

DATA LABEL: PUBLIC

SUPPLEMENTARY GUIDANCE ON DEVELOPER CONTRIBUTIONS TOWARDS TRANSPORT INFRASTRUCTURE

1.0 Introduction

1.1 The West Lothian Local Development Plan (LDP) was adopted by the council on 4 September 2018. The LDP sets the pattern of development for West Lothian over the period 2014 – 2024 but also provides for longer term growth beyond this period. Developer contributions towards transport infrastructure will be required to support delivery of development set out in the LDP.

1.2 This Supplementary Guidance (SG) supersedes all previous Supplementary Planning Guidance (SPG) relating to developer contributions towards transport infrastructure and covers requirements for developer contributions towards transport infrastructure set out in the West Lothian Local Development Plan (LDP). The SG should be read in conjunction with SG on *Air Quality* and SG *General Infrastructure*.

1.3 The council will work with developers and interested parties to deliver the development strategy set out in the West Lothian LDP and provide guidance on the levels of contributions required for a development proposal through the pre-application process.

1.4 This SG will not be applied retrospectively to sites which already have planning permission in principle or to applications for the approval of matters specified by condition without any requirement to contribute to general infrastructure, provided that the permission remains capable of being implemented. New planning applications, for similar developments on these sites (including applications for renewal of planning permissions), will however be required to comply with the terms of this SG and to policies set out in the LDP.

2.0 LEGISLATIVE BACKGROUND

2.1 The Planning etc (Scotland) Act 2006 amends the Town and Country Planning (Scotland) Act 1997 by replacing the existing section 75 with a revised section 75 adding new sections 75A – 75G. Sections 75, 75A, 75B and 75C deal with planning obligations (previously known as planning agreements or section 75 agreements). A landowner may, in respect of land, either by agreement with the council or unilaterally, enter into an obligation (hereinafter referred to in this guidance as a “planning obligation or obligations”) restricting or regulating the development or use of the land. Sections 75D – 75G deal with good neighbour agreements. The new provisions and associated regulations came into operation on 1 February 2011. For the avoidance of doubt the regulations apply to all agreements made or in preparation prior to, and after this date.

2.2 Legal agreements can also be made under other legislation including the Local Government (Scotland) Act 1973, the Countryside (Scotland) Act 1967, Sewerage (Scotland) Act 1986 and the Roads (Scotland) Act 1984 and provide a possible alternative mechanism to secure developer contributions. They are useful where the nature of the contribution is relatively straightforward, involves a one-off payment and/or does not require to be secured through successors in title. For this reason they can help speed up the development process. The council has used, and will continue to use, alternative agreements where appropriate and where they are considered to speed up the development process.

2.3 Scottish Planning Policy (SPP) and planning circulars state that Planning Obligations can be used to address the potentially negative impact of developments on infrastructure. Scottish

Government Circular 3/2012: *Planning Obligations and Good Neighbour Agreements* sets out the basis for planning obligations which will be required to be met as a consequence of new development proposals.

2.4 Circular 3/2012 sets out a number of policy tests for planning obligations, these are:

- necessary to make the proposed development acceptable in planning terms (paragraph 15)
- serve a planning purpose (paragraph 16) and, where it is possible to identify infrastructure provision requirements in advance, should relate to development plans
- relate to the proposed development either as a direct consequence of the development or arising from the cumulative impact of development in the area (paragraphs 17-19)
- fairly and reasonably relate in scale and kind to the proposed development (paragraphs 20-23)
- be reasonable in all other respects (paragraphs 24-25)

2.5 This SG is consistent with the requirements of Circular 3/2012.

2.6 SPP and Planning Advice Note: PAN 75 – Planning for Transport identify the requirements to secure development which is sustainable, provides high quality public transport access to encourage modal shift and also facilitates movement by public transport including interchange facilities. The West Lothian LDP has been prepared within this context.

3.0 DEVELOPMENT PLAN CONTEXT

Strategic Development Plan

3.1 The Strategic Development Plan (SDP1) for Edinburgh and South East Scotland sets the strategic policy context for the securing of developer contributions towards infrastructure. Paragraph 123 states:

“Developer contributions are important and will be required to assist in delivery and to address any shortfalls in infrastructure that arise as a direct result of new developments. LDPs will set out the broad principles for planning obligations including the items for which contributions will be sought and the occasions on which they will be sought. Mechanisms for calculating levels of contributions should be included in supplementary guidance with standard charges and formulae set out in a way that assists landowners and developers.”

3.2 Policy 9 provides the strategic policy support for the delivery of infrastructure as follows:

Policy 9 Infrastructure

The Strategic Development Plan identifies in Figure 2 and through its Action Programme infrastructure, including transportation infrastructure, required to deliver the development of the Strategy. Local Development Plans will:

- a. Safeguard land to accommodate the necessary infrastructure required to deliver the Strategic Development Plan as set out on Figure 2 and in the accompanying Action Programme;*
- b. Provide policy guidance that will require sufficient infrastructure to be available, or its provision to be committed, before development can proceed. Particular emphasis is to be*

placed on delivery of the strategic infrastructure requirements that are set out in Figure 2 and in the Action Programme; and

c. Pursue the delivery of infrastructure through developer contributions, funding from infrastructure providers or other appropriate means, including the promotion of alternative delivery mechanisms.

Particular emphasis is to be placed on delivery of the strategic infrastructure requirements that are set out in Figure 2 and in the Action Programme.

3.3 Strategic transport improvements within the West Lothian Council area include:

Edinburgh – Glasgow Rail Improvements
Edinburgh –Glasgow via Shotts rail line electrification
A801 improvements
Winchburgh rail station
Winchburgh M9 junction
M9 junction 3 upgrade
A71 improvements
A89 improvements
Park & ride proposals

West Lothian Local Development Plan (LDP)

3.4 The West Lothian Local Development Plan (LDP) was prepared within the context of Strategic Development Plan 1 (SDP1). Developer contributions towards infrastructure are referenced within policy INF1 of the LDP. This SG provides further detail around policy INF1 and describes when planning obligations will be sought, where exemptions may apply, and the methodologies through which planning obligations have been calculated. The LDP provides for 24,597 houses, employment land and other development to meet community needs over the period 2014 – 2024 and beyond.

3.5 The following LDP policies provide the context within which this SG has been prepared.

Policy INF 1 Infrastructure Provision and Developer Obligations

The council will seek developer obligations in accordance with Scottish Government Circular 3/2012 ('Planning Obligations and Good Neighbour Agreements'), as interpreted by emerging case law and amended by subsequent amendments and legislation, to mitigate the development's individual or cumulative impacts upon infrastructure, including cross-boundary impacts. Any such obligations will be concluded prior to the issue of planning permission.

Where appropriate developer obligations have been secured, planning permission will normally be granted. In all cases, the council will consider the economic viability of proposals alongside options of phasing or staging payments from developers.

Development will not be permitted to commence unless:

a. funding (including any contributions from developer obligations) for necessary infrastructure is fully committed and that infrastructure is capable of being delivered; or

b. phasing to manage demand on infrastructure has been agreed; or

c. in advance of all necessary infrastructure requirements being fully addressed, sufficient infrastructure is available in the interim to accommodate the development.

Only where infrastructure constraints, identified by the council in conjunction with relevant authorities, cannot be overcome, will there be a presumption against development.

Infrastructure requirements are identified in Appendix Two and further details will be provided in subsequent supplementary guidance and the Action Programme. Any related planning obligations will require to meet the policy and legal tests set out above. Proposed sites for new infrastructure are listed in Chapter 6.

Note: Supplementary Guidance explaining how developer obligations will be implemented will be developed during the Plan period.

3.6 The LDP also includes specific policies relating to transport infrastructure. This SG is produced to support these policies and to give assistance to developers.

Policy TRAN 1 Transport Infrastructure

The council will co-operate with other agencies in preparing investment programmes to enhance the environment by active travel infrastructure, public transport facilities, traffic and parking management in its towns and villages.

Development will only be permitted where transport impacts are acceptable.

This will be established where appropriate, through a Transport Assessment which covers all modes of transport and has been approved by the council.

Parking levels for development shall conform to the council's current adopted standards.

Further guidance is found in the council's draft Active Travel Plan (2015) which will be taken forward as Supplementary Guidance alongside the council's draft Local Transport Strategy (refresh) (2016).

Strategic transport infrastructure requirements are set out in Chapter 6 of the LDP.

Policy TRAN 2 Transportation contributions and associated works

Developers will be required to provide or contribute towards, the provision of travel improvements including traffic and environmental management measures, measures to promote trips by sustainable modes including walking, cycling, public transport, car sharing, and road improvements where these would be justified as a result of new development or redevelopment.

Travel plans and an associated monitoring framework will be required to support major new developments such as the previously identified Core Development Areas, strategic housing allocations and inward investment proposals.

3.7 A number of transport proposals are identified in the LDP and these are set out in Table 1, those proposals highlighted in green are identified in the LDP Action Programme to be delivered in whole or part through developer funding.

Table 1: West Lothian Local Development Plan Transport Proposals

REF	LOCATION	PROPOSAL
P-1	Addiewell rail station	Bus interchange, parking and path upgrade between Addiewell and railway station
P-119	Heatherfield (West)	Colinshiel link road
P-16	Clarkson Road /Greendykes Road	Safeguarded road line - Broxburn Distributor Road
P-17	East Broxburn CDA	Distributor road in association with Winchburgh CDA west of Fauldeldean to Glendevon at Winchburgh
P-31	Milrig Holdings/Kirknewton railway station	Park & ride and bus interchange
P-33	Kilpunt	Land reservation for park and ride in support of Broxburn CDA
P-34	A801 Avon Gorge Crossing	Land reservation for new road crossing
P-35	Land east of Winchburgh	Land reservation for Dalmeny Chord (associated with the Edinburgh Glasgow Improvement Programme (EGIP))
P-36	Land between boundary with Edinburgh and Broxburn/Livingston	An extension of the Edinburgh Tramline to Broxburn, Uphall and Livingston is identified in SDP1 and account requires be taken of this when considering proposals for development in the north western part of West Lothian.
P-37	A8/A89/A899 corridor	A study to identify the specific initiatives to enhance sustainable transport options for travelling along the A8/A89/A899 corridor between Livingston Town Centre, the West Lothian/City of Edinburgh boundary, Newbridge and to Maybury Junction. Land will be safeguarded adjacent to the route for these initiatives and confirmed in detail upon completion of the study.
P-102	Linlithgow, Broxburn, Philpstoun and Winchburgh	Access to/from and along the Union Canal
P-103	Blackridge/ Kirknewton and Blackness/ Sth Queensferry	Links from the National Cycle Network (NCR) 75 (across central West Lothian) and NCN 76 ("Round the Forth" route)
P-107	Armada/ Whitburn	Cycle route at B8084 from Whitdale Roundabout to Armada/ Railway Station
P-108	Linlithgow/ Blackness	Cycle route at A803 from Linlithgow to the B903
P-109	Newton/ Sth Queensferry	Cycle route at A904 Newton to City of Edinburgh boundary
P-110	Livingston/ Wilkieston	Cycle route at A71 from Lizzie Brice's roundabout to Wilkieston
P-111	Ecclesmachan/ Threemiletown	Cycle route at B8046 Ecclesmachan to Threemiletown
P-112	West Calder/ Harburn	Cycle route at B7008 West Calder (Turniemoon crossroads) to Harburn
P-114	Bangour/ Dechmont	Off road pedestrian/cycle route at Drumcross/Blacklaw Ridge Road/Bathgate Quiet Hills Initiative
P-117	Bathgate / Harthill	New pedestrian / cycle route from Inchcross Roundabout, Bathgate along the A706 and B7066 at Whitburn towards Greenrigg / Harthill
P-44	M9 (Junction 3) westbound slips	Westbound slip roads on M9 at Burghmuir
P-45	M9 (Junction 3)	Coach park and ride facility
P-46	Kettilstoun Mains Park	Provision of cycle track west of existing leisure centre
P-115	Linlithgow	Traffic management measures in town centre
P-101	South Murieston /Linhouse	Distributor Road
P-70	Houstoun Road / Drumshoreland Road link	Houstoun Road / Drumshoreland Road distributor road link
P-75	West Calder railway station	Bus interchange and parking at West Calder rail station (associated with Mossend/Cleugh Brae CDA)
P-76	Road reservation	Road corridor linked to Mossend/Cleugh Brae/Gavieside CDA requirements north from A71 to A705
P-83	Cowhill	Express coach service, with associated park & ride
P-84	A706 – B7066 link, Polkemmet	Land safeguarded for road corridor
P-88	North of Wilkieston A71 bypass;	Relief road north of Wilkieston
P-90	M9 at Duntarvie	Land reservation for new motorway junction on the M9
P-91	Winchburgh CDA	Land reservation for rail station and associated park and ride

P-92	Winchburgh CDA	Distributor road in association with Broxburn CDA (south of Glendevon /west of Faucheldean)
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3.8 In addition, development proposals set out in the LDP are likely to impact on the transport network and may require developer contributions to assist in site delivery. This specifically applies to the Core Development Areas (CDAs), Linlithgow, and Heartlands at Whitburn. Details of these, together with contributing sites are set out in Table 2. Other sites identified in the LDP for development but outwith the areas listed in Table 2 may require transport interventions to assist in delivery, for example new junctions or junction improvements. Where this is the case, costs associated with these would be determined on submission of planning applications and the interventions would require to be delivered at developer expense. Windfall sites, that is sites which are not allocated for development in the LDP, will also be required to contribute to transport infrastructure.

Table 2: West Lothian Local Development Plan Transport Infrastructure Requirements and Contributing Sites

Area/Settlement	Transport Infrastructure Requirements
Almond Valley and Livingston Core Development Area	A71/A89 corridor
Livingston – H-LV13, E-LV48	P-110 cycle route at A71 from Lizzie Brice's roundabout to Wilkieston
West Calder – H-WC 1, H-WC2, H-WC3, H-WC4	P-76 Road corridor linked to Mossend/Cleugh Brae/ Gavieside CDA requirements north from A71 to A705
East Calder (Calderwood and Raw Holdings) – H-EC 1, H-EC2, H-EC3, H-EC4, H-EC5, H-EC6, H-EC7, H-EC8, H-EC9, H-EC10, E-EC 1	West Livingston/Mossend <ul style="list-style-type: none"> • network of pedestrian and cycleway links including cycleway connections to National Cycle Route 75 at Almond North to Starlaw; • improvements at West Calder railway station including provision of park and ride, bus turning facility, cycle parking at the north side of the station and the partial closure of the existing substandard access onto Limefield Road; • bus priority measures are required along Charlesfield Road with provision of a park and ride site requiring further assessment; • new distributor road network with bridges across the River Almond and West Calder Burn linking Toll Roundabout with Alba Campus; • new distributor road network linking A71 with Simpson Parkway (Kirkton Campus) via Stepend and Gavieside Farm; and • improvements to A705 and footways between Toll Roundabout and Seafield;
Wilkieston – H-WI 2	Calderwood

	<ul style="list-style-type: none"> • contribution to improvements at Kirknewton railway station including provision of new park and ride facility, bus turning facility and cycle parking at Milrig Holdings; • network of pedestrian and cycleway links including cycleway connections to National Cycle Route 75 and Kirknewton Railway Station; • network of distributor roads linking B7015 with A71 (with bus priority); • upgrading of B7031 from A71 to Kirknewton Railway Station; and • north relief road for Wilkieston linking A71 with B7030 (LDP Proposal P-88).
<p>Armadale Core Development Area</p> <p>H-AM5, H-AM6, H-AM7, H-AM8, H-AM9, H-AM10, H-AM11, H-AM12, H-AM13, H-AM14, H-AM15, H-AM19</p>	<ul style="list-style-type: none"> • Armadale Station Park and Ride; • new distributor road network serving the southern expansion of the town linking Lower Bathville, A801 and B8084; • new distributor road serving expansion at Colinshiel linking East Main Street with B8084; • network of pedestrian and cycleway links including new cycleway connections to National Cycle Route 75 and links to the paths in the surrounding countryside; • dualling the A801 between Boghead Roundabout and M8 junction 4; and • contributions to park and ride provision on the south side of Armadale railway station.
<p>East Broxburn and Winchburgh Core Development Area</p> <p>H-BU4, H-BU 5, H-BU8, H-BU9, H-BU10, E-BU5</p> <p>H-WB3, H-WB4, H-WB5, H-WB6, H-WB7, H-WB8, H-WB9, H-WB10, H-WB11, H-WB12, H-WB13, H-WB16, E-EB1, E-WB2</p>	<ul style="list-style-type: none"> • new Distributor road network linking new housing at Winchburgh (west of Faucheldean) with new housing at East Broxburn; • improvements to B8020 between Winchburgh and Broxburn; • new railway station at Winchburgh and associated park and ride and public transport interchange; • new junction on the M9 (in the vicinity of Duntarvie) with associated park and ride; • network of pedestrian and cycleway links including cycleway connections to Union Canal

	<p>towpath/core path and links to the paths in the surrounding countryside;</p> <ul style="list-style-type: none"> • park and ride provision at Kilpunt south of A89 (with potentially a road bridge across the Brox Burn); • network of pedestrian and cycleway links including cycleway connections to Union Canal towpath and improved links to town centre via Stewartfield Park; • new distributor road linking Clarkson Road with the A89 via Candleworks, Albyn and West Wood; • new distributor road linking Clarkson Road with B8020 via the mixed use site at Greendykes Road West; and • contributions to public transport improvements on the A89 and at Newbridge roundabout as identified in future SG.
E-BB 5a, b c and d (See map 1)	A801 dualling (M8 junction 4 to Pottishaw roundabout)
H-BL 1, H-BL2, H-BL 3, H-BL 4, H-BL 5 and H-BL 6, E-BL1, E-BL2Z	Blackridge Railway Station
H-LL 3, H-LL4, H-LL 5, H-LL 7, H-LL 11, H-LL 12, E-LL2	<p>P-44 M9 (Junction 3) westbound slips Westbound slip roads on M9 at Burghmuir</p> <p>P-45 M9 (Junction 3) Coach park and ride facility</p> <p>P-115 Linlithgow Traffic management measures in town centre</p> <p>P-118 Linlithgow new access associated with proposed housing site H-LL 10</p>
West Lothian wide	Travel Plans and Residential Travel Information Packs

*source Appendix 2 West Lothian Local Development Plan and Action Programme

4.0 TRANSPORT APPRAISAL AND MODELLING

4.1 To inform the preparation of the West Lothian Local Development Plan (LDP) the council undertook a transport appraisal and commissioned transport modelling to:

- provide evidence to the council and in turn Transport Scotland regarding impact of proposed developments on the motorway network through West Lothian;
- help plan future transport network improvements through identifying congested junctions and identifying solutions; and

- provide a mechanism to link the funding of potential improvements of the network to specific developments that are likely to generate additional traffic which will result in improvements being required to the network.

4.2 The SEStran Regional Model was used as a base for the modelling work. Since adoption of the LDP, further modelling work has been undertaken specifically to inform developer contribution requirements towards transport infrastructure to support development in Linlithgow.

4.3 Transport appraisals and modelling were prepared by the council and consultants (SYSTRA) in accordance with the Development Planning and Management Transport Appraisal Guidance (DPMTAG). Transport Scotland was consulted at each stage in the appraisal process. DPMTAG is an objective-led approach which considers all modes of transport in generating and appraising appropriate transport interventions and mitigation of any consequential impact of planned growth identified through the development strategy.

4.4 In addition, transport assessments which have been undertaken in support of planning applications for the former Core Development Areas of Armadale, Winchburgh, East Broxburn and Uphall, and Livingston and the Almond Valley (Calderwood, Gavieside/Cleugh Brae/Mossend) and other development sites within the LDP area have also been taken into account and continue to be implemented and inform ongoing development at these and other locations across West Lothian.

4.5 Transport modelling was also undertaken to inform the *Strategic Development Plan* (SDP1) however, this was based on a different level of development and spatial strategy to that which is set out in the West Lothian Local Development Plan (LDP). The transport appraisal undertaken by Transport Scotland for the SDP modelled the development outlined in the proposed SDP.

4.6 Although the LDP seeks to give priority to sustainable transport modes such as active travel, public transport and car share in compliance with SPP 2014, meeting the identified overall level of housing need and economic growth aspirations which are set out in the LDP will have implications for the transport network. An increase in the capacity of the road network in some key locations will also be required if both the housing and employment growth set out in the LDP are to be accommodated.

4.7 Further transport assessment work is anticipated over the lifetime of the LDP for other development proposals in the plan area. Such assessments should take account of all current transport policy and include:

- a) Consideration of new government and local targets for carbon reduction and transport modal split;
- b) A no net detriment assessment of development traffic, which will look to mitigate the adverse effects of development traffic only (i.e. without a need to allow for underlying traffic growth);
- c) Consideration of the potential effects of land uses other than housing development. (e.g. retail and leisure development); and
- d) Local rail infrastructure requirements including a commitment to consult Network Rail where development may impact on the rail network.

5.0 TRANSPORT INFRASTRUCTURE REQUIREMENTS

5.1 The specific nature of transportation requirements is usually determined through a Transport Assessment (TA) in association with the preparation of a planning application. It is the responsibility of the applicant/prospective developer to prepare or commission the

preparation of an appropriate TA which then allows for detailed traffic impacts to be properly addressed and suitable design solutions for the scale and nature of the proposed development identified prior to consent being granted.

5.2 Where proposals are anticipated to impact on the trunk road network, Transport Scotland encourages early engagement. Trunk road infrastructure in addition to that listed within this SG may be required to support development, the cost of which is expected to be met by the developer. As roads authority, any modifications to the trunk road network will require Transport Scotland approval.

A71 Corridor

5.3 Within the Livingston and Almond Valley CDA there are two major allocations at Calderwood and at West Livingston/Mossend providing for housing and mixed use development, including employment allocations. The development proposals at Calderwood and West Livingston/Mossend will impact on transport demand along the A71 corridor and given the scale of development proposed the council has undertaken a number of studies to identify sustainable transport solutions on the A71 corridor. Further transport analysis has been submitted as part of the planning application process for developments within the CDA. Developer contributions towards transportation improvements to the A71 are required to support these developments and specifically towards public transport improvements on the A71 which influence future modal share and contribute towards reducing car based transport.

5.4 Developer contribution costs are being shared by the council and developers for transportation infrastructure costs on the A71 and part funded jointly by the Livingston and Almond Valley CDA developers. Some costs are being fully funded only by the Calderwood CDA developer which is currently under construction. These are set out in the section 75 Agreements attached to planning permission for development within the CDA. At February 2019 the council has received £15, 476.54 in developer contributions towards improvements to the A71. The council has undertaken some improvement works to the Livingston section of the A71.

5.5 The key infrastructure requirements in relation to movements that go along or impact on the A71 corridor are set out in Table 3. These key infrastructure requirements have been tested as part of the overall development strategy and are directly linked to each CDA area and are considered necessary to enable the identified scale of development to progress. The detailed information from the transport assessments in support of the planning applications for Calderwood was used to assess the potential impact of the development on the transport network on the A71.

5.6 Stirling Developments Ltd has accepted that as the largest developer within the Calderwood CDA they will be responsible for providing and forward funding the junction improvements onto the A71 and also the Wilkieston Bypass. These are necessary to accommodate the impact of the Calderwood CDA. Planning conditions attached to the planning approval in principle for the Calderwood development indicate trigger points when infrastructure and junction improvements are required. However, as not all of the Calderwood developers were engaged in discussion on how the costs for each of the improvements was to be shared, it was left to the council to take appropriate contributions from the remaining Calderwood developers towards the three key elements of shared infrastructure. Each housing developer's contribution is based on a percentage of their housing development in relation to the total scale of housing proposed for the whole of the Calderwood CDA. The council will collect each developer's contribution based on a housing unit cost and reimburse Stirling Developments Ltd after construction of each of the following works.

5.7 In the event that the CDA developers make contributions in advance of the final costs being known, these developers shall be entitled to a part refund from the council of any overpayment made.

Table 3: A71 Infrastructure Requirements

NB costs have been indexed to fourth quarter 2017

A71 CORRIDOR STUDY SCHEMES PROPOSED SCHEME	ANTICIPATED COSTS	CDA DEVELOPER	DEVELOPER REQUIREMENT
Bus lane and bus priority at the A71/Kirknewton/East Calder junction	£605,555	Calderwood and West Livingston/Mossend	Contribution to costs. Cost sharing identified in Table 4.
Eastbound bus lane from above to the junction of the A71 with the B7030	£1,038,095	Calderwood and West Livingston/Mossend	Contribution to costs. Cost sharing identified in Table 4.
New traffic light layout with bus priority at the A71/B7031 junction	£1,041,555	Calderwood	100% funding. Requirement to access the CDA development area. Cost sharing between Calderwood developers identified in Table 4.
Eastbound bus lane on the A71 between the B7031 and the B7015	£4,775,238	Calderwood and West Livingston/Mossend	Contribution to costs. Cost sharing identified in Table 4.
New traffic light layout with bus priority at the junction of the A71/B7015	£519,048	Calderwood	100% funding. Requirement to access the CDA development area. Cost sharing between Calderwood developers identified in Table 4.
Wilkieston north west bypass to B7030	£2,941,270	Calderwood	100% funding. Requirement to access the CDA development area. Cost sharing between Calderwood developers identified in Table 4.

5.8 Of the schemes listed in Table 3, in some instances costs are to be shared by all of the Livingston and Almond Valley CDA developers and are not specific to a single developer. Projects which are the subject of shared costs are set out in Table 4.

Table 4: A71 Corridor Study Schemes – Shared Costs

Bus priority contributions for A71 (excludes junctions)
<p>Total trips 5,240 west of B7031 junction using 2-way AM and PM peak flows:</p> <ul style="list-style-type: none"> • base traffic ATC 2007 3,205 trips (61.1%) • Calderwood 1,387 trips (26.5%) • Gavieside 648 trips (12.4%)
Feasibility cost for proposed bus priority measures on A71 - £6,665,769
<p>Taking the above trips and calculating the scheme on a pro-rata basis means:</p> <p>Base traffic £4,076,928 Calderwood £1,764,490 West Livingston/Mossend £824,316</p> <p>To apportion the costs for each developer it is easier to work out a rate per house:</p> <p>Calderwood 2800 units £666.00 per unit West Livingston/Mossend 220 units £504.00 per unit</p>
Calderwood CDA Shared Infrastructure Costs*
<p>Stirling Developments Ltd has forward funded and constructed the shared infrastructure however, the following levels of contributions will be secured from other developers in the Calderwood CDA area and repaid to Stirling Developments Ltd by the council upon completion of the infrastructure:</p> <p>Wilkieston Bypass Estimated cost £2,941,270 all for Calderwood with 2,800 units = £1050 per unit.</p> <p>Traffic signals at B7015 junction Estimated cost £519,048 all for Calderwood with 2,800 units = £185 per unit.</p> <p>Signalisation and road re-alignment at B7031 junction Estimated cost at £1,041,555 for all Calderwood with 2,800 units = £372 per unit.</p> <p>*fourth quarter 2017 prices</p>

5.9 Studies carried out to date to inform infrastructure requirements along the A71 corridor include the West Lothian Sustainable Transport Study and the A71 Corridor Study together with transport appraisals carried out to support planning applications for developments along the corridor.

5.10 There is a current requirement within the approved SDP to safeguard the A71 Upgrade from Hermiston to East Calder. This requirement is identified as Item 94 of the Action Programme and is safeguarded by SDP policy 9. This safeguarding has also been identified in the West Lothian LDP (P-88 refers). The LDP also identifies a proposal for a cycle route along the A71 from Lizzie Bryce to Wilkieston. This project has not as yet been costed and funding is yet to be agreed.

5.11 In terms of public transport, service improvements on the Edinburgh to Glasgow via Shotts line have been implemented increasing peak hour services and improving passenger capacity on the route.

5.12 Given the ongoing development within the Livingston and Almond Valley CDA is considered vital that clear priorities are established to implement the elements of the A71 public transport strategy in the most beneficial order. There are two key bus routes that serve the Calderwood area and access the A71. The No.X27 and X23 routes from East Calder use the B7015 along to the A71 junction and then the A71 into Edinburgh. The priority section to introduce measures to improve public transport journey times on the A71 is from the B7015 to Wilkieston. The second route uses the Langton Road signals with A71 to access Kirknewton. The No.X28 and local bus No.23 currently use this route and then access the A71 at the signals with Linburn Road.

5.13 The No.X40 route between St John's Hospital and Edinburgh Royal Infirmary running approximately once an hour in each direction is the only bus service operating between Lizzie Bryce roundabout and the B7015. Therefore, in the medium to long term it is unlikely that there will be a bus from Livingston to Edinburgh directly via the A71 that will be at a frequency or have sufficient demand to make this route worthwhile. It is therefore proposed that the council reallocates monies for the formation of bus lanes on the A71, collected or intended to be collected under Section 75 agreements following the now superseded 2006 Supplementary Planning Guidance (SPG) "A71 Corridor Study", to a proposed bus lane on the A71 between the B7015 and the B7030 and further, that a strategy regarding implementation of bus priority measures should now be considered with the following priorities:-

- a) Eastbound bus lane on the A71 between the B7015 and the B7030;
- b) Bus lane and bus priority (north/south) at the Kirknewton/East Calder junction (C27);
- c) Widen the A71 between west of Curriehill Road and Heriot-Watt north gate on the south side to create third lane (eastbound bus lane);
- d) Bus lane and bus priority on the A71 from the Kirknewton/East Calder junction (C27) to the B7031;
- e) Eastbound bus lane between the entrance to the Dalmahoy Hotel and Addiston Mains. (Proposed widening on the north side); and
- f) Bus lane and bus priority (eastbound) at the Kirknewton/East Calder junction (C27).

5.14 Two of the priorities listed above are within the City of Edinburgh Council administrative area. Given that contributions are required to the wider package of measures from both local authorities, it is consider appropriate that they continue to be identified in the priority list.

5.15 The Almondell part of the Calderwood CDA is under construction and subject to Section 75 Agreement. Planning consent has been granted for part of Raw Holdings area of the Calderwood CDA. The transport assessment submitted with the Almondell planning application identified a change to the proposed junction improvements outlined in the A71 Corridor Study. The assessment identified that a signalised junction on the A71/B7015 would be more appropriate than the roundabout proposed in the Corridor Study. The proposed roundabout and part time signals at the staggered A71/B7031 junction have been replaced with a signalised junction – all fully funded by the Calderwood development.

5.16 The remaining improvements on the A71, which are not fully developer funded but require contributions to the overall cost, are the provision of bus priority along the A71 between the

junctions most heavily affected by the developments. These schemes are identified in Tables 3 and 4. From transport assessments undertaken for Mossend and Calderwood it has been possible to allocate how these costs should be shared between the Livingston and Almond Valley CDA developments. These bus priority measure costs are to be met by both the Calderwood and West Livingston/Mossend CDA developers as well as West Lothian and the City of Edinburgh councils.

A89/A8

5.17 The A89/A8 route is a key cross boundary travel corridor between West Lothian and Edinburgh. A shared cycle footpath caters for longer distance cycling trips. However, improvements to public transport are key to delivering sustainable transport options in the Winchburgh and East Broxburn CDA. Previous study work on the A89/A8 corridor has been reviewed and developed to look at cross boundary public transport issues in partnership between West Lothian Council, City of Edinburgh Council and Transport Scotland.

5.18 The requirement for a park and ride site at Kilpunt is already identified and the study when completed will identify specific initiatives along the A89/A8 corridor and in particular will identify public transport improvements at Newbridge Roundabout. As reflected in the LDP Action Programme, developer contributions will be sought towards park and ride provision in addition to other improvements identified for the A89/A8 corridor.

A801 Corridor

5.19 The A801 traverses West Lothian in a north/south direction connecting central West Lothian to Falkirk–Grangemouth. Planning permission has been secured for a new Avon Gorge crossing and is partially funded. West Lothian and Falkirk Councils continue to seek funding from the Scottish Government for construction of the crossing - the long established 'missing link' between the M8 and M9 via the A801, across the Avon Gorge into Falkirk - and associated works with both councils safeguarding land for implementation. The closure and removal of through traffic from existing routes associated with the A801 will create opportunities to improve accessibility and local links to the Avon Valley Heritage Trail.

5.20 The LDP includes sites where development would impact on the A801 at its southern end linking with the M8, including land within the previously identified CDA allocation at Armadale, the employment sites at Pottishaw/ Riddochhill and further afield at Polkemmet and Cowhill. Developer contributions will be sought towards dualling of the section of A801 from Junction 4 on the M8 to the Boghead Roundabout, Bathgate. This section of the A801 is currently single carriageway and includes the access roundabout at J4M8. The M8 is a trunk road managed and maintained by Transport Scotland whilst this section of the A801 is a local road which is managed and maintained by West Lothian Council.

5.21 Through traffic modelling work carried out by SIAS on behalf of West Lothian Council, it has been identified that there is a need to upgrade this section of the A801 to dual carriageway standard in order to provide safe and appropriate road infrastructure to facilitate the development proposals set out in the LDP.

5.22 Upgrading of this section of some 800 metres of the A801 indicated in Figure 2 will require:

- Modifications to M8 junction 4 roundabout
- Dualling of the south section (M8 junction 4 to J4M8)

- Modifications to J4M8
- Dualling of the north section (J4M8 to Pottishaw roundabout)
- Modifications to Pottishaw Roundabout

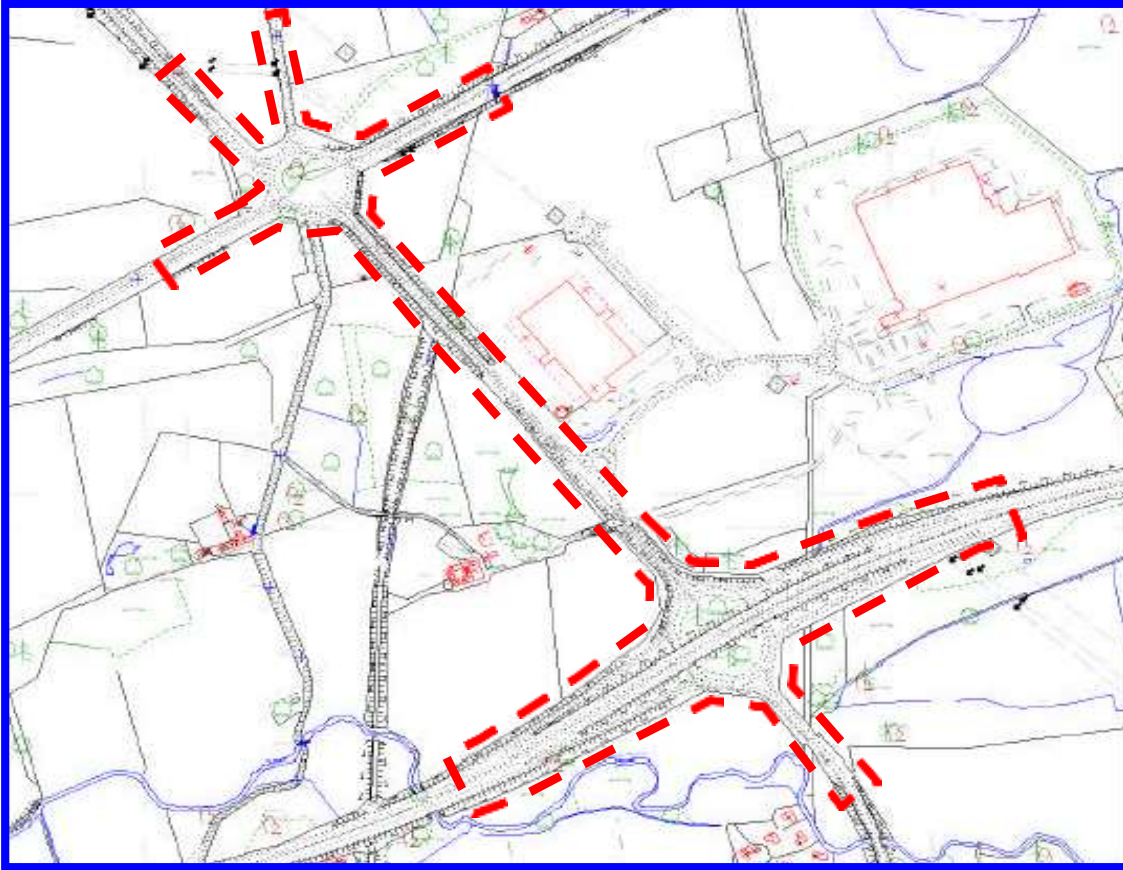
5.23 The cost of the work required has been estimated at £5,958,283 million (quarter 4, 2017). Factors which have been taken into consideration in calculating the cost per trip have been estimated for developments that are allocated in the LDP and assumes that all developments accord with the LDP.

5.24 The assessment work shows junction modifications are required at Pottishaw Roundabout in the form of approach lane widening, the proposed site access roundabout on the A801 and also the need for dualling the south section of the A801 from the Pottishaw roundabout to junction 4 of the M8.

5.25 There is a section 75 legal agreement for the J4M8 office development and completion of the site development. The developer will either secure the A801 works at the appropriate time, or else a payment equivalent to the value of the works to contribute to the cost of the A801 upgrade will be made.

5.26 This project will require the approval of the Transport Scotland as trunk road authority in so far as it affects the slip road to and from the M8. Transport Scotland may require developers to pay for modifications to the slip roads at M8 junction 4 as part of their development proposals. The costs of any such required works to the M8 slip roads would be additional to developer contribution to West Lothian Council for A801 dualling and would be secured through planning conditions or agreements as a result of a Transport Assessment.

Figure 2: A801 – M8 Junction 4 to Pottishaw Roundabout



5.27 Certain types of development within the defined developer contribution zone shown in Figure 3 would be required to pay a developer contribution towards the upgrading of this section of the A801. Developments included in the contribution zone are set out in Table 6. However, not all of these allocations will require to make contributions by virtue of extant planning permission or having been built out since adoption of the LDP.

Figure 3: Catchment Area for developer Contributions for Dualling A801 – M8 Junction 4 to Pottishaw Roundabout

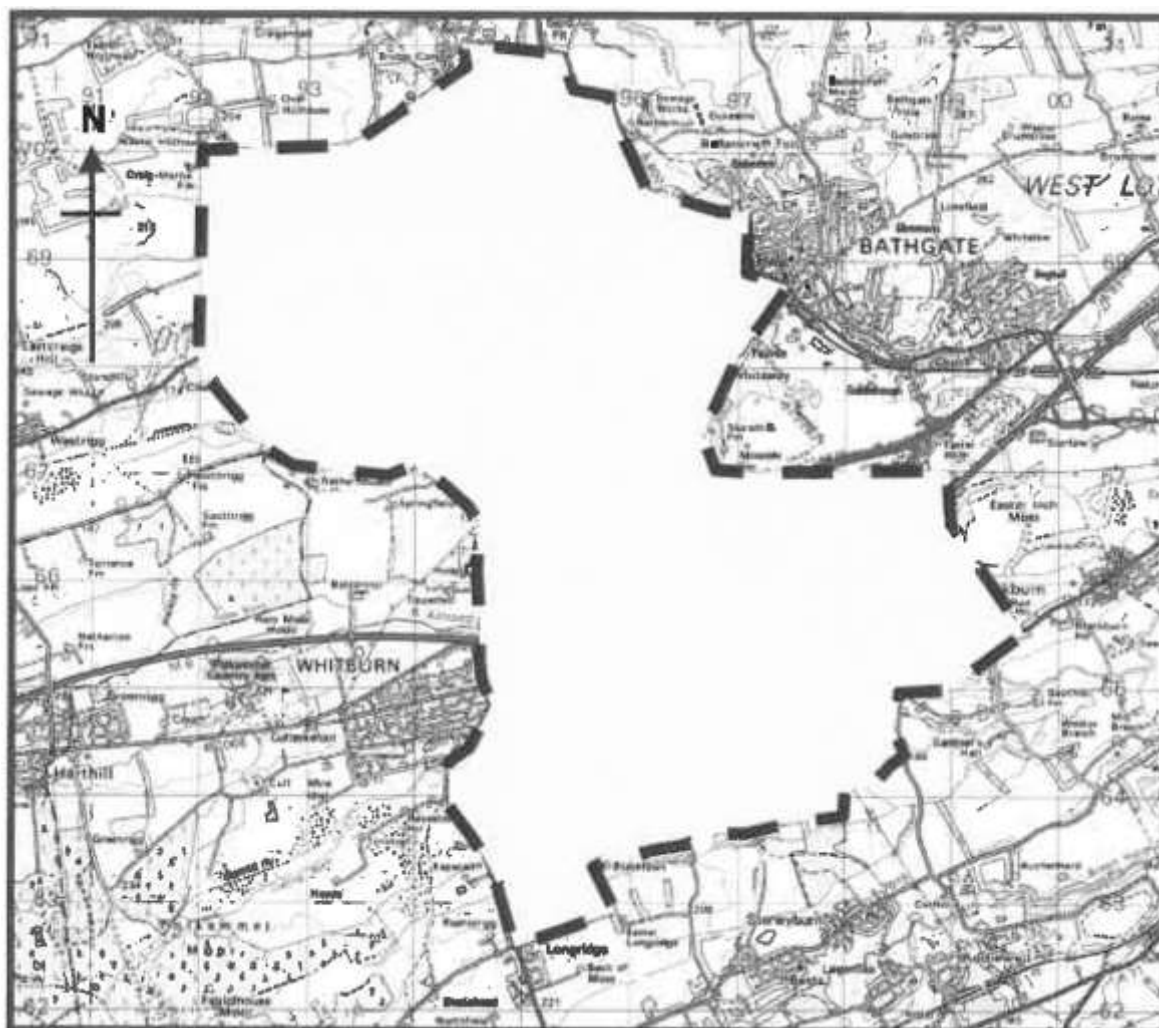


Table 6: Developments within the Contribution Zone for Dualling of the A801

LDP Site Reference	Location/Site Address	No. of Units (estimate)/use class	Remaining capacity at 31 March 2018
Housing Allocations			
H-WH 4	Whitdale East Main Street, Whitburn	49	0
H-BB 1	Daisyhill Road, Blackburn	9	9
H-BB 2	Riddochill Road, Blackburn	15	15
H-BB 3	West Main Street (West) , Blackburn	6	6
H-BB 4	West Main Street (East) , Blackburn	6	6
H-BB 5	16 Bathgate Road, Blackburn	5	5
H-BB 6	11 East Main Street (former garage), Blackburn	7	7
H-BB 7	Redhouse West, Blackburn	100	45
H-BB 8	East Main Street (former adult training centre) , Blackburn	12	12
H-BB 9	Ash Grove, Site A, Blackburn	5	5

H-BB 10	Ash Grove, Site B, Blackburn	5	5
H-BA 6	Easton Road	298	298
H-BA 7	Little Boghead site 2	20	20
H-BA 21	13-15 Glasgow Road, Meadowpark	22	22
H-BA 29	Glasgow Road	53	45
H-BA 27	Whitburn Road	100	100
H-BA 14	Windyknowe, Glasgow Road (east), Bathgate	14	0
H-BA 15	Windyknowe, Glasgow Road (west), Bathgate	46	46
H-BA 18	9 Hardhill Road (former Creamery garage) , Bathgate	14	14
H-AM 1	Muirfield, North Street, Armadale	10	10
H-AM 3	Nelson Park/Mallace Avenue, Armadale	26	26
H-AM 4	High Academy Street (former nursery), Armadale	6	6
H-AM 5	Colinshiel (Site A) , Armadale	135	135
H-AM 6	Colinshiel (Site B) , Armadale	135	135
H-AM 7	Tarrareoch (Southdale Meadows), Armadale	85	0
H-AM 8	Tarrareoch Remainder, Armadale	131	131
H-AM 9	Netherhouse Phase 1, R1A East (Ferrier Path), Armadale	13	0
H-AM 10	Netherhouse Phase 1, R1B West (Hanlin Park), Armadale	26	0
H-AM 11	Netherhouse, Remainder, Armadale	85	0
H-AM 12	Standhill (North), Armadale	300	300
H-AM 13	Standhill (South), Armadale	110	110
H-AM 14	Trees Farm, Armadale	254	254
H-AM 15	Lower Bathville, Armadale	400	400
H-AM 16	Mayfield Drive, Armadale	22	22
H-AM 17	Drove Road, Armadale	26	26
H-AM 18	Stonerigg Farm, Armadale	11	11
H-AM 19	Tarrareoch Farm, Armadale	320	320
25/17	Torbane Drive, East Whitburn	12	12
25/16	1 Bathgate Road, East Whitburn	5	5
1/43	7 North Street, Armadale	19	19
1/40	Bathville Cross phase 4	3	3
	Bathville Cross phase 5	9	9
Employment Allocations			
E-BB 1	Riddochill, Inchmuir Road 1, Bathgate	Use classes 4, 5 & 6	
E-BB 3	Pottishaw Place, Bathgate	Use classes 4, 5 & 6	
E-BB4	Inchmuir Road, Bathgate	Sui generis	
E-BB 5 a-d	Pottishaw, Bathgate	Use classes 4, 5 & 6	
E-BB 6	West Main Street, Blackburn	Use class 4	
E-EW 1	Whitrigg (north east), East Whitburn	Use class 6	
E-EW 2	Whitrigg (south west), East Whitburn	Use classes 4, 5 & 6	

Source: West Lothian Local Development Plan, September 2018 & Housing Land Audit 2018

5.28 Contributions will not be sought where there is an extant planning permission provided the developer does not exceed the capacity specified in the terms of the planning permission. The contribution would only be sought from the following types of development within the catchment area:

- residential;
- business (Use Class 4);
- industrial (Use Class 5); and
- storage and distribution (Use Class 6)

5.29 From the Transport Assessment (TA) for the mixed-use development at south Armadale by EWP Investments, the amount of trips on the A801 between the Pottishaw roundabout and the M8 was identified. The amount of trips accessing the A801 equates to 70% of development flows.

5.30 The LDP housing and employment land allocations have predicted two way peak flow for the combined AM and PM period of 1831 trips for Armadale and 112 trips from Bathgate. The total housing element will generate a total of 1943 trips.

Table 7 – LDP Housing Allocations to Armadale

Site Reference	Site Name	Number of Units	Trips
H-AM 7 to 11 H-AM 14 H-AM19	Tarrareoch (Southdale Meadows) Tarrareoch (Remainder) Netherhouse Phase 1, R1A East (Ferrier Path) Netherhouse Phase 1, R1B West (Hanlin Park) Netherhouse (remainder) Trees Farm Tarrareoch Farm	1320	962
H-AM 5 & 6	Colinshiel (Site A & Site B)	270	196
H-AM 12 & 13	Standhill (North) & Standhill (South)	410	257
H-AM 15	Lower Bathville	400	416

5.31 For Bathgate the two sites are H-BA 7 & H-BA 27 with a total of 112 trips peak combined AM & PM flows.

5.32 The LDP industrial element comprising 26,800sqm business park and 21,900sqm industrial estate has been dropped by the reporter following Examination of the LDP proposed plan and replaced with housing allocation H-AM 19. There is still 1000sqm office allocation identified which would generate 38 trips. Area E-LW2 generates 107 trips and J4M8 sites E-NN 5a-d generates 300 industrial trips and 387 office trips. The total employment trip generation equates to 832 trips.

5.33 The total number of peak combined AM & PM new trips are 2775 trips.

5.34 Dividing the scheme cost of the A801 Dualling by the predicted trip increase, provides a cost per trip for the total development cost. This works out at £2,137 **per trip** on the A801. The developer contribution rates are set out in Table 8.

Table 8: Developer Contributions for A801 Upgrade to Dual from M8 to Boghead Roundabout

Component of Scheme	Cost
Cost estimate for road upgrade	£4,005,750
Land Purchase (assumed 1ha)	£36,728
Design Time	£148,636
Topographical surveys	£5,945
Ground Investigations	£22,295
Wildlife, habitat and ecological survey	£5,202
SUDS drainage design	£89,182
Assume Public Utility costs of	£1,102,882
Sub Total	£5,416,621
Contingencies 10%	£ 541,662
Total Cost	£5,958,283

5.35 The council will consider whether developer contributions will be required for the dualling of the A801 through appraisal of Transport Statements (TS) or Transport Assessments (TA) submitted in support of planning applications. Small scale developments which do not require a TS or TA will be exempt from contributing to the scheme. In circumstances where the council is satisfied that a contribution to the scheme is appropriate, the council will have regard to *Circular 1/2010 "Planning Agreements"* and will only seek contributions which are reasonable and relate to the scale and kind of development proposal. Contributions will be secured through a Section 75 (or Section 69) agreement. The agreement will need to be concluded before planning permission can be granted. It is likely that developers will need to contribute to the cost of preparing legal agreements if delays are to be avoided. The council will have regard to the following principles in considering development proposals:

- (i) Where an applicant owns the land required to implement part of the dualling proposal, the council will require the land to be transferred to the council. This will form part of the applicants contribution to the scheme. If the council needs to acquire land through compulsory purchase to implement all or part of the scheme, the cost of doing so will be met through developer contributions.
- (ii) The council may accumulate contributions in a dedicated fund until it is in a position to undertake construction. Agreements will make provision for returning funds after an agreed period of time if not used. Beyond capacity, developments may be delayed until sufficient funds have been accumulated to implement part or all of the dualling scheme. The need for suspensive conditions will be assessed on a case by case basis.
- (iii) Where agreement cannot be reached on the impact of a proposed development and the amount of contributions, planning permission will be refused.

Blackridge Railway Station

5.36 A new rail station at Blackridge has been forward funded by the council in parallel with the £312 million Airdrie to Bathgate rail project. The council has underwritten approximately £2m of the construction costs of the new station and intends to recover this amount through developer contributions. The total cost of providing the station, access road and park and ride facility was £1,980,000

5.37 The station addresses the cumulative transport impacts of new development on Blackridge and its environs, providing better transport links and stimulating other social, economic and environmental benefits.

5.38 Developer contributions will be required from all new residential developments in Blackridge and within the vicinity of Blackridge and will be used to reimburse the council for all legitimate expenditure associated with the new railway station and improvements to existing or new public spaces or circulation routes where these integrate the station or facilitate movement between new developments. The contribution zone is set out in the map below.

5.39 The only exemptions will be small developments comprising four or less units, unless they are clearly part of a phased development of a larger site. In such cases the council will seek to agree appropriate sums with the applicant.

5.40 Where outline consent has already been granted, without any requirement to contribute to the new railway station, a reserved matters application pursuant to that outline will not in normal circumstances be expected to provide a new contribution. However, any new outline or detailed application will be expected to comply with the terms of this SG. Contribution rates are set out in Table 9.

Table 9: Developer Contributions Towards Blackridge Railway Station

EXPENDITURE		
ACCESS ROAD AND BRIDGE	RAIL STATION	
access road and bridge £850,000	WLC cash contribution	£536,000
	Car park costs	£744,000
	Transport Scotland credit	- £150,000
	Total	£1,130,000
Total costs to be recovered from developers £1,980,000		

Methodology for calculating contributions

5.41 The developers of LDP sites H-BL4, H-BL5 and H-BL6 will be required to make a pro-rata contribution (X) towards the costs associated with the delivery of the new railway station based on the notional site capacity of 250 residential units.

5.42 The developers of the land immediately east of local plan site H-BL4 shall contribute 100% of the costs associated with the construction of the access road serving the station park

and ride facilities (£850,000) plus a pro-rata contribution (X) towards the costs associated with the delivery of the new railway station.

(X) is calculated by subtracting the cost of the access road serving the station park and ride facilities (£850,000) from the total costs to be recovered (£1,980,000) and dividing the resultant sum of £1,130,00 by 480.

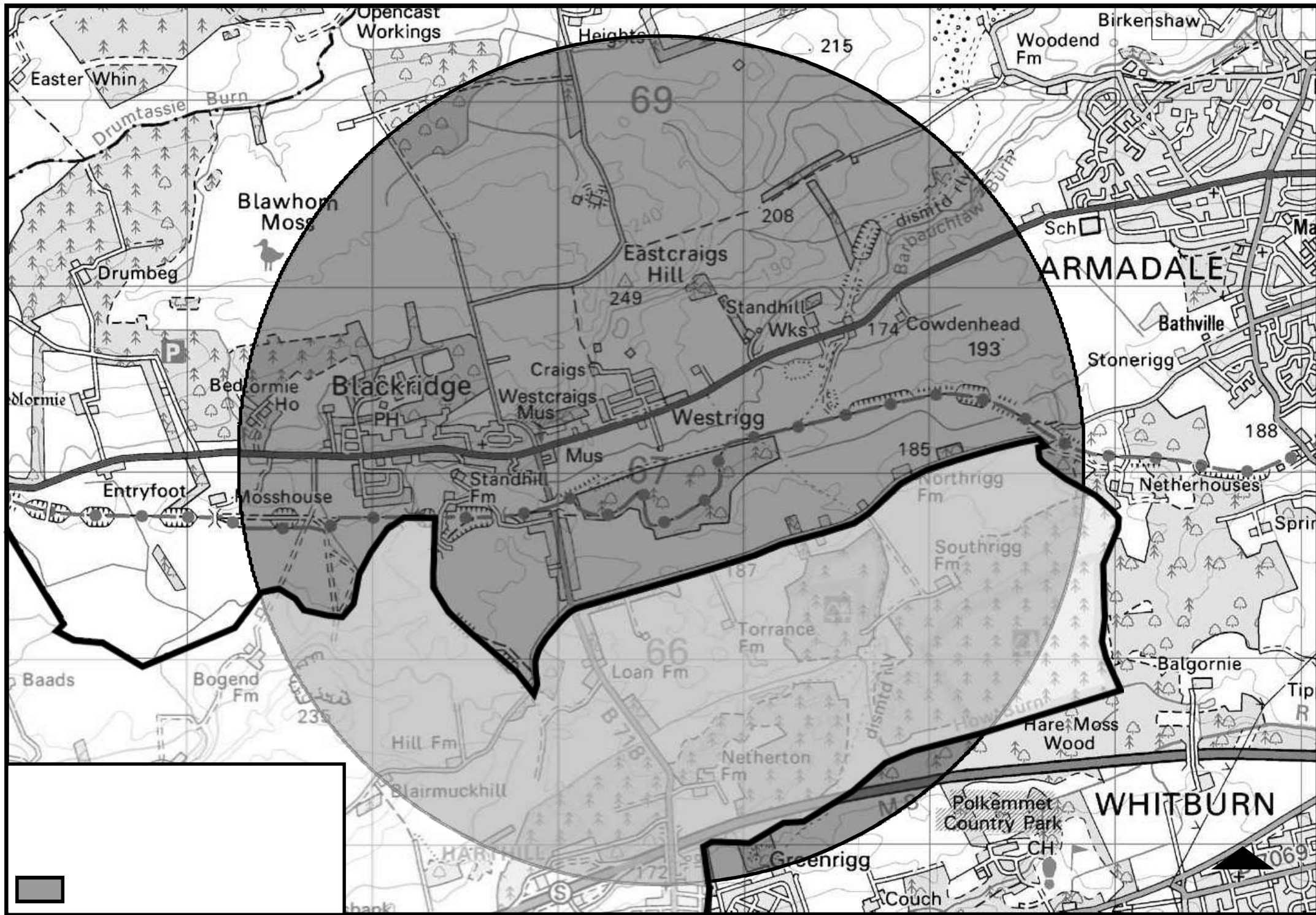
The figure of 480 is obtained as follows:

Site Ref	Site Name	No. of Units
H-BL4	Craiginn Terrace	210
H-BL5	Woodhill Road	30
H-BL6	South of Craiginn Terrace (part of H-BL4)	10
n/a	Notional windfall element	230
Total		480

(X) is therefore $\text{£}1,130,000 \div 480 = \text{£}2,354$

5.43 These specific contributions should be considered as being additional to any other contribution required in relation to the development to cover improvements to the road network or traffic management. These could include provision for pedestrian and cycle facilities, infrastructure creating accessibility improvements to public transport or other road based improvements required as a direct result of the development. Where a Transport Assessment has been prepared, this should provide a basis for addressing the transport impacts in a holistic manner, and set out the basis of the relationship between railway station contributions and any other transport contributions.

5.44 Depending on the particular circumstances of a proposed residential development, the council may, on application, agree for payments to be made at a later stage in the development process than would otherwise be considered appropriate, for example once houses have been sold, albeit subject to indexation as described above. The council also recognises that changes in the economy can have an adverse effect on land values, house completion rates and house sales. As such, the council is prepared to consider more flexible terms for the payment of developer contributions towards the provision of the new station



Armadale Station Park & Ride

5.45 Network Rail, as part of the Airdrie to Bathgate rail project, has constructed a rail station at Armadale. The station includes a park and ride (P&R) facility, on the north side of the railway line, to serve the existing population of Armadale. This provides a car park of approximately 200 spaces. The LDP proposes new housing allocations in Armadale. A key component of the new allocations is the allocation of land for 2000 houses. The LDP requires developers in Armadale to contribute to additional park and ride facilities on the south side of the proposed railway line. This includes:

- land to be transferred to the council at nil cost for 150 car parking spaces will be safeguarded in the CDA masterplan, by the developers of the Trees farm area, adjacent to the southern side of the railway station; and
- financial contributions from developers to fund the construction of 120 spaces within this area.

5.46 The remaining land for 30 spaces requires to be safeguarded for longer term expansion until 2020, at which time the need for safeguarding will be reviewed.

5.47 The previous Supplementary Planning Guidance for developer contributions towards the park and ride facility indicated that 30 spaces were to be provided to support the employment proposals set out in the LDP, with 90 spaces to be provided to support proposed residential development. The LDP Proposed Plan Report of Examination removed the employment land allocation at south Armadale in favour of housing development whilst still requiring park and ride facilities. To accommodate the park and ride facility it is proposed that housing developers in the Armadale CDA provide financial contributions to fund the construction of 120 spaces within the park and ride area in addition to provision of land for the park and ride facility. The developer contributions will ensure that the southern park and ride facility will meet the needs of the new population arising from the development of the Armadale CDA.

5.48 Developers of land within 800 metres walking distance of the station will be exempt from financial contributions. Although the park and ride facilities will be adjacent to the station, residents within the 800 metre walking distance are presumed to walk to the station and not the park and ride facility, therefore the station is the best point from which to measure the 800 metres. A map illustrating the 800 metre walking distance is below. Contributing sites are set out in Table 10.

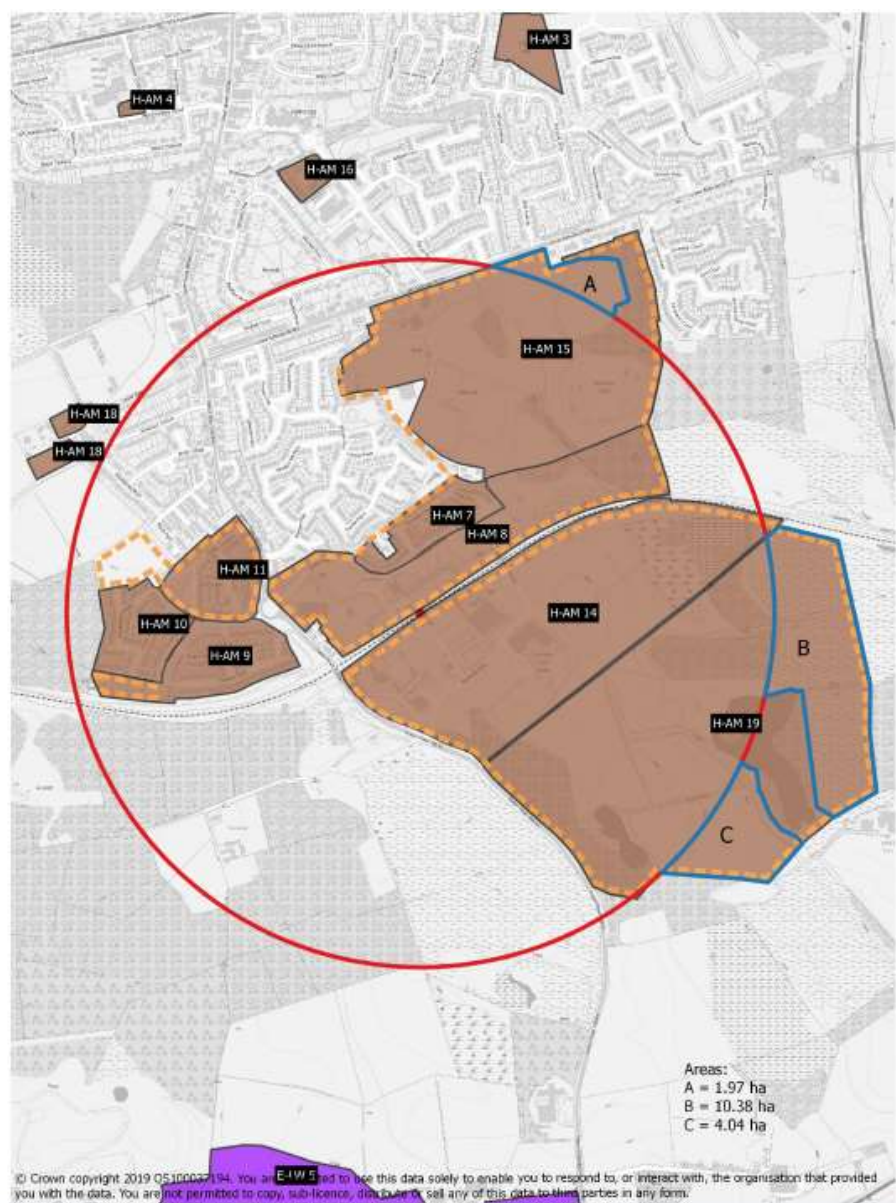


Table 10: Proposed Development Sites outwith 800 metre walking distance from Armadale Railway Station

Site Reference	Site Address	No. of units	Planning Status	Section 75 contribution
H-AM 1	Muirfield (North Street)	10	No consent	
H-AM 4	High Academy Street	6	No consent	
H-AM 5	Colinshiel(Site A)	135	No consent	-
H-AM 6	Colinshiel(Site B)	135	No consent	-
H-AM 12	Standhill (North)	300	Minded to grant	£136,800
H-AM 13	Standhill (South)	100	Approved	£45,600
H-AM 16	Mayfield Drive	22	Approved	£8,800
H-AM 17	Drove Road	26	No consent	-
H-AM 19	Tarrareoch Farm	100*	Approved	£106,000

*LDP allocation is 320 units, a proportion of which lie within 800 metre walking distance

5.49 At 31 March 2019 no developer contributions towards Armadale Railway Station had been received by the council. Table 11 sets out the how the contributions have been calculated.

Table 11: Developer Contribution Rates for Park and Ride Facility at Armadale Rail Station

Cost per parking space x number of spaces*	Total Cost
£4,560 x 120 spaces	£547,200
£4,560 x 30 spaces	£136 800
	£684,000
Deduction from consented sites	£288,400

*indexed to fourth quarter 2017

5.50 Network Rail has delivered a railway station at Blackridge. This facility has been forward funded by the council. The council may wish to utilise some of the funding from the Standhill North and Standhill South sites (H-AM12 and H-AM 13), in the north west of Armadale, towards the cost of providing park and ride facilities at Blackridge Station, rather than at Armadale Station. The reason for having this option is that if it becomes clear that some of the Standhill residents are more likely to use Blackridge Station then it would be appropriate to use some of the contributions for an extension of the park and ride facility at Blackridge. The funding methodology for Blackridge Station and its associated works, including a park and ride facility is set out elsewhere in this SG.

M9 Junction 3 and Linlithgow

5.51 The LDP identifies a requirement for safeguarding of western slip roads at Junction 3 on the M9 at Linlithgow and a new four way junction at Duntarvie near Winchburgh.

5.52 The new 4 way junction at Duntarvie near Winchburgh has been provided at developer expense as part of the Winchburgh Core Development Area (CDA) development.

5.53 In relation to the western slip roads at Junction 3 on the M9 at Linlithgow, the LDP identifies development sites which will be required to contribute towards the provision of the slip roads.

5.54 In addition to the provision of the western slip roads at Junction 3, there is also a need to address transport management measures which are required in Linlithgow town centre, specifically at the High Street/Blackness Road/High Port junction and the St Ninian's Road/High Street junction.

5.55 To inform this SG and developer contribution rates for Linlithgow transport infrastructure traffic modelling which was carried out to inform the LDP has been further refined and now looks at both the AM and PM periods. The modelling report is attached as Appendix 1. Traffic levels through the town are below saturation levels however additional factors regarding inappropriate parking, loading and unloading to businesses and buses stopping creating tailbacks are not helping vehicle movement.

5.56 Anticipated development sites in Linlithgow are set out in Tables 12 and 13. Sites identified in Table 12 which await development will be required to contribute towards junction improvements in Linlithgow as well as Junction 3 of the M9. Where windfall sites come forward these will also require to contribute.

Table 12: Proposed Housing Sites in Linlithgow

LDP Site Reference	Location	Site Size (Ha)	Capacity (Units)
H-LL 1	81-87 High Street	0.3	41
H-LL 2	Westerlea Court, Friarsbrae	0.3	12
H-LL 3	Boghall East	3.2	50
H-LL 4	Land east of Manse Road	1.2	25
H-LL 5	Falkirk Road (land at BSW Timber)	0.7	18
H-LL 7	Clarendon House, 30 Manse Road	2.6	8
H-LL 11	Wilcoxholm Farm/Pilgrims Hill	20.0	200
H-LL 12	Preston Farm	6.0	60
H-LL 13	Kettlestoun Mains	14.3	210

5.57 A congested network results from the impact of the potential development for housing shown in Table 12 through Linlithgow town centre. This was confirmed by the transport modelling which showed that the impact of development traffic on the Base network will be substantial, with higher average delays on the network as a whole. Some individual routes through Linlithgow are severely affected, in particular St Ninian's Road southbound and all routes using the Blackness Road / High Street / High Port junction.

5.58 The proposed network mitigation on its own does not allow the level of delay in the network to return to the same level as in the Base. The network mitigation does, however, allow the queues on St Ninian's Road southbound to dramatically improve. However, this tends to have a knock-on impact to delays on High Street and Preston Road. The roundabout at the junction of High Street/Mains Road becomes a pinch-point (especially as capacity is further constrained by the signalised pedestrian crossing to the east). Further improving the capacity of this area may prove difficult given the competing traffic flows in peak hour traffic and the offset nature of the junctions.

5.59 The proposed western facing slips at J3 of M9 Motorway has the effect of removing a substantial amount of traffic from Linlithgow High Street, therefore the scenarios including west facing slips show improvements in network performance over the Do Nothing scenario.

5.60 The result of opening the western facing slips is to relieve Linlithgow town centre of through traffic to/from the east side of Linlithgow wishing to head towards Falkirk, Stirling and beyond. Traffic generation from the other developments to the west side of Linlithgow are now able to use this spare capacity such that there is no overall traffic change prior to carrying out the improvements.

5.61 Although the employment sites set out in Table 13 are also likely to generate trips impacting on the transport network, based on past take up of employment sites in Linlithgow it is considered unlikely that contributions would be forthcoming. Employment land allocations at Mill Road (sites E-LI 1 and E-LI 2) are largely built out; site E-LI 3 remains largely undeveloped. Should such sites come forward for development a contribution rate would be levied based upon trips generated.

Table 13: Proposed Employment Sites in Linlithgow

LDP Site Ref	Location	Site (Ha)	Size (X100m2)
E-LI 1	Mill Road Industrial Estate, Linlithgow Bridge (plot a)	0.6	18

E-LI 2	Mill Road Industrial Estate, Linlithgow Bridge (plot b)	1.31	39
E-LI 3	Land at Burghmuir, north of Blackness Road	9.6	288

5.62 To meet the requirements of Circular 1/2010 it has been demonstrated that all the proposed developments in Table 12 shall contribute on a per unit basis. The cost estimate of the western facing slips at Junction 3 of the M9 is £8,500,000 at second quarter 2019 prices. The junction improvements within Linlithgow town centre are estimated at £473,000. The total cost of transport improvements in the town is £8,973,000. From the housing sites set out in Table 12 which are not yet under construction, the total number of units is 563. The resultant contribution rate is **£15,938** per house/flat. Any windfall sites will also be required to contribute. The calculation is set out in Table 14.

Table 14: Developer Contribution Rate for Transport Improvements in/around Linlithgow

LDP Site Reference	Location	Capacity (Units)
H-LL 3	Boghall East	50
H-LL 4	Land east of Manse Road	25
H-LL 5	Falkirk Road (land at BSW Timber)	18
H-LL 11	Wilcoxholm Farm/Pilgrims Hill	200
H-LL 12	Preston Farm	60
H-LL 13	Kettlestoun Mains	210
Total Number of Units		563
Total Cost of transport improvements £8,973,000/563 = £15,938		

6.0 Travel Plans and Residential Travel Information Packs

6.1 Policy TRAN 2 of the LDP requires developers to provide travel plans and an associated monitoring framework to support major new developments such as the previously identified Core Development Areas, strategic housing allocations and inward investment proposals. This is required in order to support and promote sustainable travel and is consistent with *Scottish Planning Policy 17 Planning for Transport*.

6.2 The contributions are to be secured through a Section 75 (or Section 69) agreement. The agreement will need to be concluded before planning permission can be granted. It is likely that developers will need to contribute to the cost of preparing legal agreements if delays are to be avoided.

6.3 The LDP includes proposals for some 25,000 houses and 638 hectares of employment land. Unrestrained, this scale of development will have significant effects of adding to congestion on the local transport network and have an adverse effect on the environment and health. Travel planning can help to mitigate the adverse effects of less sustainable travel through the promotion of better use of the most sustainable modes of transport. Any reduction in travel, or improvement in the mode of travel, benefits the West Lothian transport network and the environment. Travel planning can play a part in increasing the efficiency of the local transport network. Residential developments will be required to produce a *Sustainable Travel Information Pack* (IP) to be provided in each new home. The contents of the pack will be site specific and should be integrated with wider information on local amenities and services. The

pack is to be produced by the developer and requires council approval as part of planning consent.

6.4 Employment developments will be required to submit a *Staff Travel Plan* (TP) as part of a transport assessment (or transport statement) in support of their planning application. Exemptions will be made for small developments, which do not require a transport assessment or transport statement. Developers should contact the council at the pre application stage to seek guidance on the contents of the travel plan and the requirements for a transport assessment or transport statement.

6.5 The types of development requiring a travel plan or travel information pack are set out in Table 15.

Table 15: Class Use, Information Types and Contribution Levels

DEVELOPMENT TYPE	Travel Plan	Travel Pack	Information
Residential <10 dwellings IP No	√		n/a
Residential 10 or more dwellings IP and TP £20 per dwelling	√		√
Business (Use Class 4) TP £30 per 100m2 GFA or £700 per hectare of site area (the lower of the GFA and site area calculated sum)	√		
Industrial (Use Class 5) TP £30 per 100m2 GFA or £700 per hectare of site area (the lower of the GFA and site area calculated sum)	√		
Storage and distribution (Use Class 6) - £30 per 100m2 GFA or £700 per hectare of site area (the lower of the GFA and site area calculated sum)	√		

6.6 The contribution required by employment developments will be the lower of the two methods of calculation. The council will monitor the level of contribution and revise if appropriate.

6.7 The travel information pack and Travel Plan should include information on the location of local services and amenities and provide information of the options for travel to and from the development and should emphasise the need to travel by the most sustainable practical mode.

6.8 Priority should be given to the modes in the following sustainable travel hierarchy:

- (i) Fuel free modes: walking and cycling
- (ii) Fuel efficient modes: public transport
- (iii) Efficient use: car sharing
- (iv) Most polluting: single occupancy car

6.9 For residential developments, planning permission will be conditional on the submission of an acceptable travel information pack. Developers will be required to regularly monitor and revise travel information packs and travel plans.

7.0 GOVERNANCE

7.1 The council recognises that funds received through the planning obligations process need to be clearly linked to the provision of specific pieces of infrastructure. To provide this clarity the council has set up a financial tracker to monitor the source of funds, the purpose for which they are gathered, and how they are spent; and in which transportation, education, greenspace, public art and employment land contributions will be kept and ring fenced for the delivery of infrastructure in related geographical areas.

7.2 The costs identified within the SG will be subject to review on an annual basis, through the LDP Action Programme. These costs will be index linked against the Building Cost Information Service (BCIS) or similar comparable industry standards and subject to independent verification where necessary.

7.3 In some instances, planning contributions will be in the form of infrastructure provided directly by a developer e.g. junction improvements to accommodate access to development sites or transport infrastructure required as part of the core development areas. Direct provision will be factored into the overall contributions that a site will make and where appropriate, this may be offset against total costs of the infrastructure project. Where direct provision of infrastructure is required, bonds or other legal security will also be agreed to safeguard the council from risk.

7.4 In most instances a developer will not be required to provide a piece of strategic infrastructure directly but will contribute in line with Figure 1 of this SG. There may be instances where infrastructure is required in advance of all developer contributions having been received by the council. Where this is the case alternative funding options may be investigated – these include City Deal and input through the council's capital programme. In these situations, contributions will continue to be sought from developers to meet the full cost of the infrastructure which has been provided. This approach is consistent with paragraphs 17 – 17 of Circular 3/2012.

7.5 Developer contributions will be calculated on the basis of whole sites identified in the Local Development Plan. Applications for parts of allocated sites will pay a proportion of the total site contributions. This SG will not be applied retrospectively to sites which have full planning permission or planning permission in principle, provided that the permission remains capable of being implemented. New planning applications, for similar developments on these sites (including applications for renewal of planning permissions), will be subject to the provisions of this guidance and to LDP policies.

7.6 Over the lifetime of the LDP developers/landowners are likely to seek planning permission for sites not allocated in the LDP - such sites are known as windfall sites. The impact of these sites will not have been considered in any capacity assessments which determine the need for improved or additional infrastructure. Non-exempt windfall sites will be required to provide developer contributions towards transport infrastructure as set out in this SG.

Unilateral Undertakings

7.7 Section 76 (1) (b) of the Town and Country Planning Act (Scotland) 2006, as amended, allows developers to enter into unilateral agreements to make an appropriate contribution in relation to the impact of their proposals. Where a unilateral undertaking is in place, unless it makes provision for all the infrastructure impacts of the proposed development, the need for

any additional contributions to meet the requirements set out in this guidance will be secured through a planning obligation.

Viability

7.8 Developers may consider that the economics of the development and requirements for planning obligations will be greater than a development is able to bear and look to alter the levels of developer contributions required. Any assessment in this respect must be supported by a development appraisal which the council, through the District Valuer, or another independent chartered valuation surveyor agreed by the council, will verify. This appraisal requires to be funded by the developer/applicant. The council will also require documentary evidence necessitating “open-book accounting” to show the viability of a proposal will be curtailed by the requirement for planning obligations. If a development appraisal shows that a site is not viable the council may elect to review developer obligations and consider a degree of ‘prioritisation’. However, in the event of a development being assessed as unviable the council will consider all the options which will include refusal of the application due to its inability to fund the required levels of infrastructure.

Repayment of Contributions

7.9 In some instances the need or level of a contribution may change over time. This may be for a number of reasons including the cost of the infrastructure changing, the level of contributing development altering or the infrastructure, for which the obligations were originally gathered, no longer being required. In these instances the council may recalculate the level of obligations and apply or refund any difference to the per house contribution. It will also be the responsibility of the council to use the obligations for their intended purpose and within the timescale set by any related legal agreements. If the council does not use the contributions within the specified timescales then the obligations will be returned to those who made the contribution.

7.10 The approach ensures that this SG requires proposed development to make an equitable and reasonable contribution to strategic transport improvements with costs apportioned relative to the location of development and probable additional impact on strategic infrastructure. Local measures will be identified in site specific Transport Assessments prepared by site promoters.

7.11 Proposed sustainable transport measures to promote the use of public transport, including improved walking and cycling routes to railway stations, will be expected to be included with planning applications and their supporting Transport Assessments. These measures will be directly funded by developers.

Audit and Review Procedures

7.12 This SG will be reviewed and updated periodically to ensure that the level of contribution being required of developers remains relevant and takes account of changing circumstances. This will include updating contributions to take account of the BCIS All-in Tender Price Index.

7.13 The council, upon recouping all costs associated with the construction of the new station, will no longer apply this SG in relation to future development proposals.