



MINUTES OF THE MEETING OF EAST LoTHIAN COUNCIL

**TUESDAY 17 NOVEMBER 2015
VENUE 1, BRUNTON HALL, MUSSELBURGH**

Committee Members Present:

Provost L Broun-Lindsay (Convener)	Councillor N Hampshire
Councillor S Akhtar	Councillor W Innes
Councillor D Berry	Councillor M Libberton
Councillor S Brown*	Councillor P MacKenzie*
Councillor J Caldwell	Councillor McAllister*
Councillor S Currie*	Councillor K McLeod*
Councillor T Day	Councillor J McMillan
Councillor A Forrest	Councillor J McNeil
Councillor J Gillies	Councillor M Veitch
Councillor J Goodfellow	Councillor J Williamson*
Councillor D Grant	

* These Councillors left the meeting prior to the commencement of Item 1.

Council Officials Present:

Mrs A Leitch, Chief Executive
Mr A McCrorie, Depute Chief Executive (Resources and People Services)
Ms M Patterson, Depute Chief Executive (Partnerships and Community Services)
Mr D Small, Director of East Lothian Health & Social Care Partnership
Mr J Lamond, Head of Council Resources
Mr R Montgomery, Head of Infrastructure
Mr D Proudfoot, Head of Development
Mr T Shearer, Head of Communities and Partnerships
Ms P Bristow, Communications Officer
Ms M Ferguson, Service Manager – Legal and Procurement
Mr P Forsyth, Team Manager – Assets and Regulatory (Transportation)
Mr I McFarlane, Service Manager - Planning
Ms E McLean, Service Manager – Strategic Asset and Capital Plan Management
Mr D Oliver, Service Manager – Environmental Health
Ms E Shaw, Corporate Finance Manager
Ms J Squires, Planner (Policy & Projects)
Mr A Stubbs, Service Manager – Roads
Mr A Stewart, Principal Planner (Policy & Projects)
Ms E Wilson, Service Manager – Economic Development and Strategic Investment
Mr P Zochowski, Principal Planner (Policy & Projects)

Visitors Present:

None

Clerk:

Mrs L Gillingwater

Apologies:

Councillor P McLennan

Councillor T Trotter

Prior to commencement of business, a minute's silence was held to mark the recent terrorist attacks in Paris.

The Provost opened the meeting by making a number of announcements in relation to health and safety, advice for the press and public in attendance, the use of electronic and audio/visual devices and the timings for the meeting.

The Provost then called for any declarations of interest.

Declaration of Interest: Councillor Currie declared an interest in respect of the Musselburgh cluster, in particular the proposed development of the site at Goshen Farm. He advised that he was opposed to the development of this site and, having taken advice from both the Council's Service Manager for Legal and Procurement and the Commissioner for Ethical Standards, he confirmed he would leave the room for the duration of the debate on this cluster.

In accordance with Standing Order 11 (Procedural Motions), Councillor Currie moved that Item 1 – East Lothian Local Development Plan: Draft Proposed Plan – be continued to a future meeting. He stated that over the past six months the SNP Group had requested that their proposed development strategy should be presented to Council, and that this request had been denied. He argued that it was unacceptable for Councillors to make such a crucial decision without having access to all the information.

Councillor MacKenzie seconded the procedural motion to continue Item 1 to a future meeting.

The Provost called on Iain McFarlane, Service Manager – Planning, to address the points raised by Councillor Currie.

Mr McFarlane advised that it had taken over two years to bring the Local Development Plan to this stage, and that it had involved a significant amount of technical work, research and consultation. He referred to the need to establish the view of the Council as regards the strategy, and stated that it was not feasible to complete the technical work until the strategy and sites were approved; to engage officers in technical work on a range of options, strategies and sites would be very expensive and time-consuming. Mr McFarlane confirmed that full information as regards the draft Local Development Plan, the Main Issues Report, supporting documentation and the transport assessment had been communicated to all Councillors in good time, and that to delay the process now would have significant implications for the Council, namely that the Council would not be able to demonstrate a five-year housing land supply and would be operating without a Local Development Plan. He recommended that Councillors should not continue this item to a future meeting, emphasising the importance of making a decision at this meeting in order for the necessary technical work to be carried out; this would allow for a definitive proposed Local Development Plan to be submitted to the Scottish Government.

The Provost moved to the vote on continuing Item 1 – East Lothian Local Development Plan: Draft Proposed Plan to a future meeting:

For: 6
Against: 14
Abstentions: 1

The procedural motion therefore fell.

Councillor Currie declared that the SNP Group could not continue with the process on the basis that they were being asked to make a decision without the full facts being made available to them.

Sederunt: Councillors Brown, Currie, MacKenzie, McAllister McLeod and Williamson left the meeting.

1. EAST LOTHIAN LOCAL DEVELOPMENT PLAN – DRAFT PROPOSED PLAN

(a) Presentation of Summary Report

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) seeking approval of the draft proposed Local Development Plan (LDP), to enable officers to finalise essential technical work on cumulative impacts and produce a Proposed Local Development Plan to submit for examination by Scottish Ministers.

Iain McFarlane, Service Manager – Planning, presented the report in detail, recommending that the Council should approve a compact growth strategy as the most appropriate strategy for the LDP and recommending approval of the sites identified in the draft proposed Plan. He outlined the Council's statutory and legal obligations, the national and strategic planning context for the LDP, and the LDP objectives. He advised Members of the remaining stages of the process.

Mr McFarlane advised that the SESplan Strategic Development Plan (SDP) set out targets for 10,050 homes to be built in East Lothian between 2009 and 2024, noting that these targets were based on the outcome of the Housing Needs and Demand Assessment (HNDA). He confirmed that sites previously allocated would contribute to the supply for the new period. He also advised that the Council was required to demonstrate a 5-year housing land supply, provided information on proposals for 76 hectares of employment land, and mentioned the requirements on the Council to meet climate change targets.

Referring to comments made by Councillor Currie prior to his departure from the meeting as regards the compact growth strategy, Councillor Hampshire remarked that there had been no objections from Councillors to the SESplan SDP, which had recommended a compact growth strategy. He asked why this strategy was the preferred option for East Lothian and whether the Council could have rejected the SESPlan proposal for this strategy. Mr McFarlane advised that the west of the county was well served by public transport links and had a strong housing market, as well as having greater water and drainage capacity. He noted that other factors, such as carbon emissions and reducing travel distances also had to be taken into account. He added that there were infrastructure issues that would need to be addressed, such as school and road capacity, and these would be considered as part of the further technical work to be carried out. He pointed out that the SDP did allow for greater dispersal of growth, and that this had been debated as part of the MIR. He indicated that some Councillors had indicated at that stage that they were not necessarily supportive of the preferred compact strategy; however, the technical work undertaken to date supported the

compact growth strategy and this had been evidenced in discussions with officers and Elected Members.

In response to additional questions by Councillor Hampshire, Mr McFarlane advised that the proposed Plan would require 25% of new housing units to be designated as affordable housing, which would amount to approximately 2500 affordable units being delivered across East Lothian. As regards the requirement to deliver infrastructure, Mr McFarlane reported that the extent of this would depend on the outcome of technical assessments on the cumulative impact of developments; however, he confirmed that all major developments would have to provide the required infrastructure.

Councillor Berry asked how the Council could ensure that infrastructure, such as rail and medical services, was delivered in parallel with housing developments. Mr McFarlane pointed out that a number of aspects of infrastructure were outwith the Council's control, but that as part of the LDP process the Council would work with other agencies to deliver this. As an example, he mentioned that work was scheduled for January as regards lengthening North Berwick railway station platform.

On roads, Councillor Berry was advised that a limited number of new roads had been built in East Lothian in the past 20 years, but that there had been significant investment in the existing road network. The approval of the sites in the draft proposed LDP would determine the amount of new investment required for roads.

Councillor Berry also questioned the strategy being proposed, remarking that it did not appear to be a compact strategy. Mr McFarlane advised that a compact strategy did not preclude development in other areas and that housing had to be provided in areas where there was a demand. He also provided an explanation as to why the sites at Blindwells and Letham Mains, included in the 2008 LDP, had not yet been delivered, but was confident that these sites would now come forward.

Councillor Berry asked how communities could retain their distinct identities. Mr McFarlane suggested that the character of an area was driven by the residents as well as buildings, adding that it was important to ensure that new developments linked with the existing community and that incoming residents used community facilities and town centres.

Councillor Innes asked if the LDP identified sites for fracking and opencast mining. Mr McFarlane stated that this was not the case, reminding Members that the Scottish Government had placed a moratorium on fracking. He advised that where there was an application to develop a site for fracking or opencast mining in the future, the Council would need to have a robust policy that would assess the application in relation to impacts and as to whether that activity was appropriate. He confirmed that there were no designated sites for fracking and opencast mining in the proposed Plan.

Referring to suggestions made by George Keravan MP as regards communities developing their own LDPs, Mr McFarlane pointed out that the Council was obliged to comply with national policy and the HNDA, and that he was not convinced that community-led LDPs would deliver what was required. He noted that for the current SDP period, the HNDA identified a 40% affordable housing need; for the next SDP period, it identified a 60% affordable housing need.

Councillor Akhtar asked if the Council had met the Scottish Government's requirements for community engagement during the LDP process. Mr McFarlane confirmed this to be the case, advising that the Council had consulted on the Main Issues Report (MIR) for 12 weeks, rather than the statutory minimum of 6 weeks. He also commented positively on the scale and quality of the responses received during the MIR consultation.

Councillor McMillan asked if sufficient information had been made available as regards the additional work to be carried out once the draft proposed Plan was approved. Mr McFarlane believed that sufficient information had been provided as regards work already carried out and what was still to be done in terms of assessing the cumulative impacts of approved sites.

Councillor Day opened the debate by highlighting the importance of the decision to be taken by the Council on the draft proposed Local Development Plan. He expressed concern at the scale of the development required in East Lothian and at the potential impact that this could have on communities. He also had concerns about the roads infrastructure and how improvements would be funded, as well as the capacity of the east coast main line. He believed that the Plan would result in a reduction to the quality of life of residents in East Lothian, and that the level of growth was not sustainable without the support of the Scottish Government and partner agencies. He stated that he would adopt a constructive approach to supporting the best possible deal as regards infrastructure and mitigating the impact on East Lothian.

Councillor Veitch voiced his disappointment that the SNP Group had sought to delay the progress of the LDP, especially as their views were contrary to that of the Scottish Government. He pointed out that during the MIR consultation, the majority of views expressed were supportive of a compact growth strategy. He welcomed the proposed strategy, remarking that a dispersed strategy would have resulted in the urbanisation of the countryside, which would have had a disastrous effect on the county. He accepted that it would not be easy to deliver the required housing, and shared Councillor Day's concerns as regards pressure on the road and rail infrastructure. He noted that he was satisfied with the LDP's framework on windfarm development and welcomed the safeguarding of the Torness site for future power generation.

Councillor Hampshire thanked all those who had taken part in the consultation on the LDP process. He pointed out that in accordance with national policies, the Council was required to develop a compact growth strategy that would concentrate the majority of development in the west of the county, and in the Strategic Development Area (SDA). He recognised that delivering the LDP would be challenging and acknowledged the concerns raised by communities during the MIR consultation. He emphasised the importance of ensuring that infrastructure was improved to meet demand and hoped that the planning system would be reviewed to allow a fairer and quicker delivery of that infrastructure.

Councillor Berry reiterated his view that what was being proposed was not a compact growth strategy, but he accepted that it would not be possible to adopt such a strategy when there was a requirement for 10,050 homes to be built. He called on the Council to be more demanding in its approach as regards the provision of the required infrastructure. He also suggested that settlement statements should be included in the Plan, in order to preserve the identity of communities, and he proposed that a development vision was needed.

Councillor McMillan drew attention to the opportunities provided in the Plan for economic development, commenting on high street regeneration, retail, the City Deal initiative, the opportunity to develop the former Cockenzie Power Station site, and the rollout of high-speed broadband.

Councillor Innes spoke in support of the concerns raised in relation to infrastructure and of the challenges in delivering the required housing. He commented that East Lothian was a desirable place to live and that this had led to an increased demand for housing. He accepted that the decisions to be taken would be difficult, but noted that there was no credible alternative.

The Provost then invited Mr McFarlane to present the proposals for each of the seven cluster areas.

(b) Musselburgh Cluster

Mr McFarlane reported that the Plan contained significant allocations for housing within the Musselburgh cluster, and provided a summary of those proposed allocations. He highlighted the challenges in providing infrastructure to support the proposed development, noting that there was still technical work to be done to address those challenges. As regards land for economic development, he advised that 65 hectares had been allocated in this cluster. In relation to education provision, Mr McFarlane indicated that there would be significant implications, particularly as regards secondary education, and proposed that the preferred site for a new secondary school in land use terms was within the MH9 (Goshen) site. He pointed out that the proposals would have an impact on the green belt, with the proposals for MH1, MH2 and MH3 requiring a redefinition of the green belt boundary. He confirmed that the proposals would allow for the separation of communities to be maintained.

There were no questions to officers as regards the Musselburgh cluster.

The Provost announced that there had been an amendment submitted by Councillors Hampshire and Innes in respect of the Musselburgh cluster (as outlined below), and invited Mr McFarlane to comment on that amendment.

Musselburgh Cluster Amendment, as submitted by Councillors Hampshire and Innes

- The removal of the Housing proposal MH9 for 1,000 units, Goshen.
- The removal of proposal (MH10) Goshen New Secondary School, noting specifically that whilst the 2nd item of business will consider the secondary school option and location, officials are instructed to undertake further work around developer contributions such that those developments that benefit from the new education facility are required to contribute to its cost.
- The removal of proposal MH11 at Drummohr, currently a housing land safeguard.
- Changing the proposal MH13 land from a safeguard to an allocation of land for housing development for 600 units.
- The inclusion of Howmire, a site west of Barbachlaw, as land suitable for housing development for 100 units.
- The allocation of the 55ha of land between the freight loop, the A1 and Millerhill Marshalling Yards (within MH1) as suitable for mixed use development. Officials are instructed to undertake necessary technical work to explore further the housing allocation at Craighall (MH1). This to be in line with a viable secondary education facility developed for the Musselburgh cluster taking account of pupil roll and developer contributions towards infrastructure requirements.
- The inclusion of Dolphinstone North as land suitable for housing development of up to 160 units.

Mr McFarlane responded to each of the points contained within the amendment as follows:

- The removal of the Housing proposal MH9 – he noted that site MH9 was a logical extension of Musselburgh, with good transport links and in close proximity to both Wallyford and the park and ride site. He advised that the site is largely free from technical issues, there had been no significant objections to development of this site from statutory consultees, that this site could deliver regeneration benefits, and that services and infrastructure could be delivered. He argued that the removal of this site from the Plan could have a significant impact on the Plan's allocation of the most appropriate housing sites in Musselburgh, regeneration benefits, and secondary school provision.
- The removal of proposal MH10 – he advised that in land use terms this site was the most appropriate potentially available site for a new secondary school, noting its good transport links and relation with primary school catchments. He indicated that further work was required as regards developer contributions and that the Scottish Government was carrying out a review on this.
- The removal of proposal MH11 – he reported that the Plan proposed this land as a housing safeguard, and that removal of this safeguard would undermine the direction of future development and would reduce future development options.
- The change to proposal MH13 – he expressed concern that allocation of this site would not result in an early delivery of housing and might result in delays to the full delivery of the existing Wallyford site. That is ready to commence, and an application for the first detailed housing development had been received. He noted that MH13 would be a logical expansion of Dophinstone in the future, hence it being safeguarded, and that the officer view was that this site should be safeguarded rather than allocated in order to secure that land for the future.
- Land at Howmire – he advised that this was a small site that had been considered and rejected during the site selection process for the MIR. He informed Members that Historic Scotland had concerns that development of the site raises issues of national importance and may object to development on this site, with the potential for a Reporter to remove the site at examination.
- The allocation of 55ha of land within MH1 for mixed use development – he indicated that officers would need to undertake further work as regards housing on this site, noting that it had been considered by officers as inappropriate for housing. He advised that a new access to the site would be required, that overhead power lines crossed the site, that Network Rail had indicated that their intention to increase their use of the Millerhill Marshalling Yards and that it is close to the approved waste to energy plant at Millerhill. He proposed that land for economic development should be retained as there was potential for significant economic growth there, and advised that Queen Margaret University had a masterplan for business use covering that area. He advised that the amendment promotes a bad housing land allocation over a good employment land opportunity and would undermine the capacity of the Plan to deliver the best opportunities for both housing and economic growth.
- Land at Dolphinstone North – he reminded Members that on 3 November 2015, the Planning committee had granted planning permission in principle for housing development on this land (subject to a Section 75 Agreement), adding that it would be appropriate to include this site in the Plan.

Councillor Berry expressed concern as regards the proposed removal of the land for a new secondary school at Goshen (MH10). He also questioned the inclusion of Dolphinstone North, arguing that this proposal was contradictory to the principle of green belt land and would result in Wallyford being joined to Prestonpans. Councillor Hampshire stated his view that the Goshen site was not appropriate for development and that alternative sites for the school could be considered.

Councillor Hampshire then moved his amendment. He stated that the Council would not get Scottish Government support for the Plan unless it was in compliance with the SESplan

Strategic Development Plan, and that in order to achieve this, the Council had to support the compact strategy. Concerning the Musselburgh cluster, he reported that developing sites in the Wallyford area would allow people to benefit from good public transport links and the proximity of the A1, reduce the need for people to cross busy roads to access services, support the retention of a quality environment at the Goshen site, provide a new primary school in Wallyford, and improve community cohesion in the Wallyford area. He also believed that developing the Goshen site would remove the last piece of countryside between Musselburgh and Prestonpans, resulting in a loss of identity for both communities. He called on Members to support his amendment.

Councillor Innes seconded the amendment.

Councillor Caldwell opened the debate by expressing concern at the potential increase in congestion at a number of sites in the Wallyford area. He spoke in support of the proposed site at Howmire and against development at Goshen. As regards the proposed development at Whitecraig, he believed that this would benefit the village and improve facilities and public transport links.

Councillor McNeil made reference to previous concerns as regards development in the west of Musselburgh, and welcomed the proposed amendment. However, he warned that there would be increased pressure on health services and called for early discussions between the Council and NHS Lothian.

Speaking in support of the amendment, Councillor Forrest pointed out that there had been public opposition to developing the Goshen site for some five years. He noted that the proposals may have an impact on the Battle of Pinkie site.

Councillor McMillan commented on the opportunities for economic development land at Queen Margaret University.

The Provost advised that the vote on the amendment would take place at the end of the debate on Item 1.

(c) Prestonpans Cluster

Mr McFarlane drew attention to the key sites in this cluster, particularly EGT1, and referred Members to the guidance on this site, as set out in the Plan. He advised that National Planning Framework 3 (NPF3) had to be taken into account, but noted that with the Scottish Government's review of NPF3, the status of this site may change. He highlighted the importance of Council involvement in discussions about this site. Mr McFarlane informed Members of an error on the plan for this cluster at Longniddry, in that PS1 and PS2 had been incorrectly labelled. He clarified that there was a proposed allocation of 450 houses in PS1 with PS2 being safeguarded for future housing development.

In response to a number of questions from Councillor Berry, Andrew Stewart, Principal Planner, explained that NPF3 identified this site as a national development for thermal generation and that it needed to be safeguarded for that purpose, although there may be scope for other energy development on the site, and there may also be surplus land available. He reiterated that the primary focus for the site would be to safeguard NPF3, adding that depending on the outcome of the review of NPF3, supplementary guidance could be developed to reflect a change to the status of that land. The Plan set out what the Council was required to conform to, and provided some flexibility as to the future use of the site should there be a change of circumstances. Mr McFarlane stated that planning officers would not support housing development on site EGT1.

As regards the Battle of Prestonpans site, Mr McFarlane reminded Members of the planning permission in principle that had been granted for an electricity sub-station close to the site, but that had not yet been developed. He noted that there was an ongoing debate with Historic Scotland as to what were the key parts of the battlefield, and that there was a mechanism through supplementary guidance to manage the site and the scope of what could be developed there.

The Provost announced that there had been an amendment submitted by Councillors Innes and Akhtar in respect of the Prestonpans cluster (as outlined below), and invited Mr McFarlane to comment on that amendment.

Prestonpans Cluster Amendment, as submitted by Councillors Innes and Akhtar

With regard to the proposal for Longniddry, to allocate land for development and identify an area for safeguard, I note the plan and the text have the plan policy numbers reversed:

- Remove Prop PS2 Longniddry South Housing Land Safeguard, once corrected.

Mr McFarlane responded to the proposal contained within the amendment, advising that the amendment would correct the error as regards PS1 and PS2. He explained that by removing the safeguard at Longniddry there would be no safeguarded land for future development in that area. He recommended that safeguards should be used where appropriate, and that in this case the proposed safeguarded land could be integrated into the village and was also close to a rail halt.

Mr Stewart added that the SESplan SDP requested councils to consider where future developments could be located beyond the current LDP period. He emphasised that safeguards did not contribute to the housing land within the Plan period, that they were not a statutory requirement, but that they should be considered in principle. He informed Members that, through the MIR consultation, the land at Longniddry may be considered as competing with future development of the site at Blindwells, and that there was further technical work to be carried out in this regard.

Councillor Innes then moved his amendment. He argued that there had to be a reason to justify safeguarding a site, and that the fact that the site could accommodate 500 houses was not a compelling reason. He went on to say that there were significant strategic reasons to safeguard land at Blindwells, but that he could not support safeguarding the site at Longniddry on the basis that it would remove the choice of local people in the future.

Councillor Akhtar seconded the amendment.

Councillor Hampshire commented that the Council had supported safeguards in other areas, and that the safeguarding process did allow for developments to move forward more quickly; however, in this case, the scale of the potential development was a matter of concern, and he supported the removal of PS2 from the Plan.

Councillor Berry questioned the proposal to remove a safeguard that was close to a rail halt at a time when the Council was seeking to promote a green travel plan. He also observed that the Plan did not include anything about a village centre in Longniddry.

The Provost reminded Members that votes on the amendments would take place at the end of the debate on Item 1.

(d) Blindwells Cluster

Mr McFarlane reminded Members that the 2008 LDP had allocated land at Blindwells for 1,600 houses, as well as 10 ha of commercial and economic development land. He advised that this allocation would be continued into the Proposed LDP, with additional land safeguarded at BW2, to include a town centre. He explained that one of the problems in developing the Blindwells site was that it had a number of owners who had differing views on the development of the site. He advised that discussions with the landowners were ongoing, with a view to securing agreement to deliver it as a new town. He emphasised that this was a significant piece of work, requiring agreement on a long-term vision, but that it would provide a significant level of growth, as well as employment opportunities, without impacting on neighbouring communities.

Councillor Berry asked why a rail halt at Blindwells had not been included in the Plan. He also questioned the inclusion of the town centre in the safeguarded area, rather than in the allocated area. Mr Stewart pointed out that the rail halts at Longniddry and Prestonpans were considered sufficient to service Blindwells, adding that the Council owned land at Prestonpans that would provide a direct connection between Blindwells and Prestonpans railway station. In addition, the current LDP safeguarded land for a new rail halt at Blindwells; however, this was not within the Council's control, and he considered that it was more likely that a rail halt could only be established at Blindwells once the larger settlement was developed. As regards the town centre question, Mr McFarlane highlighted the extent of the work involved in creating a new town, advising that the existing development framework suggested a local centre within BW1 with scope to develop further in the wider site. Ray Montgomery, Head of Infrastructure, added that transport issues would be addressed within the masterplan for the Blindwells site.

Councillor McMillan asked if the development brief would cover all aspects of the development, including education, transport and economic development. Mr McFarlane confirmed this to be the case, adding that it would be brought forward as supplementary guidance.

Councillor Hampshire spoke of the importance of the Blindwells site, given that every community in East Lothian had limited capacity for development. He welcomed the inclusion of the site in the Plan.

Referring to rail links, Councillor Berry expressed concern that the town would have to be easily accessible in order for people to use it, and he called on the Council to lobby Network Rail and Abellio to create capacity on the East Coast Main Line. He proposed that new stations on sidings could be created and Prestonpans station could be expanded. He was also critical about the town planning proposals for Blindwells.

In response to Councillor Berry's comments, Councillor Veitch remarked that no progress had been made on developing Blindwells when Councillor Berry was the Council Leader. He suggested that the Council should lobby the Scottish Government as regards providing longer trains on the Edinburgh to North Berwick line.

(e) Tranent Cluster

Mr McFarlane set out the areas for allocation, safeguard and economic land in the Tranent cluster, advising that there was a need to safeguard future access through south Tranent. He drew attention to an error as regards development proposals in East Saltoun, noting that the land was allocated for 75 houses, not 50.

Councillor Grant asked if any land to the east and west of Tranent had been considered for allocation. Mr Stewart indicated that the MIR had included, as an alternative proposal, land to the east of Tranent for allocation of 1000 houses, but this had not been taken forward. He added that land to the west of the town had been included in previous plans for a bypass.

Councillor Berry commented on the proposed developments in the villages in this cluster and suggested that site TT4 should be expanded. He also questioned the proposals for TT1, 2 and 3, as these sites may prevent a bypass being developed in future. Mr Stewart advised that SESplan policies supported small-scale allocations, as they contributed to the Council's five-year housing land supply. He added that smaller settlements also had a demand for housing. As regards TT4, he noted that ownership beyond the allocated site was unclear. On the possibility of a future Tranent bypass, Mr Stewart explained that the TT1, 2 and 3 sites would provide a connection between the Elphinstone and Pencaitland roads, providing a loop around that settlement. He went on to say that, in previous Local Plans, the land to the west had been considered for a bypass but that it had never progressed because it would have been difficult to deliver. Furthermore, the MIR had suggested that there may be scope for the land to the east to be allocated for a bypass; however this was not being promoted in the proposed Plan.

Councillor Akhtar asked a question in relation to developer contributions. Mr Stewart informed her that where a development would have an impact on the community a contribution would be required, and this would be determined as part of the technical work. He added that once the sites in the Plan had been confirmed, the potential impacts of developments would be considered.

Councillor Hampshire expressed concern as regards the capacity of the A1 junctions and asked how this issue could be addressed. Mr Stewart advised that the LDP would require a transport appraisal, following the guidance of Transport Scotland, which would look at a range of issues, including trunk roads. He indicated that where interventions were required compulsory purchase powers could be used to safeguard land in order to ensure capacity, and that there would be funding from Transport Scotland to deliver this.

Councillor Grant voiced regret that the failure to establish a settlement at Blindwells had resulted in the need to develop in the villages surrounding Tranent. He also raised concerns as regards access to some of the proposed sites, as well as the impact on primary schools, and was disappointed that land to the west of Tranent was not included in the Plan. He did, however, welcome the safeguarding of land for a future bypass, and he accepted that compromise was required in relation to the sites for Tranent, on the basis that there were no credible alternatives.

As regards public transport services in this cluster, Councillor Veitch advised that the Council was looking into a community transport option for the Humber area, which currently had no bus service at all. In response to comments made by Councillor Berry as regards expanding villages, Councillor Veitch stated that the Council's allocation was simply too great to be confined only to the towns.

Councillor McMillan commented that, in order to make villages sustainable and to create a sense of community, village halls should be protected. He supported small-scale development in villages, as this would preserve the social and cultural aspects of the community going forward. Councillor Berry argued that some villages were poorly serviced by buses because no one used these services. He believed that the villages were taking too big a share of the development in this cluster.

At this point the meeting was adjourned for 45 minutes.

(f) Haddington Cluster

Mr McFarlane informed Members of the proposed allocations for the Haddington cluster, advising that planning permission had already been granted for developments on most of these sites, and that these and the additional sites proposed would provide for 748 homes and 12.3ha of employment land. He also noted the inclusion of a new community hospital in Haddington.

Councillor Berry asked if there was a possibility that the railway line to Haddington would be reinstated. Mr Stewart explained that the railway walk between Haddington and Longniddry was safeguarded in the Plan as part of the Council's core path network. He indicated that the A1 would undermine the prospect of a railway line to Haddington.

Councillor Berry also asked what the Herdmanflat hospital site would be used for once the new community hospital is built. Mr Stewart advised that the Plan acknowledged that there could be housing on that site in the longer term, but it was not allocated or safeguarded for a specific purpose at this time. David Small, the Director of Health and Social Care, added that the intention was to move services from Herdmanflat to the new community hospital, and that the NHS would then dispose of the Herdmanflat site. Mr McFarlane noted that the future use of that site would be determined by planning application and that it was premature to comment further on this.

Councillor McMillan welcomed the proposals for the Haddington cluster, in particular the inclusion of employment land in the area and the work to re-energise Haddington High Street. He did, however, express concern as to the development at Dovecot in terms of access and infrastructure. The Provost agreed with the comments made by Councillor McMillan.

Councillor Berry also supported the proposals for this cluster, but was concerned at the shortage of green space to the north of the town. He also suggested that there was a need to address traffic congestion in Haddington, especially in the Sidegate/Hardgate area.

Councillor McMillan highlighted Section 4.24 of the Plan which states that the Council recognises the potential of the former Longniddry–Haddington railway line to be used as a public transport link between Haddington and Edinburgh in the longer term.

(g) Dunbar Cluster

Mr McFarlane provided a summary of the proposed development sites in the Dunbar cluster. He drew attention to the existing allocation at Hallhill, indicating that this could provide for additional growth in the future, as well as the potential to provide more land for the extension of the primary school. He advised that sites DR5 and DR6 were currently subject to planning applications for housing, and that DR7 had an existing allocation for employment land. In addition to the established supply, Mr McFarlane advised that the Plan proposed an allocation of 760 homes and 1ha of employment land in this cluster.

Councillor Hampshire expressed concern at the proposals for 240 houses on the site at DR5. Mr McFarlane advised that this proposal was currently under discussion and that the proposal may change, adding that it would come before the Planning Committee in due course.

Councillor Berry asked what plans were in place to link the south of the town to the north, particular as regards the provision of pedestrian access. Mr Stewart accepted that there was a need to improve connections between both parts of the town, and noted that there

was a proposal in the Plan to link DR5 and DR7. He advised that further discussions were required with other agencies to find a solution to this issue.

Councillor Veitch commented that he was satisfied with the allocation of 100 new homes in East Linton, close to the new development at Orchardfield. He spoke in support of the view of the National Trust as regards protecting the eastern end of the village. He also welcomed the safeguarding of land for a new rail halt in East Linton. He did however, voice concern at the proposed development in Innerwick, and at the scale of development in Dunbar, which would have an impact on the road network and education provision.

Councillor Hampshire stated that he had been supportive of the expansion of Dunbar and felt that it had served the town well. He did have concerns as regards the links between the north and south of the town, both for pedestrians and vehicles, and recognised the need to find alternative connecting routes – this would require the support of Network Rail. In relation to development in East Linton, he highlighted the costs involved in providing a new rail halt, and warned that on delivery of the rail halt there would be an increased demand for housing in East Linton and he was unsure if the proposed development there would be sufficient to meet this demand. He noted his support for the proposals in this cluster.

Councillor Berry echoed the concerns of Councillor Hampshire as regards connectivity between the north and south of Dunbar, proposing that there was a requirement for a new pedestrian underpass and a new vehicular underpass. He welcomed the inclusion of new employment land, but suggested that more office accommodation was required in order to attract professional employment. He remarked that the Council should be looking for increased support to deliver the rail halt at East Linton.

(h) North Berwick Cluster

Mr McFarlane advised that 665 new homes and 1ha of employment land were allocated for this cluster. He provided a summary of existing and proposed allocations for North Berwick and the surrounding villages.

Councillor Day asked about the implications for the Ferrygate site, given that the applicant was now appealing the first decision made as regards that site. Mr McFarlane explained that the first application had a larger site area, and that the applicant was now seeking to pursue an appeal on the extended site. He advised that this matter was now with the Scottish Government's Planning and Environmental Appeals Directorate, who would make a determination on the case. In the event that the appeal was granted, the Council would have to consider extending the site area, but it was not clear if this would result in an increased number of units. He added that by approving the Plan, the chance of a successful appeal by the applicant would be limited to a degree, as the Council would have a set of sites to support the strategy, which would include Ferrygate.

Councillor Goodfellow asked why there were no allocations for Athelstaneford. Paul Zochowski, Principal Planner, advised that land to the east of the village, which was an extension to a site included in the 2008 LDP, had been included in the MIR. However, there were concerns as regards water, drainage and education provision, and it was considered that further development of the village would not be appropriate.

Responding to a question from Councillor Goodfellow as regards development in Gullane, Mr Zochowski confirmed that the site allocated at Saltcoats would be restricted to 130 units, with the potential to expand the school and open space to the west of that site.

Councillor Goodfellow also asked a question about developer contributions for those sites in North Berwick that had already been allocated. Mr McFarlane advised that the developer

contributions for the Tantallon Road site in North Berwick had not yet been set, and that there was further technical work to be done as regards the potential impact of that site.

Councillor Berry raised a number of questions in relation to parking provision and employment land in North Berwick. Peter Forsyth, Team Manager – Assets and Regulatory (Transportation) reminded Members that a parking study had been undertaken that identified parking sites in North Berwick, and that a parking management strategy was now being prepared which did not include provision for a park and ride at this time. Mr Zochowski advised that there was a small allocation for employment land in North Berwick.

The Provost announced that there had been an amendment submitted by Councillor Berry in respect of the North Berwick cluster (as outlined below), and invited Mr Zochowski to comment on that amendment.

North Berwick Cluster Amendment, as submitted by Councillor Berry

In accordance with: 1) Objectives and Outcomes (page 9 [of the draft proposed LDP], particularly the first and fifth bullet points); 2) compliance with Para 2.152 (Mixed use at Mains Farm); 3) giving the wording of 2.170 a clarity equivalent to the five other clusters; and 4) proper implementation of para 3.19, Table EMP1 (page 62) is to be augmented by adding the following lines immediately after “NK4 Tantallon Road South”:

New Prop	Site	Opnl Land	Undev	New Alloc	Dev Brief	Comments	Policy
NK12	South Mains Farm	-	-	3.0 HA	-	Subdivision of NK1 but exclusively reserved for Class 2 or 4 use only	ENV1
NK13	Haddington Road East	-	-	2.0HA	-	Land owned by ELC, now partly split by realigned Haddington Road	ENV1
NK14	West Heugh	-	-	4.0 HA	-	Land at N end of field across Heugh Rd recently removed from Law SSSI	ENV1
NK15	East Imperial	-	-	1.0 HA	-	Eastern section of Imperial car park to have offices built above	ENV1
NK16	Williamston	-	-	5.0 HA	-	Land E of Gas Works Lane between Southgait and Williamston Farm	ENV1
NK17	Old Gasworks	-	-	1.0 HA	-	Doubling extent of existing Class 5 usage on former gasworks site	ENV1
NK18	Gullane Fire School	-	-	1.0 HA	-	Along S edge of site adjacent to proposed SUDS pond	ENV1

Mr Zochowski advised that there was an allocation for 76ha of employment land in East Lothian, which was in line with the SESplan Strategic Development Plan and also met the objectives of the Council’s Economic Development Strategy. He noted that most of the employment land allocation was close to the Strategic Development Area, and acknowledged that North Berwick had a small amount of employment land in comparison to the other clusters. He proposed a modification to Councillor Berry’s amendment, as set out below (with changes marked in italics), which would allow for further consideration of Councillor Berry’s proposals. He noted that the proposals would need to be assessed in detail to ascertain if they were suitable, and that it was therefore not appropriate to include Councillor Berry’s amendment in the LDP without further technical work being carried out.

North Berwick Cluster Amendment, as submitted by Councillor Berry, with amendment proposed by planning officers

In accordance with: 1) Objectives and Outcomes (page 9 [of the draft proposed LDP], particularly the first and fifth bullet points); 2) compliance with Para 2.152 (Mixed use at Mains Farm); 3) giving the wording of 2.170 a clarity equivalent to the five other clusters; and 4) proper implementation of para 3.19, Table EMP1 (page 62) is to be augmented by *adding sites for employment uses taken from the table below to the North Berwick cluster area, the location and details of which will be determined following assessment and technical analysis to be undertaken by the Planning Service:*

New Prop	Site	Opnl Land	Undev	New Alloc	Dev Brief	Comments	Policy
NK12	South Mains Farm	-	-	3.0 HA	-	Subdivision of NK1 but exclusively reserved for Class 2 or 4 use only	RCA1 (formerly ENV1)
NK13	Haddington Road East	-	-	2.0HA	-	Land owned by ELC, now partly split by realigned Haddington Road	RCA1
NK14	West Heugh	-	-	4.0 HA	-	Land at N end of field across Heugh Rd recently removed from Law SSSI	RCA1
NK15	East Imperial	-	-	1.0 HA	-	Eastern section of Imperial car park to have offices built above	RCA1
NK16	Williamston	-	-	5.0 HA	-	Land E of Gas Works Lane between Southgait and Williamston Farm	RCA1
NK17	Old Gasworks	-	-	1.0 HA	-	Doubling extent of existing Class 5 usage on former gasworks site	RCA1
NK18	Gullane Fire School	-	-	1.0 HA	-	Along S edge of site adjacent to proposed SUDS pond	RCA1

Councillor Berry indicated that he was happy with the proposed modification to his amendment, which would see all the sites outlined assessed for use as employment land.

Councillor Day confirmed that he was prepared to second the amendment, as amended.

Councillor Berry then moved his amendment, as amended. He believed that the allocation of employment land included in the Plan was not balanced. He accepted that this was the case because North Berwick was not in the Strategic Development Area; however, he believed that a greater proportion of employment land was required given the scale of the proposed housing development. He emphasised that it was quality office space that was required in the cluster.

Seconding the amendment, as amended, Councillor Day remarked that the North Berwick cluster had not been well served during the LDP process, referring to the decisions taken as regards Ferrygate and Tantallon Road. He supported Councillor Berry's views in relation to the need for quality employment space and opportunities for businesses in the cluster area. He also expressed concern at the potential impact of the housing development on health services, the road network and railway station parking facilities. He spoke in support of the proposed allocations for Dirleton and Aberlady, but was concerned about the proposal for Saltcoats in Gullane, which had attracted significant opposition from within the community.

Councillor Goodfellow echoed the comments made as regards business land in this cluster. He also voiced his concern at the Saltcoats allocation, arguing that it would result in the village being unbalanced. However, he accepted that compromise was required and that it was not possible to safeguard this land.

Councillor Hampshire commented on the concerns from within the community about further expansion of the North Berwick cluster. He voiced his disappointment that land at Drem had not been safeguarded, given the rail links and existing employment land in that area.

Councillor McMillan concluded the debate on the clusters by stating that one of the Council's key goals was to be recognised as Scotland's leading coastal and food and drink area. He recognised the difficulties involved in developing coastal and countryside communities, and warned that difficult decisions would have to be taken as regards future development in these areas.

The Provost reminded Members that the votes on amendments would take place at the end of the debate on Item 1.

(i) Policy Development

Mr McFarlane summarised the key changes to the proposed Plan policies, as set out in Sections 3.50 – 3.60 of the report.

As regards town centres, Councillor Berry remarked that the high streets in a number of towns in East Lothian were not delivering on retail and asked if a 'mall' approach had been considered, with the introduction of chain stores being interspersed with independent retailers. Mr McFarlane explained that town centres were partly driven by the market, and that there was a need to work with the market to develop and improve town centres. He referred to a number of initiatives, such as the Haddington Conservation Area Regeneration Scheme. He also pointed out the need to consider that many of East Lothian's town centres were historic, adding that a significant amount of work was being done to encourage businesses to relocate to East Lothian. He took Councillor Berry's comments on board, advising that these points could be considered when taking the policy forward.

Councillor Berry also asked how the Council could achieve the delivery of affordable housing. Mr Stewart accepted that improvements could be made in delivering a mix of housing. He noted that Scottish Planning Policy had changed since the adoption of the current Local Plan, in that councils were now obliged to provide up to 25% of affordable units in housing developments.

Esther Wilson, Service Manager – Economic Development and Strategic Investment, explained that prior to the policy of providing 25% of affordable housing, there had been varying ratios set across different areas of East Lothian. She noted that the Housing Needs and Demand Assessment 2 identified a need for 60% of new housing to be designated as affordable. She referred to the Council's past success in securing Scottish Government subsidies to deliver affordable housing, but warned that it was likely that future subsidies would decrease significantly.

As regards the delivery of affordable housing at Blindwells, Mr Stewart confirmed that the allocations would be carried forward from the current LDP, which proposed a 30% affordable housing level for that cluster.

Mr McFarlane responded to a number of questions from Councillor Goodfellow in relation to development in the countryside, and the policies that determine such development. Councillor Goodfellow also commented on the need for clear design briefs to ensure that

new developments blend in with existing communities. Mr McFarlane commented that the Council worked with developers on the design of site layouts, designs and finishes. Councillor Goodfellow's comments were supported by Councillor Berry, who remarked that more had to be done to protect the built environment.

Councillor Innes asked if there would be a further opportunity to refine policies at a later stage. Mr McFarlane confirmed that further work was required on the policies and that direction from Members would be noted. Referring to policy DC4(ii), Councillor Innes believed that the Council should do more to support rural communities in order to allow young people to remain in those communities.

Councillor McMillan concluded the debate by commending the approach of the Council in developing the Local Development Plan.

(j) Vote on Amendments

The Provost moved to the vote on the amendments, as proposed, seconded and debated during the meeting.

Musselburgh cluster

Amendment as proposed and seconded by Councillors Hampshire and Innes (see 1(b)):

For:	11
Against:	3
Abstention:	1

The amendment was therefore carried.

Prestonpans cluster

Amendment as proposed and seconded by Councillors Innes and Akhtar (see 1(c)):

For:	13
Against:	1
Abstention:	1

The amendment was therefore carried.

North Berwick cluster

Amendment, as amended, as proposed and seconded by Councillors Berry and Day (see 1(h)):

For:	14
Against:	0
Abstention:	1

The amendment was therefore carried.

(k) Vote on Draft Proposed East Lothian Local Development Plan

The Provost then moved to the vote on the draft proposed East Lothian Local Development Plan, as amended:

For: 14
Against: 0
Abstentions: 1

Decision

The Council agreed:

- i. to approve the compact growth development strategy set out in the draft proposed Local Development Plan as the competent planning strategy for development in East Lothian over the period of the LDP;
- ii. to approve the sites, as amended, and proposals of the draft proposed Local Development Plan as the best fulfilment of the compact growth development strategy; and
- iii. to approve the policies of the draft proposed Local Development Plan as the means of delivering and managing development appropriately;

all subject to the required technical work on cumulative impacts, presentational and editorial amendment for publication and to be brought before Council in due course for ratification as the Council's Proposed Local Development Plan.

The Provost declared that the draft proposed East Lothian Local Development Plan, as amended, had been approved. He instructed officers to conclude the work on impact assessment, capacity modelling and mitigation interventions alongside the finalisation of policy work, as directed by the Council, prior to bringing back a proposed Plan document for representation.

The Provost then invited the Council's Spokesperson for Environment, Councillor Hampshire, to make a statement.

Councillor Hampshire announced that, with the decision on the draft proposed Plan, as the view of the Council on where and how development should happen in East Lothian, there was an opportunity for developers to work with Council officials on their plans for sites. He advised that to help promote early delivery of houses in the first Plan period, developers were encouraged to engage in detailed discussions with officials on the delivery of sites to support the Plan, to fully understand where there were constraints and opportunities, and how any constraints could be overcome.

SUMMARY OF PROCEEDINGS

A private report submitted by the Depute Chief Executive (Resources and People Services) concerning Additional Secondary Education Provision in Musselburgh was withdrawn, on the basis that the recommended site for the school was no longer feasible. It was agreed that a further report would be presented to Council for consideration as soon as practicable.