

4. WEST LOTHIAN LOCAL DEVELOPMENT PLAN - PROPOSED PLAN

It was noted that all councillors had been invited to participate in the following item of business

Deputation from Mrs Jillian Stewart

The Panel heard Mrs Jillian Stewart explain that a number of residents from the Linlithgow area were seeking to have removed from the proposed plan the site known as HLL-12 (Preston Farm Field, Linlithgow). This was for a number of reasons including impact on the bio-diversity of the site, proximity and impact on the historic setting of Preston House, lack of transport links and limited opportunities to improve the local road network at both Preston Road and Manse Road.

Mrs Stewart continued to explain that 36% of the responses to the consultation on the LDP related to Linlithgow and that 110 residents were seeking to have this particular site removed from the proposed LDP.

Mrs Stewart also advised the panel that recently a developer had halted a formal public consultation process for the site which indicated that there was some question over the site's commercial viability.

Mrs Stewart concluded by suggesting that further consultation with the Linlithgow community would be welcome so that alternative sites to Preston Farm Field could be explored.

The members were then invited to ask questions of Mrs Stewart.

The Chair thanked Mrs Stewart for her contributions.

Report by Head of Planning, Economic Development and Regeneration

The Panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of the outcome of the consultation on the West Lothian Local Development Plan (LDP) and to set out the next stages for progressing the LDP for submission to the Scottish Government's Planning and Environmental Appeals (DPEA) for Examination.

The panel were advised that the preparation of a development plan was a statutory requirement under the terms of the Planning, etc (Scotland) Act 2006. The development plan set out how places should change and what they could be like in the future. It also set out what type of development should take place and where and which areas should not be developed.

The current development plan for West Lothian comprised the Strategic Development Plan for Edinburgh and South East Scotland (SDP), approved by Scottish Ministers in June 2013 and the West Lothian Local Plan (WLLP), adopted by West Lothian Council in January 2009. The plan was also supported by a range of supplementary guidance.

The WLLP was in the process of being replaced by the West Lothian

Local Development Plan (LDP) and the proposed plan was published for consultation in October 2015 and set out where new developments were proposed and the policies that would guide decision-making on planning applications. The LDP would cover a ten year period from 2014 to 2024.

The LDP proposed plan was published for a 6 week consultation period and resulted in 728 submissions being received. All submissions were acknowledged and were available to view on the council's web pages. The consultation consisted of a statutory notice being placed in local newspapers, consultation with local communities including community councils, consultation with key agencies including SEPA and local developers, use of facebook and twitter accounts and a number of open events in communities.

A requirement of the new planning legislation governing the preparation of LDP's was that the LDP was submitted to the Scottish Government's Planning and Environmental Appeals Division (DPEA) for Examination. The report on the Examination was generally binding on the council. Prior to the start of the Examination the council was required to prepare a Statement of Conformity with a Participation Statement for the LDP which set out how the council had engaged with interested parties on the LDP.

In preparing the council's response to the representations the council was required to group the representations by issue and respond to these in a standard format known as a Schedule 4. The Schedule 4 contained a summary of all unresolved issues/representations received to the LDP, details of any modifications sought by the respondent, the council's response to these and any changes that the council would be prepared to support to the LDP. The Schedule 4 documents were contained in a series of appendices attached to the report.

In addition the council had received requests for new sites to be included in the LDP which had not been previously intimated to the council. And the council had received a number of requests for re-consideration of sites that were submitted back in 2014 however it was not proposed to alter the LDP to include these sites.

A key consideration for the LDP had been the approach to Linlithgow. The Proposed Plan allocated a number of sites in the town for development following a sequential approach. These allocations and the approach to the development of the town had attracted the most comment as had proposed residential development sites in Broxburn and Livingston. The proposed response to these submissions was set out in the relevant Schedule 4's. In all cases it was proposed to maintain the approach set out in the LDP which was considered to be robust and defensible and therefore not make any substantive changes to the LDP or the spatial strategy.

A number of changes were however required to the Proposed Plan to correct drafting errors in the document, update it and to address comments received following consultation. The proposed changes were considered to be minor changes and therefore did not require being subject to further public consultation.

In order to assist in the Examination process and the preparation of Schedule 4's, a number of Position Statements had been prepared which set out the background and justification for the council's position in relation to major land use issues such as housing land, countryside belts and landscape protection and education. Copies of these were provided in a series of appendices attached to the report. The report provided a brief summary of the Position Statements.

The report continued to provide information on the Strategic Environmental Appraisal that had been carried out along with the preparation of a Habitats Regulations Appraisal.

The report concluded that it was anticipated that an Examination of the LDP by a Scottish Government Reporter would commence later this year. Officers were in liaison with the DPEA regarding the submission and anticipated examination process. At the conclusion of the Examination a report would be prepared by the Reporter and submitted to the council with the findings, in all but exceptional circumstances, binding on the council.

It was recommended that the panel notes and considers the following recommendations which were intended to be submitted to the Council Executive for approval :-

1. Approve the contents of the Proposed Schedule 4's for submission to the Scottish Government's Planning and Environmental Appeals Division (DPEA) (Appendix One),
2. Approve the contents of the West Lothian Housing Land Position Statement for submission to the DPEA to assist in the LDP Examination (Appendix Two);
3. Approve the contents of the West Lothian Countryside Belt Position Statement for submission to the DPEA to assist in the LDP Examination (Appendix Three);
4. Approve the contents of the West Lothian Local Landscape Designation Position Statement for submission to the DPEA to assist in the LDP Examination (Appendix Four);
5. Approve the contents of the West Lothian Education Position Statement for submission to the DPEA to assist in the LDP Examination (Appendix Five)
6. Approve the contents of the West Lothian LDP Statement of Conformity with the Participation Statement for submission to the DPEA as part of the LDP Examination process (Appendix Six);
7. Approve the list of minor changes proposed by the council to the West Lothian Local Development Proposed Plan and agree the details of proposed changes to the West Lothian Local Development Plan for consideration by the Reporter at Examination (Appendix Seven);

8. Delegates authority to the Head of Planning, Economic Development and Regeneration in consultation with the Executive Councillor for Development and Transportation to make non-substantive (minor) or technical changes to the Schedule 4 documents including consolidating the Schedule 4s to reduce them in number prior to submission of the LDP and associated documents to the DPEA for Examination; and
9. Delegates authority to the Head of Planning, Economic Development and Regeneration in consultation with the Executive Councillor for Development and Transportation to make non-substantive (minor) or technical changes to the Position Statements and to update the draft Action Programme and Habitats Regulations Appraisal prior to submission of the LDP and associated documents to the DPEA for Examination; and
10. Note the timetable for progressing West Lothian Local Development Plan.

The members were then provided with an opportunity to examine each of the appendices in detail and ask questions of the officers in attendance.

Prior to noting the recommendations of the report Councillor De Bold wished to record the following :-

- That the Linhouse site should be included in the LDP as a site suitable for residential development; and
- That the council should re-engage with the Planning Forum of Linlithgow with regards to the site known as HLL-112 Preston Farm Field, Linlithgow.

Decision

1. Noted the contents of the report and its appendices;
2. Noted the contents of the representations made;
3. Noted the questions and comments from all those members in attendance including those specific comments from Councillor De Bold and which included the site at Linhouse being suitable for residential development and that the council should re-engage with the Planning Forum of Linlithgow regarding the site known as HLL-112; and
4. Agreed that the report be forwarded to the next appropriate meeting of the Council Executive containing those recommendations as detailed in the PDSP Report, which were to fundamentally approve the West Lothian Local Development Proposed Plan.