land Investment &amp; Property Management) seeking the addition of text explicitly identifying what the council's response would be to proposals in the event of a failure of the land supply. It is however of the view that the effect of the proposed revisions are to duplicate SDP Policy 7 and there is therefore no meaningful benefit to be had by doing so. Consequently, the council does not propose to modify the plan in response to this representation. However, should the Reporter be minded otherwise, the council would seek to ensure that there was some reference to the annual Housing Land Audit being the definitive source for determining whether or not a 5-year supply of effective housing land was being maintained.</p>
	Paragraph 5.52, Page 23	<p>Paragraph 5.52 is regarded as a honest interpretation of the situation in so far as there are genuine concerns regarding the ability to deliver a five year effective supply within the first Plan period due to a combination of the initial level of the requirement, the backlog that was already in place when the work on the LDP began and the capacity in the housing market and industry to deliver this level of requirement. For these reasons, the council does not agree to modify paragraph 5.2 in response to these representations, save for changing the erroneous reference to SPP 2010 and replacing it with 2014.</p>
	Paragraph 5.52, Page 23	<p>The council would not object to the Reporter requiring the insertion of the word 'continuous' in the last sentence of paragraph 5.52 (page 23) as shown below:</p> <p>"However, it also indicates that new allocations coming forward after adoption of the plan (2016/17) are unlikely to make a significant contribution by 2019 and therefore impact on the ability to deliver a continuous five year effective supply within the first Plan period".</p>
	Paragraph 5.46, Page 21	<p>To clarify, the reference in paragraph 5.46 (page 21) to the council being prepared to sanction a greater number of houses in CDAs than originally identified in the Edinburgh and Lothians Structure Plan (CDX) is not intended to be restricted to just post 2024. The council sees no particular merit in seeking to control the release of sites unless there are very specific and justifiable reasons for doing so, for example, when there is inadequate infrastructure available to satisfactorily service a development. Proposals for additional development within the original CDAs would therefore be considered on a case by case basis with regard to conventional planning considerations and, as stated in paragraph 5.46, "where it is appropriate to do so." The council does not believe that there is any need to modify the plan in this instance, however the council would not take issue if the Reporter was to suggest clarifying revisions to the text.</p>

	Page 131, Site H-AM 11	With regard to site H-AM 11, the council is aware that planning permission was approved in June 2014 for 85 houses (CDX), (which is 24 fewer than the 109 the Proposed Plan had anticipated). As noted previously, figures in the Proposed Plan are based on the 2014 Housing Land Audit (CDX) and this permission could not have been accounted for in that audit given that it was post 2014 audit period. Recognising that data of this nature can only ever be a snapshot at a particular point in time, the council does not propose to revise it. Notwithstanding this, if the Reporter is inclined to amend this particular figure, the council would not object.
11		No modifications or changes.
26C	Policy INF 2, page 31	Add policy title to the text to read: "INF 2 Telecommunications"
26F	Policy ENV 21 Protection of Formal and Informal Open Space, Page 54  Map 5:Bathgate Area	No modification to the LDP is proposed by the council, other than to correct that the proposal referenced as "P-82", relating to the golf course to the south of Heartlands, Whitburn; that was inadvertently missed off Map 5 Bathgate Area, should now not be reinstated within the LDP as the new owner state they do not intend to pursue that use.  Armadale Stadium – The council does not propose to modify the plan to reflect the terms of this submission, however, should the Reporter see merit in the submission it would seek to remove the open space zoning and revert to white land within the settlement envelope.
26G	Policy HOU 3, page 23	<i>Amend policy title to read</i> <i>"POLICY HOU 3 Infill/Windfall Housing Development within Settlements and/or Core Development Areas"</i>  <i>and amend first sentence of the policy to read:</i>  <i>"In addition to sites already identified in Policy HOU 1 of the LDP, new housing development will also be supported on sites within settlement boundaries and/or Core Development Areas identified in the LDP provided:....."</i>
26H	Page 27, Policy HOU4 – Windfall Housing Development in Linlithgow and Linlithgow Bridge	<u>Text in Proposed Plan</u>  Linlithgow and Linlithgow Bridge are particularly sensitive to the impact of new infill housing development by virtue of unique historic character, environmental constraints (landscape setting, air quality and drainage), traffic congestion and the availability of education capacity.  Proposals for windfall housing development within the settlement boundary of Linlithgow/Linlithgow Bridge will

		<p>therefore be subject to additional scrutiny and will only be supported where it can be demonstrated that their impact can be satisfactorily managed and would not singularly or cumulatively exacerbate these matters.</p> <p><u>Suggested Text</u></p> <p><i>Proposals for windfall housing development within the settlement boundary of Linlithgow/Linlithgow Bridge will be subject to additional scrutiny and will only be supported where it can be demonstrated that any adverse impact can be mitigated by additional investment and/or satisfactorily managed and would not singularly or cumulatively disadvantageously affect; heritage, environment, free movement of pedestrians and cyclists, traffic flow and parking, and or education capacity.</i></p> <p>The council is satisfied with the scope and wording of Policy HOU 4 as drafted in the LDP Proposed Plan and is therefore not minded to modify it in response to these representations. The council would however have no objection in principle to the Reporter making amendments should this be considered helpful in improving the legibility and understanding of the LDP.</p>
26I	Paragraph 5.93 – 5.95 and policy HOU 8	<p><b>NB SG Change</b></p> <p>Amend policy HOU 8 to read:</p> <p>“POLICY HOU 8 Community Facilities in New Housing Development.</p> <p>In locations where there is a shortfall in capacity, quality or location community facilities identified by the council, an appropriate developer contribution may be sought to improve the quantity or quality of such provision commensurate with the impact of the new development.</p> <p>The contribution will be a proportionate one, the basis of which will be set out in Supplementary Guidance. In circumstances where facilities cannot be improved or provided physically the development will not be supported.</p> <p>Similarly, development involving the loss of valuable community facilities will not be supported unless appropriate alternative provision is to be made.”</p>
26J		No modifications or changes.
26K	Page 43, ENV4 Loss of Prime Agricultural Land	<p>The council does see merit in a cross reference within policy ENV 4 to policy DES 1 and should the reporter find favour in this change, the council would not be opposed.</p>



26L	Proposals Map 4	The council recognises the inconsistency of having a strategic development location which benefits from planning permission also identified as an open cast search area. The council would therefore not take issue if the Reporter was minded to amend the search area to exclude the allocated housing site.
26M	Page 46, policy ENV 8	<p><b>POLICY ENV 8 Green Network</b></p> <p><i>The council will support proposals which help to deliver the green network as set out in the Green Network Plan and Supplementary Guidance. Where green network opportunities are relevant to a proposed development (as determined by the council in consultation with landowners and other stakeholders, and detailed in adopted Supplementary Guidance), the development will be expected to contribute wholly, or in part, to their delivery, while meeting the tests of Circular 4/1998 and 3/2012, as appropriate.</i></p> <p><i>The priority areas will be active travel, addressing vacant and derelict land, and focusing action in disadvantaged areas along strategic road corridors and in areas of development restraint and landscape protection including Special Landscape Areas and Countryside Belts and areas of significant change. New woodland planting should be planned and designed to meet the criteria set out in the Edinburgh and Lothians Forestry and Woodland Strategy (2012).</i></p> <p><i>New woodlands for community use and planting for bio fuels will be supported where there is landscape and design integration, biodiversity enhancement and multi-use benefits including, where appropriate, public recreational access particularly near to communities."</i></p>
26N	Policy ENV 11, page 48	<p>Replace policy ENV 11 with the following:</p> <p><b>POLICY ENV 11 Protection of the water environment / coastline and riparian corridors</b></p> <p>"The council recognises the importance of the water environment in terms of its landscape, ecological, recreational and land drainage functions. Accordingly:</p> <p>a. there will be a general presumption against development which would have a detrimental effect on the integrity and water quality of aquatic and riparian ecosystems, or the recreational amenity of the water environment, or which would lead to deterioration of the ecological status of any element of the water environment. Where appropriate, development proposals adjacent to a waterbody should comply with SEPA's Guidance on buffer strips adjacent to water bodies, provide for a substantial undeveloped and suitably landscaped corridor to avoid such impacts;</p> <p>b. there will be a general presumption against development which would have a detrimental effect on Groundwater</p>

		<p>Dependent Terrestrial Ecosystems (GWDTE);</p> <p>c. there will be a general presumption against any unnecessary engineering works in the water environment including new culverts, bridges, watercourses diversions, bank modifications or dams;</p> <p>d. opportunities to improve the water environment by opening out previously culverted water course, removing redundant water engineering installations, and restoring the natural course of watercourses should be exploited where possible;</p> <p>e. there is a presumption against proposals which would undermine, through intrusive development, the landscape character and amenity of river valleys and other significant water courses. Development within riparian corridors which impacts on the ecological and landscape integrity will not be permitted unless a specific need for the development can be demonstrated;</p> <p>f. the council will support the development of measures identified within the Forth Area River Basin Management Plan designed to improve the ecological status of the water environment and coastal areas;</p> <p>g. the water environment will be promoted as a recreational resource (subject to the requirements of Natura 2000 sites) with existing riparian access safeguarded and additional opportunities for ecological enhancement, access and recreation encouraged where compatible with nature conservation objectives.</p> <p>h. there is a general presumption in favour of sustainable development and use of the marine environment in the marine area from mean high water springs (MHWS) where the proposals can satisfactorily demonstrate that they are compliant with the objectives and policies of the National Marine Plan (2015) and forthcoming regional marine plans. This principle is applicable to all marine activity."</p>
260	Policy ENV 15 Community Growing and Allotments.	<p>Policy ENV15 states that community growing will only be supported with specific conditions. No change is proposed to policy ENV 15, however, the council does see merit in the representation should the Reporter be minded to amend the LDP in relation to this matter rephrasing the policy to state that <i>"community growing will be supported in principle unless these conditions are breached"</i>.</p> <p>As currently worded Policy ENV15 is negatively framed, the second line leads with "Community Growing spaces will only be supported where....". The removal of the word 'only' would make the policy read more positively, and be more in line with the spirit of SPP. No change is proposed to policy ENV 15, however, the council does see merit in the representation should the Reporter be minded to amend the LDP in relation to this matter.</p>

26P	Page 52, policy ENV 18	<p><i>Policy ENV 18 Protection of <del>Local</del> and National Nature Conservation Sites:</i></p> <p><i>Development proposals within, or affecting areas classified as sites of national importance, including National Nature Reserves (NNR)–and, Sites of Special Scientific Interest (SSSI); and <del>locally designated nature conservation sites</del>–will not be permitted unless it can be satisfactorily demonstrated that it will not compromise the objectives or integrity of the designation, <u>taking account of the potential to appropriately mitigate any impacts.</u> <del>In the case of national designations,</del></i></p> <p><i><u>Development that would have significant adverse impacts that cannot be mitigated</u> will only be supported where there is an over-riding national public interest that outweighs the designation interest.</i></p> <p><i>Proposals for development within such areas will require an appropriate level of environmental or biodiversity assessment. The need for an Environmental Impact Assessment will (EIA) be considered against the <u>Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011.</u>”</i></p>
26Q		No modifications or changes.
26R	Chapter 5, Page 60, Policy ENV 32 Archaeology	<p><i>If the Reporter is minded to recommend that the plan be amended the council would request that;</i></p> <p><i>(a) the suggested term ‘would significantly adversely affect’ be substituted with ‘have a significant adverse affect’;</i></p> <p><i>(b) the suggested term ‘wherever possible’ is not incorporated at all; and</i></p> <p><i>(c) the suggested term ‘prior to or during’ is substituted with ‘before and / or during’.</i></p>
26T	Chapter 5, Page 42, Policy ENV2 Housing Development in the Countryside	<p><i>The council would not take issue if the Reporter was minded to amend it with the addition of text at (c) that introduced a requirement for developers of brownfield sites to take account existing biodiversity features and mitigate their loss.</i></p> <p><i>In the event of a shortfall in the 5 year effective housing land supply the council recognises that it may be necessary to give planning permission to proposals for housing development on sites outwith the defined settlement boundaries and it does not therefore object to the principle of amending Policy ENV 2 to reflect this. The Council would however, suggest an alternative form of wording to that proposed by the respondent if the Reporter is minded to make a modification:</i></p> <p><i>h. a shortfall has been identified by the Council through the housing land audit with regard to the provision of an effective 5</i></p>

		<i>year housing land supply and it has been satisfactorily demonstrated that there are no alternative allocated or unallocated sites within the settlement boundary. Any additional infrastructure required as a result of the development must either be committed or will be funded by the developer.</i>
26U		There have been a number of requests for additional information and detail including SPP 2014 paragraph 263, pages 58-59 'flood risk framework' which can be taken forward in subsequent planning guidance.
26V		No modifications or changes.
26W		No modifications or changes.
26X		There is a graphics error to the policy title on page 47 which will be amended to correct the spelling of "forestry".
26Y		No modifications or changes.
26Z	Page 50, Policies ENV 13 and ENV 14	<i>Revise Policies ENV 13 and ENV 14 to reflect comments from Scottish Government Development Plan Team.</i>
26Aa	Policy ENV 17 and ENV 18, page 52	<p><i>Add sentence to end of Policy ENV 17 as follows:</i></p> <p><i>Proposals must also have regard to and be compliant with the requirements of Planning Guidance (Planning for Nature: Development Management &amp; Wildlife)."</i></p> <p><i>Add sentence to end of Policy ENV 18 as follows:</i></p> <p><i>"Proposals must also have regard to and be compliant with the requirements of Planning Guidance (Planning for Nature: Development Management &amp; Wildlife)"</i></p>
26Ab		No modifications or changes.
26Ac		No modifications or changes.
26Ad	Page 54, Policy ENV 22	<i>Revise Policy ENV 22 to reflect comments from Scottish Government Development Plan Team.</i>
26Ae	Page 72, Policy EMG 6	<i>Revise Policy EMG 6 to reflect comments from Scottish Government Development Plan Team.</i>
26Ag	Page 55, ENV 24 Conservation Area (Demolitions)	<p><i>The council does not propose to modify the plan in response to this representation.</i></p> <p><i>In the event that the Reporter considers that a change to Policy ENV 24 is required to align it more closely with national policy, the council suggests the following amendments where highlighted text reflects additions to the policy and "strike-through" text reflects deletions.</i></p> <p><i>Policy ENV 24</i></p>

		<p><i>Within Conservation Areas new development will not be permitted which would have any adverse effect on its character and appearance. Proposals must contribute have regard to the desirability of to the preservation or enhancement of preserving or enhancing the character and appearance of the Conservation Area area and will require appropriate high standards of design, materials, siting and implementation</i></p> <p><i>When assessing applications for the demolition of unlisted buildings in Conservation Areas, the council will give careful consideration to the merits of the building and its contribution to the character and appearance of the Conservation Area.</i></p> <p><i>In circumstances where the building is of no architectural or historic value, makes no material contribution to the Conservation Area, and where its early removal would not detract from the character and appearance of the Conservation Area, demolition would not ordinarily be resisted. However, where a building is considered to be of value, either in itself or as part of a group, there will be a presumption in favour of its retention, restoration for the current or another appropriate use. In these circumstances demolition to facilitate new development will only be permitted where it can be shown that all one or more of the following criteria can be satisfied:</i></p> <ul style="list-style-type: none"> <li><i>a. the condition of the existing building is such that its repair and re-use is not economically viable. Supporting evidence, including a full economic appraisal, evidence that grant aid is not able to meet any funding deficit; evidence of marketing for a period of five years must be submitted to the council as planning authority; or</i></li> <li><i>b. to accommodate the proposal, the building cannot be adapted without material loss to its character; or</i></li> <li><i>c. demolition and replacement will result in significant economic benefit for the community and the conservation area will be enhanced as a result of the development; or</i></li> <li><i>d. there is no alternative location for the development; or</i></li> <li><i>e. it can be demonstrated that the proposals allow for the immediate future use of the site which enhance enhances the character or appearance of the Conservation Area.</i></li> </ul> <p><i>Where planning permission and conservation area consent is granted, appropriate conditions will be applied to ensure that demolition does not take place in advance of the letting of a contract for the construction of a replacement building or alternative means of treating the cleared site having been agreed.</i></p> <p><i>The council recognises that references throughout the LDP to Historic Scotland and RCAHMS are no longer accurate. It is</i></p>
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		<p>assumed the Reporter will be minded to recommend amending the LDP to reflect the new agency (Historic Environment Scotland) and the council would obviously support this update.</p>
26Ah	<p>Page 58, ENV 28 Listed Buildings</p>	<p>The council acknowledges that the policy is more demanding than the SHEP and in the event that the Reporter considers that a change to Policy ENV 28 is required to align it more closely with national policy, the council suggests the following amendments where highlighted text reflects additions to the policy and “strike-through” text reflects deletions.</p> <p><b>Policy ENV 28</b></p> <p><i>The council will protect listed buildings and will have particular regard for their special architectural, historic features and, where appropriate, archaeological interest in considering proposals for their alteration, extension or change of use.</i></p> <p><i>There is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use, and any proposed alterations or adaptations to help sustain or enhance a building’s beneficial use should not adversely affect its special interest.</i></p> <p><i>Demolition of a listed building will only be permitted where it can be shown that all of the following criteria can be satisfied:</i></p> <ul style="list-style-type: none"> <li><i>a. the building is no longer of special interest;</i></li> <li><i>b. the condition of the building is such that its repair and re-use is not economically viable. Supporting evidence, including a full economic appraisal, evidence that grant aid is not able to meet any funding deficit and evidence of marketing for a period of 5 years must be submitted to the council as planning authority;</i></li> <li><i>c. the building cannot be adapted without material loss to its character;</i></li> <li><i>d. c. demolition is essential to delivering significant economic benefit for the community.</i></li> </ul> <p><i>In considering proposals for development within the vicinity of listed buildings, the council will have particular regard to the setting of listed buildings. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the buildings character, appearance and setting.</i></p> <p><i>The preservation of buildings of architectural or historic interest will be promoted through partnership working with interested parties and the use of powers including Compulsory Purchase Orders, Repair Notices, Building Preservation Notices or other</i></p>

		<p><i>statutory procedures.</i></p> <p><i>There is a presumption against ‘Enabling development, to cross subsidise works to a historic building, where essential to secure a viable long term future for a listed building at risk. Such works will only may be considered favourably where the character or setting of the building is not adversely affected; where there are sound conservation or design reasons for the new development (such as the re-instatement of a missing wing or courtyard building); where the works are economically justified to ensure the survival of the building; and, on balance, the benefits clearly outweigh any dis-benefits to the historic asset or its setting. In determining applications for planning permission and listed building consent relating to a listed building, the council will specify and require the fullest supporting information. Prior to the implementation of an approved alteration, recording shall be required in accordance with a schedule to be issued. Owners of major heritage assets will be encouraged to prepare and adopt management or conservation plans based on current best practice for their long-term guardianship. Additional controls (such as Article 4 Directions removing permitted development rights) will be introduced to protect the setting of listed buildings where such buildings are under threat from development.</i></p>
26Ai	Policy TCR 2, page 40	<p>Change title of policy TCR 2 to ‘Town Centres First Sequential Approach’</p> <p>Amend first sentence to read:  “New retail, commercial leisure, visitor attractions, <u>offices, community and cultural facilities</u> and other developments appropriate to town centres should be located in accordance with the following sequential approach...”</p> <p>Insert additional text to end of final paragraph as follows:  “Proposals for a new public building or office with a gross floorspace over 2,500m2 outwith a town centre and contrary to the development plan will require an assessment of the impact on the town centres.”</p> <p>Move section on Local neighbourhood centres to after “Town Centres” and before “Edge of Centre”</p>
26Aj	Appendix 1: Employment Land Allocations,  Page 116, E-LV46 Linhouse, Proposals Map 3.	<p>SEPA consider “<i>the majority of the site is likely to be developable</i>” and has not objected to development of the site, subject to a Flood Risk Assessment being carried out. This requirement can be identified in the LDP (Appendix 1 - Infrastructure requirements).</p> <p>The councils’ Flood Risk Team generally agrees with SEPA comments.</p>

		Consequently, the council is agreeable to this minor modification if it is acceptable to the Reporter.
26Al	<p>Policy MRW 1, Page 73</p> <p>Policy MRW 2, Page 74</p> <p>Policy MRW3, Page 75</p> <p>Proposal Map 4: Bathgate Area – H-WH 1, H-WH 2 and H-WH 3 Heartlands</p>	<p><b>MRW 1 Minerals Resourcing and Safeguarding</b> The proposed amendment to policy MRW 1 to be more consistent with Scottish Planning Policy paragraph 237 (CDX) is acceptable is the council should the Reporter be minded to amend the policy to reflect the change requested by Scottish Government.</p> <p>In relation to policy MRW2 the council would not object to the name change should the reporter deem it necessary to introduce 'surface coal mining' to replace the words 'open cast coal mining'.</p> <p>In relation to policy MRW3 the council would not object to the name change should the reporter deem it necessary to introduce 'surface coal mining' to replace the words 'open cast coal mining'.</p> <p>The proposed amendment to policy MRW 2 is not accepted by the council as Scottish Government has quoted the wrong policy for change. The change is more appropriate for policy MRW 3 to comply with paragraph 241 of SPP (CDX) and is acceptable is the council should the Reporter be minded to amend the policy to reflect the change requested by Scottish Government.</p> <p><b>MRW 3 Impediments to Mineral Extraction</b> The proposed amendment to policy MRW 3, to provide clarity in the policy, is acceptable to the council should the Reporter be minded to amend the policy to reflect the change requested by SNH.</p> <p>The council recognises the inconsistency of having a strategic development location which benefits from planning permission also identified as an open cast search area. The council would therefore not take issue if the Reporter was minded to amend the search area to exclude the allocated housing site.</p>
26Am		No modifications or changes.
26Ap		No modifications or changes.
1i	Appendix 6 & 7	<p>Change Active Travel Plan references to advise document is now approved and planning guidance to the LDP.</p> <p>Corrections to the text will be made with regard to Winchburgh rail station and when it is delivered.</p> <p>Add to Appendix 6 &amp; 7 park and ride at Winchburgh</p>



1B	Appendix 2, pages 193-200, Linlithgow Sites.	Given discussion on proposed sites in Linlithgow breaching high quality landscape areas, a requirement for the production of and submission of high quality landscape plans by developers at the planning application stage is a reasonable response and would result in only minor change to the proposed plan. High quality landscape plans for newly allocated sites in Linlithgow could reinforce local landscape character, provide some screening without causing excessive shade, avoiding problem shelterbelts where appropriate. This would be a desirable addition for all sites in Linlithgow especially those of a contentious nature which have arisen since the area of restraint policy was lifted. If Reporters were so minded such amendments could be applied to the relevant sites listed in Appendix Two: Schedule of Housing Sites / Site Delivery Requirements of the proposed LDP (CD093, pp. 193 - 200) for new allocations as site delivery requirements.
1C		No modifications or changes.
1E		No modifications or changes.
1F	Page 25 and Page 30	Revise to address minor inconsistencies between text in paragraphs 5.58 and 5.81  The council proposes to amend Appendix 2 to reflect the terms of this submission by Walker Group WL/LDP/PP/423
1H		No modifications or changes.
1J		No modifications or changes.
1K	SEA  General Comments  Economic Development and Growth, Page 15 Policy EMP 3, Page 15 EMP 4 and Page 18 EMP8.  Conservation Area, Page 55 Policy ENV 24 Conservation Areas (Demolitions).	Unless otherwise stated the council would not propose to alter the SEA unless directed to do so by the Reporter.  West Lothian Local Development Plan - Proposed Plan, and supporting documents, when adopted in winter 2016 / early 2017 will remove reference to former bodies "Historic Scotland" and "The Royal Commission on the Ancient and Historical Monuments of Scotland" and replace them with "Historic Environment Scotland".  Alter policy text to reflect suggestion that broader range of historic environment assets are considered and not merely focus on architectural interests.  West Lothian Councils consider the 5 criteria test with policy ENV24 are adequate and do not wish to weaken the policy. We have a duty to "preserve or enhance" conservation areas so will reflect that requirement in the wording. For example "...and the conservation area will be preserved or enhanced as

		<p>a result of the development". It is the council view that the extra criterion is justified. It is the locational need that is the issue. We would add in after "...for the development..." " , which would ensure the retention of the building". However on further reflection, there is concern at the use of "(demolitions)" in the title. This may fetter the use of that policy to only demolitions. It is proposed to replace it with "(Developments and Demolitions)" and it opens up the policy to wider use.</p>
	Paragraph 5.194, Page 57	Acknowledged and any reference to the Buildings at Risk Register in the West Lothian LDP, or accompanying supplementary guidance, will acknowledge HES.
	Listed Buildings, Page 57, Policy ENV28	<p>The council may have interpreted this incorrectly. It says at para 3.44 "Where the application proposes the demolition of a listed building applicants will be expected to provide evidence to show that:" and then lists 4 criteria. After each of the first 3 criteria is the word "or". A problem for the council could arise at appeal if the council are at odds with national policy. The council will review this policy and reword the criteria to reflect the wording of SHEP.</p> <p>The council advise the Reporter that if they were minded to support the changes sought by the consultation authorities, WLC would not object to amendment of the text of ENV28 Listed Buildings to read: "Enabling developments which cross-subsidise works to historic buildings will be considered favourably only if the character or setting of the building is not adversely affected..." etc. It is the view that the use of the word "and" before the last criterion ensures that all of the criteria have to be met.</p>
	Policy MRW 3 Impediments to Mineral Extraction, Page 74	For Policy MRW 3 relating to "Mineral Extraction Impediments" and especially criteria g); West Lothian council prefer to retain the list of relevant heritage designations and will insert "Inventory Designed Landscapes and Battlefields" to make it clear which heritage designations the policy covers and the tests that relevant development proposals must meet.
	Appendix 1&2 - SEPA comprehensive flood risk review of the preferred sites according to the new SEPA Flood Maps.	This updated flooding information, if necessary, will be translated into the relevant site specific delivery requirement schedules in Appendices 1 and 2 dealing with Employment and Housing sites respectively. Relevant information has been identified in all relevant schedule 4s.

1L	Policy EMP 3 – Employment development within settlement boundaries (page 15)	Amend clause (e) of policy EMP 3 to read “the scale, layout and design of any proposed buildings shall be appropriate to the character of the site and the surrounding area and shall not adversely impact on any historic environment designations, natural heritage designations or landscape interests; and”
	Policy EMP 4 – Employment development outwith settlement boundaries (page 15)	Amend clause (e) of policy EMP 4 to read “the scale, layout and design of any proposed buildings shall be appropriate to the character of the site and the surrounding area and shall not adversely impact on any historic environment designations, natural heritage designations or landscape interests; and”
	Policy EMP 8 – Tourism (page 18)	Amend clause (a) of policy EMP 8 to read “would not adversely impact on the natural and built environment including any historic environment designations, natural heritage designations or landscape interests; and”
	Policy MRW 3 – Impediments to Mineral Extraction (page 74)	Amend clause (g) of policy MRW 3 to read “ on sites or settings of archaeological or architectural significance, or historic environment designations, particularly where the work would affect ancient monuments or listed building, or the setting of a conservation area;”
	Mansefield Park Extension, proposal P-26, page 276	Add “The developer providing the land for the Park extension to be reimbursed for the gifting of land by way of developer contributions from others.” after “Park improvements at ‘The Muddies’ in association with Calderwood CDA.”
	P-28 St Paul’s Primary School (page 276)	Add “Developer to be reimbursed for the gifting of land and works in kind by way of developer contributions from others”. after “School extension and new access (including land).”
	Policy Tran 3 – Core Paths and Active Travel (page 37)	Add a new sentence at the end of the policy as follows: “Infrastructure to encourage active travel should be in place in the early stages of developments, before the first unit is occupied and should include signage (including approximate time to travel) and street furniture.”
	Policy ENV 34 – Art and Development (page 61)	Add to end of first paragraph of the policy “Involvement of the local community is encouraged.”





		<p>Amend paragraph 2.4 to read:</p> <p>‘A good understanding of the sources and impacts of flooding, and the links between them, can help identify the right combination of measures to tackle particular flooding problems. For example, catchment and floodplain restoration should be considered to reduce or manage flood risk in both rural and urban areas. Where high rates of run-off in rural upland areas are contributing to flooding problems, measures to store or slow run-off can be considered, including re-vegetating hill slopes to increase the interception of rainfall and increase the roughness of the land surface, thereby slowing runoff. Such natural flood management can have a positive effect on downstream flooding but cannot be wholly relied upon to facilitate development on sites previously at risk from such flooding. In urban areas, an understanding of sources and pathways of flooding can help identify appropriate measures and influence the layout and design of new developments. In some circumstances flood protection schemes or managed retreat from areas at significant risk may need to be considered.’</p>
	Paragraph 4.1	<p>Amend paragraph 4.1 to read:</p> <p>‘The Flood Risk Management (Scotland) Act 2009 sets in place a statutory framework for delivering a plan-led, catchment-wide, sustainable and risk-based approach to managing flood risk. This includes the preparation of assessments of the likelihood of flooding, and the impacts of flooding and catchment focused plans to address these impacts. By 2016 Flood Risk Management Strategies and Local Flood Risk Management Plans will be in place across Scotland. These will require to be taken into account when subsequent development plans are prepared. To provide a baseline to inform the West Lothian LDP, the council has prepared this SFRA to ensure that new development or redevelopment will be free from significant flood risk and will not increase the risk of flooding elsewhere. This assessment took place at the MIR stage.’</p> <p>Correct typo at Section 6 to replace “supplemtry” with ‘supplementary’.</p>



		<p>(sewers and culverts), taking account of the predicted impacts of climate change.</p> <p>Development will specifically not be supported in:</p> <p>a. locations identified as being at medium to high flood risk, unless it accords with the flood risk framework set out in SPP2014; or</p> <p>b. where it would lead to an increase in the probability of flooding elsewhere.</p> <p>Developers will be required to submit a full Flood Risk Assessment (FRA) for all developments deemed to be at risk of flooding from any source in medium to high risk areas and developments in low to medium risk areas identified in the risk framework (i.e. developments located in an area at the upper end of the probability scale, essential infrastructure and the most vulnerable land uses). The Flood Risk Assessment should be undertaken in accordance with the relevant and prevailing SEPA technical guidance and current CIRIA Guidance C624.</p> <p>To limit the impact of potential flood risk any development that is subsequently permitted in medium to high risk areas (that accords with the exceptions in the risk framework) or is located in adjacent low to medium risk areas must be built to a water resilient design.</p> <p>Development that is proposed in an area that is or will be behind a formal flood protection scheme must be an appropriate and acceptable land use for the location, designed to be resilient and must not be constructed until the flood protection scheme is confirmed operational by SEPA.</p> <p>Appendices 1 &amp; 2 (which respectively list employment and housing land allocations in the plan) identify those sites where</p>
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	<p>Policy EMG 3, Page 70</p>	<p>there is a known requirement for a FRA, watercourse buffer strips and best practice SuDS treatment. The council nevertheless reserves the right to require the preparation and submission of FRAs for other development sites which present over the plan period where deemed necessary. Guidance will be sought from SEPA and other agencies as appropriate.</p> <p>Alterations and small-scale extensions to existing buildings are outwith the scope of this policy, provided that they would not have a significant effect on the storage capacity of the functional floodplain or local flooding problems.</p> <p>All proposals must comply with the terms of Supplementary Guidance on Flooding and Drainage.'</p> <p>Amend policy EMG 3 to read: NB this one a Reporter change</p> <p>'Policy EMG 3 Sustainable Drainage</p> <p>Developers will be required to submit a Drainage Impact Assessment (DIA) to ensure that surface water flows are properly taken into account in the design of a development. With the exception of single houses, SuDS will be a required part of all proposed development as a means of treating/attenuating surface water and managing flow rates.</p> <p>Developers will be required to ensure that adequate land to accommodate SuDS is incorporated within development proposals and that housing densities take into account the physical space for effective SuDS. The design of the system should meet best current practice. It is expected that surface water drainage systems, including sustainable drainage systems, for most will be vested in Scottish Water as drainage authority and will, as a consequence, be designed and constructed in accord with the most up to date edition of Scottish Water's Construction Standards and Vesting Conditions 'Sewers for Scotland' (3rd Edition) and at the same time comply with SEPA's Policy and Supporting Guidance on the provision of Waste Water Drainage in Settlements in promoting connection to the public sewerage system where possible.</p> <p>Where new development (or the change of use of land or buildings) impacts on existing drainage arrangements, the</p>
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		<p>council may require these arrangements to be upgraded and SuDS retrofitted as a condition of planning approval in order to avoid detriment to the water environment.</p> <p>Where there are existing issues of capacity or flooding associated with combined drainage systems, developers may be required to invest in off-site works to provide additional capacity or reduce loadings on such drainage systems.</p> <p>Private drainage systems for sewered areas will only be considered as a temporary measure where there is no capacity in the existing sewer system;</p> <p>Development relying on private sewage systems will only be permitted where there is no public system in the locality and where the council is satisfied that the proposal is acceptable in terms of the impacts on the water environment and on public health.</p> <p>Developments involving private water supplies will only be permitted where there is no public supply in the locality and where the council is satisfied that there is sufficient water and that the proposal is acceptable in terms of the environment and public health.</p> <p>The council will support in principle the incorporation of water conservation measures in new developments, including rainwater harvesting and systems for the recycling of “greywater”.</p> <p>Regard should also be had to other LDP policies in relation to drainage in new developments, SuDS, flood risk and the treatment of watercourses and proposals will require to contribute to the delivery of green infrastructure and the green network where this is considered appropriate.’</p>
1U	Appendix 2	SEPA’s comments are essentially a refinement of advice which had previously been provided and the council would not take issue if the Reporter was minded to amend the entries referencing the sites in Appendix 2 with respect to flood advice. The council has however, reviewed and suggested through separate Schedule 4s where modifications may be appropriate to reflect extended/updated advice from SEPA.
1W		No modifications or changes.
1X		Refer to schedule 4 and accompanying spreadsheet.

(1 June 2016)