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Additional information:

To be read in conjunction with report to Council, 28 March 2017 - Proposed Local Development Plan: Schedule 4 Representation Responses for Submission to Scottish Ministers, Appendix 3. The numbered lists correspond to the individual representations.

Authorised By	Douglas Proudfoot
Designation	Head of Development
Date	21/03/17

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Proposed East Lothian Local Development Plan Schedule 4 Representation Responses

Please refer to Appendix 3 of the report to Council on 28 March 2017: Proposed Local Development Plan: Schedule 4 Representation Responses

http://www.eastlothian.gov.uk/meetings/meeting/5908/east_lothian_council

Each Schedule 4 document lists at the beginning who made representations on that subject. Each individual representation has a reference number which corresponds to the file numbers of the original representations.

For further information or advice, please contact:

Planning Policy and Strategy, via Environment Reception at East Lothian Council,
tel: 01620 827216

Submitted to **East Lothian Proposed Local Development Plan**
Submitted on **2016-11-04 17:29:56**

About You

1 What is your name?

First name:

Paul

Surname:

Scott

2 What is your email address?

Email address:

ps@scotthobbsplanning.com

3 Postal Address

Address:

24A Stafford Street, Edinburgh

4 Please enter your postcode

Postcode:

EH3 7BD

5 Are you responding as (or on behalf of) a.....?

Developer/ agent/ landowner

6 What is your organisation and role (if applicable)?

Organisation:

Ashfield Commercial Properties Limited c/o Scott Hobbs Planning

Your role:

7 Are you supporting the plan?

No

If Yes: Please include your reasons for support:

Section 1 - Introduction (pages 1-10)

1a Introduction - what modifications do you wish to see made to the Introduction of the proposed Plan? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modification(s) sought::

See attached Representation

1b Please give any information/reasons in support of each modification suggested to the Introduction of the proposed Plan. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

Section 2 - A Spatial Strategy for East Lothian (pages 11-14)

1a A Spatial Strategy for East Lothian - what modifications do you wish to see made to this section of the proposed Plan? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) sought:

See attached Representation

1b Please give any information/reasons in support of each modification suggested to the Spatial Strategy of the proposed Plan. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

Section 2a - Musselburgh Cluster Strategy Map (pg 15)

1a Strategy Map for Musselburgh Cluster - what modifications do you wish to see made to the Strategy Map for the Musselburgh Cluster in the proposed Plan? Your justification for this will be sought in the next question.

Modifications(s) Sought:

See attached Representation

1b Strategy Map for Musselburgh - Please give any information/reasons in support of each modification suggested to the Strategy Map for Musselburgh in the proposed Plan.

Justification for Modification(s):

See attached Representation

Section 2a - Introduction to Musselburgh Cluster (pg 16)

1a Introduction to Musselburgh Cluster - what modifications do you wish to see made to the Introduction of the Musselburgh Cluster? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

See attached Representation

1b Introduction to the Musselburgh Cluster - Please give any information/reasons in support of each modification suggested to the Introduction of the Musselburgh Cluster. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

Section 2a - Musselburgh Cluster Main Development Proposals (pages 15-26)

1a PROP MH1: Land at Craighall, Musselburgh - what modifications do you wish to see made to Prop MH1 of the Plan? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

See attached Representation

1b Please give any information/reasons in support of each modification suggested to Prop MH1 of the Plan. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

See attached Representation

2a PROP MH2 - Land at Old Craighall Village - What modifications do you wish to see made to Prop MH2 of the Plan? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

2b Please give any information/reasons in support of each modification suggested to MH2: Land at Old Craighall Village of the Plan. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

3a PROP MH3 Land at Old Craighall Junction South West, Musselburgh - What modifications do you wish to see made to Prop MH3 of the Plan? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

3b Please give any information/reasons in support of each modification suggested to Prop MH3 of the Plan. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

4a PROP MH4: Land at Old Craighall Junction, Musselburgh - What modifications do you wish to see made to Prop MH4 of the Plan? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

4b Please give any information/reasons in support of each modification suggested to Prop MH4 of the Plan. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

5a PROP MH5: former Edenhall Hospital Site, Musselburgh - What modifications do you wish to see made to Prop MH5 of the Plan? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

5b Please give any information/reasons in support of each modification suggested to Prop MH5 of the Plan. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

6a PROP MH6: Pinkie Mains, Musselburgh - What modifications do you wish to see made to Prop MH6 of the Plan? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

6b Please give any information/reasons in support of each modification suggested to Prop MH6 of the Plan. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

7a PROP MH7: Pinkie Mains, Musselburgh (Intensification) - What modifications do you wish to see made to Prop MH7 of the Plan? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

7b Please give any information/reasons in support of each modification suggested to Prop MH7 of the Plan. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

8a PROP MH8: Levenhall, Musselburgh - What modifications do you wish to see made to Prop MH8 of the Plan? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

8b Please give any information/reasons in support of each modification suggested to Prop MH8 of the Plan. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

9a PROP MH9: Land at Wallyford - What modifications do you wish to see made to Prop MH9 of the Plan? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

See attached Representation

9b Please give any information/reasons in support of each modification suggested to Prop MH9 of the Plan. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

See attached Representation

10a PROP MH10: Land at Dolphingstone - What modifications do you wish to see made to Prop MH10 of the Plan? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

See attached Representation

10b Please give any information/reasons in support of each modification suggested to Prop MH10 of the Plan. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

See attached Representation

11a PROP MH11: New Secondary School Establishment, Musselburgh - What modifications do you wish to see made to Prop MH11 of the Plan? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

See attached Representation

11b Please give any information/reasons in support of each modification suggested to Prop MH11 of the Plan. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

See attached Representation

12a PROP MH12: Barbachlaw, Wallyford - What modifications do you wish to see made to Prop MH12 of the Plan? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

12b Please give any information/reasons in support of each modification suggested to Prop MH12 of the Plan. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

13a PROP MH13: Land at Howe Mire, Wallyford - What modifications do you wish to see made to Prop MH13 of the Plan? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

See attached Representation

13b Please give any information/reasons in support of each modification suggested to Prop MH13 of the Plan. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

See attached Representation

14a PROP MH14: Land at Whitecraig South - What modifications do you wish to see made to Prop MH14 of the Plan? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

14b Please give any information/reasons in support of each modification suggested to Prop MH14 of the Plan. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

15a PROP MH15: Land at Whitecraig North - What modifications do you wish to see made to Prop MH15 of the Plan? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

15b Please give any information/reasons in support of each modification suggested to Prop MH15 of the Plan. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

16a PROP MH16: Whitecraig Primary School Expansion Land - What modifications do you wish to see made to Prop MH16 of the Plan? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

16b Please give any information/reasons in support of each modification suggested to Prop MH16 of the Plan. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

17a Policy MH17: Development Briefs - What modifications do you wish to see made to Policy MH17 of the Plan? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

See attached Representation

17b Please give any information/reasons in support of each modification suggested to Policy MH17 of the Plan. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

See attached Representation

18a PROP MH18: Levenhall links to Prestonpans: Area for Habitat Improvement - What modifications do you wish to see made to Prop MH18 of the Plan? Please state all relevant paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

18b Please give any information/reasons in support of each modification suggested to Prop MH18 of the Plan. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

Additional Information :

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Section 3a - Planning for Housing (pages 64 - 73)

1a Housing & Housing Land Requirement - What modifications do you wish to see made to the Housing & Housing Land Requirement section of the proposed Plan? Please state all relevant policy and/or paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

See attached Representation

1b Please give any information/reasons in support of each modification suggested to Housing and Housing land Requirement section of the proposed Plan. State all relevant policy and/or paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

See attached Representation

2a Established Housing Land Supply - What modifications do you wish to see made to the Established Housing Land Supply section of the proposed Plan? Please state all relevant policy and/or paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

See attached Representation

2b Please give any information/reasons in support of each modification suggested to the Established Housing Land Supply section of the proposed Plan. State all relevant policy and/or paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

See attached Representation

3a Maintaining an Adequate Effective Five-Year Housing Land Supply - What modifications do you wish to see made to the Maintaining an adequate Effective Five-Year Housing Land Supply section of the proposed Plan? Please state all relevant policy and/or paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

See attached Representation

3b Please give any information/reasons in support of each modification suggested to the Maintaining an Adequate Five-Year Housing Land Supply section of the proposed Plan. State all relevant policy and/or paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

See attached Representation

4a Affordable Housing - What modifications do you wish to see made to the Affordable Housing section of the proposed Plan? Please state all relevant policy and/or paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

4b Please give any information/reasons in support of each modification suggested to the Affordable Housing section of the proposed Plan. State all relevant policy and/or paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

5a Specialist Housing Provision & Other Specific Needs - What modifications do you wish to see made to Specialist Housing Provision & Other Specific Needs section of the proposed Plan? Please state all relevant policy and/or paragraph numbers of the plan to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

5b Please give any information/reasons in support of each modification suggested to the Specialist Housing Provision & Other Specific Needs section of the proposed Plan. State all relevant policy and/or paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s):

Proposals Map

1a Proposal Map - What modifications do you wish to see made to the LDP Proposal Map? Please state all relevant area and inset map numbers to which the modification(s) refer. Your justification for this will be sought in the next question.

Modifications(s) Sought:

See attached Representation

1b Please give any information/reasons in support of each modification suggested to the LDP Proposal Map. State all relevant areas and inset map numbers of the plan to which the modification(s) refer.

Justification for Modification(s) :

See attached Representation

Visual Upload:

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Visual Upload:

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Goshen Farm, Musselburgh

Formal Representation to East Lothian LDP Proposed Plan

Ashfield Commercial Properties Limited

1. This is a **Representation** to the East Lothian Local Development Plan (LDP) Proposed Plan submitted on behalf of Ashfield Commercial Properties Limited ("Ashfield"). Ashfield owns a site at Goshen Farm, Musselburgh ("Goshen") extending to some 50 hectares (see Plan below). This representation should be read in conjunction with the accompanying **Masterplan Report** and **Housing Land & New Sites Assessment**.

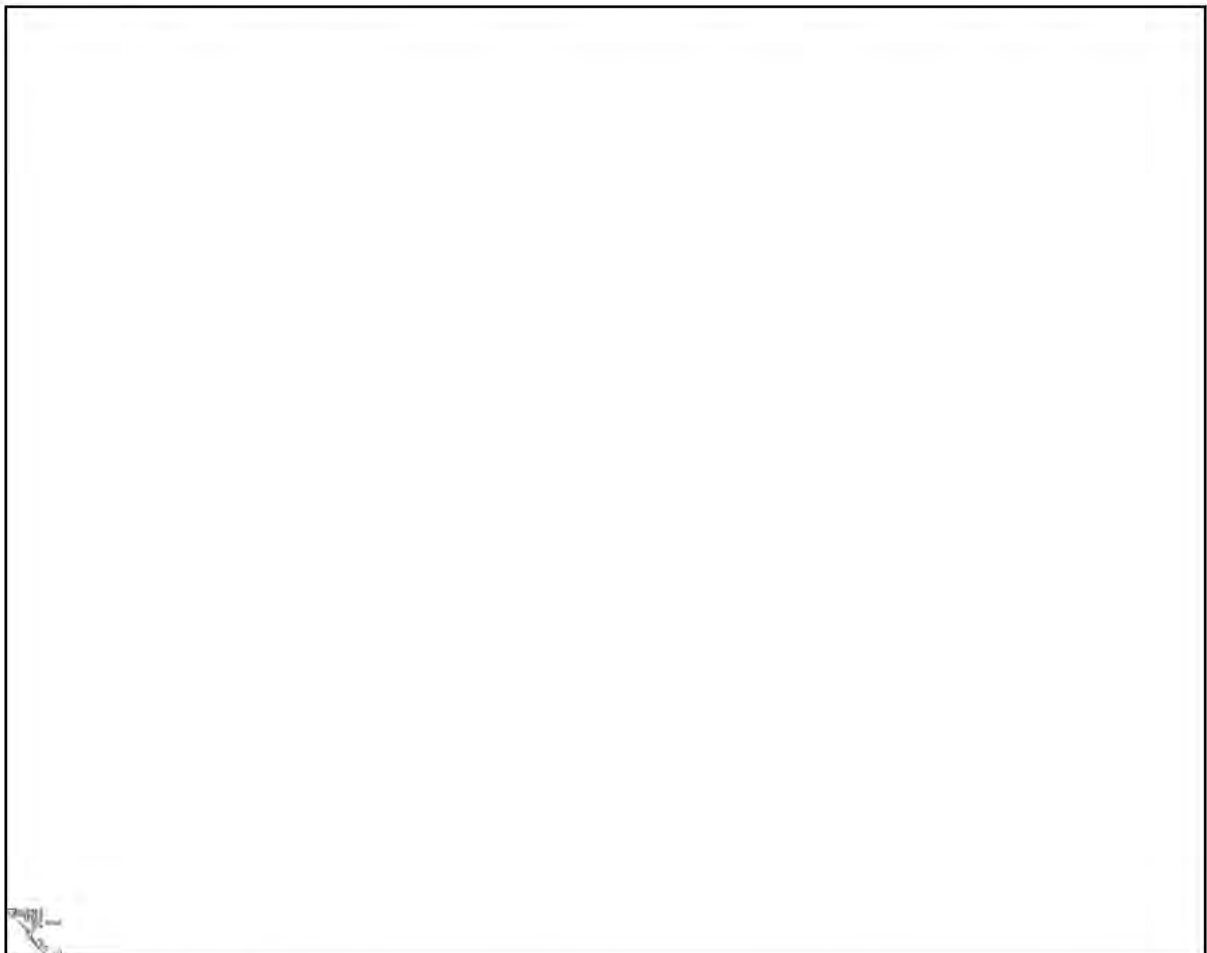


Figure 1 – Goshen Site

2. The Goshen site can accommodate 900 dwellings. In addition the site can accommodate a local centre, a primary school and, if necessary, a secondary school. The Goshen site is included as part of the Green Belt in the Proposed Plan. However the site was included as an allocation for 1,000 houses, a site for a primary school and the preferred site for the new Musselburgh Grammar School in the Draft Proposed

Plan published in October 2015. The background to the preparation of the Proposed Plan is, therefore important, and will form a significant part of this representation.

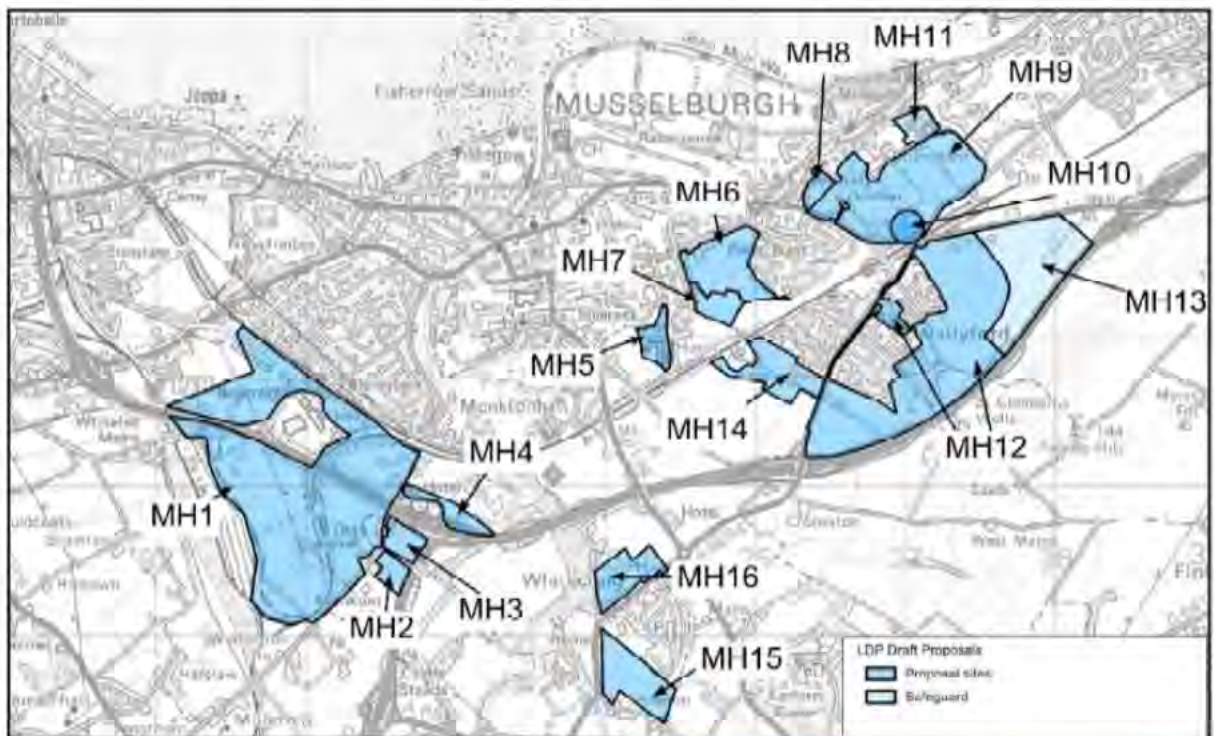
3. Ashfield has entered into a contract with Barratt David Wilson (BDW) and a further national housebuilder who will deliver this first phase of housing at the Goshen site should the site be allocated. A total of 300 units would be provided over a three year period, commencing in 2018, subject to PPP approval. 25% of the housing would be affordable and the non-denominational primary school and local centre could be delivered as part of this first phase. In addition, Ashfield is able to commit to a contribution per house towards the construction of the new secondary school, whether or not it is to be located at the Goshen site, and a contribution per house towards the upgrade of the Old Craighall junction on the A1 as previously agreed with Transport Scotland together with other necessary transport improvements as approved, in line Policy DEL1.

LDP Background

4. Ashfield made a submission at the call for sites stage of the LDP in 2013 and in response to the Main Issues Report (MIR) which included Goshen as a Preferred Site when published in November 2014. Goshen was included within the MIR as a Preferred Housing Opportunity, referenced PREF-M9 at pages 77 and 83. Paragraph 6.9 states *"Those locations within the Green Belt which make a lesser contribution to Green Belt objectives. Or which have a high degree of accessibility, or that provide potential regeneration opportunities are...land to the east of Wallyford, at Goshen and at Levenhall..."*.
5. The detail of the Goshen proposal (PREF-M9) is set out in the table at page 83, referring to it supporting *"community regeneration"*; having two options for secondary school provision – either a new school at Goshen, or catchment area reviews to accommodate the pupils at Preston Lodge High School; and referring to its accessibility benefits: *"In regional terms, the site is one of the most accessible in East Lothian, and its development would promote sustainable travel patterns and help minimise carbon emissions as well as help contribute to regeneration objectives"* (page 83 of MIR).
6. Ashfield responded to the MIR consultation in February 2015, stating that it supported ELC's approach to compact growth, as an exemplar response to the Principal Policies set out in Scottish Planning Policy (SPP) as they relate to Sustainability and Place, and supported the focusing of new housing and economic development on the main settlements within the west of the SDA, closest to the origin of demand, adjacent to the city, and predominantly within easy walking distance of established public transport provision, as directed by SPP. Ashfield referred to the importance of the preferred approach to the Musselburgh Cluster as the only approach in keeping with the aims and principles set out in SPP and therefore is the only approach that will successfully meet the housing, employment and associated infrastructure requirements as outlined in SESPlan for East Lothian.
7. The LDP Draft Proposed Plan was reported to the ELC meeting of 17th November 2015 (Document 1). The draft Proposed Plan allocated the Goshen site as PROP MH9; Land at Goshen, Musselburgh (see extract from Proposals Map below). The proposal states:

"Land at Goshen is allocated for a mixed use development including circa 1,000 homes, a new centre, a new primary school, a new secondary school establishment, as well as other community uses,

infrastructure and associated works. A comprehensive masterplan for the entire allocated site that confirms to the Council's East Musselburgh design framework and the relevant Development Brief will be required. Any development here is subject to the mitigation of any development-related impacts, including on a proportionate basis for any communitive impacts with other proposals, including on the transport network, on education and community facilities, and on air quality as appropriate".



8. The reasoning behind PROP MH9 is set out at paragraphs 2.33 to 2.35 of the Draft Proposed Plan (Document 1). It states:

"The Goshen site is one of the most accessible parts of East Lothian and is well served by public transport. It shall be developed at an appropriate higher density to make good use of this accessible land, consistent with Policy DP3. The development of this site including the provision of the required education and community facilities will support community regeneration objectives for east Musselburgh" (paragraph 2.33).

9. Paragraph 2.34 refers to the new primary and secondary school provision planned for the Goshen site, and explains that these will meet the needs of other developments in addition to Goshen, and the timing of the delivery of these facilities will be appropriately phased as a result.

10. The draft Proposed Plan also allocated part of the Goshen site as PROP MH10: Goshen New Secondary School Establishment. The text states:

"Land at Goshen is allocated for a new secondary school establishment to serve the Musselburgh area. The new secondary school establishment shall be located on the south-western corner of the site, adjacent to the A199. Any development here is subject to the mitigation of any development-related

impacts, including on a proportionate basis for any cumulative impacts with other proposals, including on the transport network, on education and community facilities, and on air quality as appropriate. Policy SECF1 applies”.

11. In response to the publication of the draft Proposed Plan, East Lothian Developments Ltd (ELDL), having a controlling interest in the Wallyford (MH9) and Dolphingstone (MH10) sites, submitted a series of letters and documents to Members (Document 2 and 3). These sought the deletion of the Goshen site to allow sites MH9 and MH10 to progress unencumbered by competition from Goshen.
12. As an example, the letter to the Convener of the Planning Committee (Document 3) states: *“In recent days, we have been corresponding with you to promote the retention of the Goshen Farm site within the green belt and, as an alternative, we have been requesting that land in our client’s ownership at Dolphingstone to the east of Wallyford be allocated for a new secondary school and the development of 600 to 800 residential units”*. This document was sourced under Freedom of Information legislation by Ashfield. The letter encloses a document entitled *“Goshen v. Dolphingstone”*, the purpose of which, it states, is to lobby the councillors to allocate all of the housing land requirement for east Musselburgh at sites MH9 and MH10 to ensure that housing delivery is *“controlled by the same party”* (first page, Document 3). In relation to Goshen, on the same page, the tone of the document is again apparent from the statement *“East Lothian Developments Limited will be postponing indefinitely any further development on the St Clements Wells, Wallyford site should Goshen Farm be zoned for development in the East Lothian Development Plan for the following reasons...a) It would (sic) lead to a reduction in land values and/or rate of in the rate of housebuilding on the site at St Clements Wells, rendering it a commercially unviable project”*.
13. The report on the draft LDP was considered at a full Council meeting on 17 November 2015. An amendment to the recommendation set out in the report to the Council was circulated on the morning of the meeting. The amendment sought the removal of the Goshen site (Proposal MH9) and the removal of the proposal for the secondary school at the Goshen site (MH10).
14. The Minute of the meeting of 17 November 2015 is at Document 4. The Minute records that amendment to the Musselburgh Cluster was moved by Planning Convenor Councillor Hampshire and seconded by Councillor Innes.
15. In response to the amendment, the Planning Service Manager is recorded in the Minute as stating the following in relation to the proposed removal of the Goshen site (MH9):

“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” (Document 4, page 7, first bullet point).
16. In response to the proposal in the amendment to delete the proposed secondary school site (then site MH10) the Planning Service Manager is recorded as stating:

"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" (Document 4, page 7, second bullet point).

17. In response to the proposal in the amendment to allocate the Dolphinstone site (then site MH13) for housing, the Minute of the meeting states in relation to the response of the Planning Service Manager:

"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 Dolphinstone 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" (Document 4, page 7, fourth bullet point).
18. The report of the Depute Chief Executive in relation to additional Secondary Education Provision, withdrawn following the Council meeting on the draft Proposed Plan, is at Document 5. The report refers to a qualitative assessment of potential sites for future secondary schools in Musselburgh, prepared in February 2015, with three alternative solutions identified for providing the required additional capacity. Appendix A appraises each of the three school options on three potential sites, and ranks the Goshen site as number 1 for each of the three school options, with the preferred option being Option A, a new second secondary school located at Goshen.

Amendments sought to LDP

19. This **Representation**, and the accompanying **Masterplan Report** and **Housing Land and New Sites Assessment** demonstrate the continuing acceptability of the Goshen site for mixed use development of up to 900 houses, local centre and a primary school. For the avoidance of doubt, this Representation **objects** to the inclusion of Goshen in the Green Belt, and the exclusion of Goshen as an allocated site in the Proposed Plan.
20. The principal reasons for allocating the Goshen site are:
 - i. The allocation of the site was supported by Council officers at MIR and draft Proposed Plan stages, until Members intervened to delete the site under pressure from another developer in November 2015. The suitability of the site from a planning, environmental, cultural heritage, transport and other infrastructure perspective remains unchanged. Ashfield is committed to the delivery of the necessary infrastructure requirements associated with the allocation of the site, in accordance with Policy DEL1.
 - ii. Statutory consultees including SNH, Transport Scotland, HES and SEPA supported the inclusion of the Goshen site in the LDP at both MIR and draft Proposed Plan stages. There is no reason why this support would be altered by the decision of the Members in November 2015. Full details are provided in the accompanying **Masterplan Report**. In particular, following recent trenching work on the Goshen site, as agreed with ELC Archaeology, no evidence of the Pinkie Battlefield site has been

discovered, and an alteration of the Battlefield Inventory to reflect this finding is being sought from HES (see Document 11).

- iii. Continuing reliance is placed on the Wallyford site in meeting housing need in the Musselburgh Cluster, despite it failing to deliver any housing since its allocation in the 2008 Local Plan. The accompanying **Housing Land and New Sites Assessment** submitted on behalf of Ashfield confirms that 1,050 (64%) of the 1,645 establish land supply units are to be delivered at the Wallyford site (para. 17), yet there is no evidence of contractual terms having been concluded with any housebuilder.
- iv. Despite the failure to deliver at the “established” Wallyford site, the Proposed Plan places greater reliance on the wider land in the same ownership (MH9 and MH10), with 1,000 additional houses allocated here. In addition, 1,500 houses are allocated at a further site in the control of a single party (MH1 at Craighall), resulting in 67% of the housing land supply included as new sites in Table HOU1 being in the control of just two parties.
- v. The **Housing Land & New Sites Assessment** (para. 29) demonstrates that between 350 and 400 of the houses included in the MH9 and MH10 allocations are undeliverable due to landscape constraints and the need to provide land for the new secondary school.
- vi. Two of the sites introduced by Members to replace Goshen, at Dolphingstone (MH10) and Howe Mire (MH13) were the subject of objection from SNH and HES on landscape impact and cultural heritage grounds. A full assessment of these sites is set out in the **Housing Land and New Sites Assessment**. There is no need to allocate these sites if Goshen is allocated. Goshen is unencumbered by any of these constraints.
- vii. ELC is no longer promoting the secondary school at the Goshen site within the Proposed Plan. However the formal missive between ELC and Ashfield remains in place to facilitate the development of the school at Goshen, and the Masterplan can accommodate it.

21. The following amendments to the Proposed Plan are therefore sought:

- i. The Goshen site should be allocated in the LDP for mixed use development of 900 houses, local centre and, if necessary, a primary school.
- ii. Sites MH10 (Dolphingstone) should revert to a strategic reserve in line with the draft Proposed Plan.
- iii. MH13 (Howe Mire) should be deleted.
- iv. If the Reporters agree with the ELC Depute Chief Executive’s report of November 2015 considering new secondary education provision for Musselburgh, the proposed new secondary school should be allocated at Goshen, and site MH11 deleted.
- v. The Spatial Strategy for Musselburgh (page 15), the Proposals Map, Table HOU1, the Development Brief SG and the Developer Contributions Framework SG should be amended accordingly.
- vi. Table HOU2 should be amended to include a generosity allowance in the SDP housing requirement to 2024 of at least 12% (see Table 1 of accompanying Housing Land & New Sites Assessment).



Documents List

1. East Lothian Council Draft Proposed Plan – November 2015
2. East Lothian Developments Ltd letter to East Lothian Council Chief Executive – 12 November 2015
3. East Lothian Developments Limited letter to Councillor Hampshire – 13 November 2015
4. Minutes from East Lothian Council meeting – 17 November 2015.
5. Report to ELC on Additional Secondary Education Provision – 17 November 2015
6. Homes for Scotland response to Main Issues Report – 6 February 2015
7. East Lothian Council Committee Report on Housing Land Supply: Interim Planning Guidance – 23 February 2016
8. Scottish Planning Policy
9. Scottish National Heritage Response to MIR
10. Historic Scotland Response to MIR – February 2015
11. CFA letter to Historic Environment Scotland, 4 November 2016.

Goshen Farm, Musselburgh

Housing Land and New Sites Assessment – East Lothian LDP Proposed Plan

Ashfield Commercial Properties Ltd

1. This is a Supplementary Note prepared on behalf of Ashfield Commercial Properties Ltd ("Ashfield") and should be read in conjunction with the **Representation** submitted on behalf of Ashfield to the East Lothian LDP Proposed Plan. The Note considers the issues of housing land supply and the new sites selected in preference to the site at Goshen Farm ("Goshen"), in the ownership of Ashfield, and which was allocated in the draft Proposed Plan in November 2015 and subsequently deleted by East Lothian Council (ELC) Members.

Housing Land Supply

2. SESplan Policy 5 requires sufficient land to be identified to build 107,554 houses across the SESplan region in the period 2009-2024, with 74,835 of these to be built by 2019. Local authorities are required to allocate, in their LDPs, sufficient effective land to meet this requirement. The SESplan Supplementary Guidance 2014 confirms that, following an analysis of opportunities and of infrastructure and environmental capacities and constraints, 6,250 of these homes are to be built within East Lothian in the period 2009-2019, and a further 3,800 in the period 2019-2024.
3. Policy 6 of SESplan (Housing Land Flexibility) requires each planning authority to maintain five years' effective housing land supply at all times. ELC accepts that it has a shortfall in effective housing land in terms of the SESplan requirements to 2019 and to 2024 and, therefore, over the next five years.
4. ELC, in table HOU2 of the Proposed Plan and as set out in detail in Technical Note 1, maintains its approach to calculating the housing land requirement and supply as adopted at the Main Issues Report (MIR) stage and subsequently carried forward to the draft Proposed Plan in November 2015. Homes for Scotland (HfS) as the industry body responsible for representing the housebuilding sector in Scotland, criticised this approach in response to the MIR, on the basis that its "*generosity margin is not consistent with Scottish Planning policy*". The criticism is made in the HfS Response to the MIR of February 2015 (Document 6) and its criticism remains relevant to the Proposed Plan. Ashfield anticipates that HfS will continue to make this criticism in response to the consultation on the Proposed Plan.
5. HfS states "*to comply with SPP provisions, the Council should add a generosity margin of 10% to 20% to the SDP housing land supply targets for each of the two periods 2009-19 and 2019-24. This will give the LDP housing land requirements for each period*". The HfS reference is to SPP paragraph 116 which states, "*Within the overall housing supply target, plans should indicate the number of new homes to be built over the plan period. This figure should be increased by a margin of 10-20% to establish the housing land requirement, in order to ensure that a generous supply of land for housing is provided. The exact extent of the margin will depend on local circumstances, but a robust explanation for it should be provided in the plan*".
6. In responding at the MIR stage, HfS adopted a generosity allowance of 12% and adopting this reasonable allowance in the figures included in table HOU2 of the Proposed Plan would increase the housing land

requirement in the period to 2019 by 750 units to 7,000 units and overall in the period to 2024 by 1,206 units to an overall total of 11,256 units. The implications of this simple, modest generosity allowance are outlined in the table below, which is based on the updated version to take account of completions outlined in the 2015 HLA, and sourced from the ELC Committee Report of February 2016 on housing land supply (Document 7).

		2015-2020
	SDP Housing Requirement	7,010
	Generosity Allowance (%)	12
1	Revised Housing Requirement	7,851
a	Dwelling Completions 2009-15	2,043
b	Dwelling Completions 2015/16	267
c	Contribution from Established Land Supply	3,307
	Current Shortfall 2016 = 1-(a+b+c)	2,234

Table 1: ELC Five Year Effective Housing Land Shortfall

- The ability of ELC to address its significant and increasing shortfall in effective housing land supply over the five-year period will be to ensure that committed sites (previously allocated) are delivered, and new sites (included in the Proposed Plan) are truly effective. Ashfield has serious concerns regarding both of these issues, as outlined below.

Effectiveness

- Policy 5 of SESPlan requires local authorities to allocate sufficient effective land in LDPs to meet the housing land requirement over a five-year period and over the lifetime of the plan. The Goshen site is indisputably effective. It is in the ownership of a single party and that party has entered into a legal contract with two national housebuilders for a first phase of development which would be completed by those housebuilders within the current five-year time frame. The Goshen site is free from physical constraints, is attractive to the market (as demonstrated by the contracts with national housebuilders), is free from contamination, no public funding is necessary and all infrastructure required to facilitate the development of the site has been committed to by Ashfield.
- Turning to **effectiveness of committed and new sites**, the 2015 ELC Housing Land Audit on which the Proposed Plan is based contains no reference to constraints to site effectiveness as required by PAN 2/2010. This is despite clear and obvious concerns about the deliverability of a number of the significant allocations and / or sites with planning permission as included within the 2015 Audit as being effective. In its response to the MIR, HfS identifies concerns with the delivery of both 'effective' sites included in the (then) 2013 Housing Land Audit, and the preferred sites in the MIR. In relation to the committed 'effective' sites, HfS states: *"the most important thing is that [the Spatial Strategy] is capable of being delivered. In relation to housing, this means identifying a range of sites in marketable locations (in line with the plan objectives) that are genuinely effective or capable of becoming effective and delivering homes within the LDP and SDP timescales"*.

10. In relation to the MIR sites it concludes, in relation to Tables 7A to 7C in the response,:

“the Council’s anticipated programming for future sites would require average completion rates of 708 units per year from 16/17 to 18/19 (assuming no yield from preferred sites before 16/17). This would require a return to completion rates of the scale achieved in 2006-07, which was East Lothian’s highest delivering year in terms of housing completions. For the 5-year period 2019/20 to 2023-24 an average annual build rate of 483 units per annum would be agreed. This would also require a significant improvement on recent annual build rates. The last time a rate of this ilk was achieved was in 2009/2010, since when annual build rates have continued to decrease.” (para. 5.2, Document 6).

11. The HfS response continues by referring to Table 7D which combines build rates necessary to fulfil the 2013 Housing Land Audit predictions of effective supply and deliver the new LDP allocations in line with ELC’s preferred programming. Build rates mainly in excess of 1,100 units per annum are required to achieve this, and HfS considers this to be highly unrealistic. The response advocates making the best possible case for increasing build rates to meet the housing land target through improving the generosity allowance and allocating a range of sites. Ashfield would support this position.
12. The approach adopted in the MIR and now adopted as the settled position of the Council recognises the importance of looking beyond the 2024 period, as supported by SESPlan. The Proposed Plan signals a change of direction to that included in the 2008 Local Plan which focused on the dispersed strategy, and has not been successful. It is important that the compact strategy is adopted for the long term and that it is consistently applied in subsequent iterations of the LDP up to 2024 and beyond.
13. Ashfield has consistently supported the compact strategy approach adopted in the LDP since the MIR stage, and as now accepted by ELC. Ashfield has also consistently supported the scale of housing development included within the Musselburgh Cluster and within the other settlements within East Lothian to meet the significant shortfall in housing land supply, most notably on an ongoing basis over a five year period. However, the failure of the Plan to deliver the required housing from committed housing sites, including sites in the Musselburgh Cluster, remains a major issue for the Council.
14. The Wallyford site (MH9) was granted planning permission in principle (PPP) in 2009 for 1,050 houses, and again in 2015 for 1,450 houses, although no housebuilding has commenced.
15. In response to the MIR, the developer East Lothian Developments Limited (ELDL) referred to “substantial offsite infrastructure upgrades required to provide for the development of the site” and a “funding mechanism which is entirely dependent on the timely and cost effective sale of land and the subsequent development of houses”. ELDL expressed its support for the compact growth strategy in response to the MIR, but objected to the number of houses proposed within this compact strategy, given the potentially competitive, rather than complementary, impact these might have on the delivery of the long-allocated Wallyford site.
16. Clearly, in planning for the longer term within the compact Spatial Strategy, it is imperative that significant additional land allocations are required to meet the SESPlan housing land requirement. Whilst an element of competition between sites is inevitable in any housing market area, housebuilders will programme

completions based on market demand and progression of other sites within the same housing market area.

17. Of the 1,645 houses included in the established supply (committed sites) for the Musselburgh Cluster (Table HOU1), 1,050 (64%) are programmed to be delivered at the Wallyford site, according to Technical Note 1. This remains the case since the PPP approval in 2009, and is unchanged due to the failure to deliver any houses in the intervening seven years. Technical Note 1 (Housing Land, etc) programmes 540 completions between 2015 and 2020 for the committed housing at MH9. This will make a modest impact on the five year housing land supply shortfall (24% of the shortfall to 2020 based on Table 1 above).
18. Site M9 includes an additional 400 houses as part of an "intensified" development at Wallyford, and a new site is also added to the east at Dolphingstone (MH10), again in the control of ELDL and representing a further "intensification" of housing within the same overall site. Further commentary is provided below on the appropriateness of allocating this site in the Proposed Plan for landscape impact reasons.
19. In total, the committed Wallyford allocation, together with the new allocations, amount to 2,050 units in the Musselburgh Cluster, or almost 40% of the overall housing land supply in the Cluster (see Table HOU1). According to Technical Note 1, the programming of the new sites in MH9 and MH10 will make no contribution to the housing land supply until 2023/24.
20. Intensifying and extending the Wallyford site will, therefore, deliver no increase in housing completions in the period to 2020, nor in the five year period following the anticipated adoption of the LDP in 2018, up to 2023. Even setting aside the doubts over the true effectiveness of this overall site, the agreed programming in the Proposed Plan will make no impact on the biggest issue affecting economic growth in East Lothian, the ability of ELC to deliver housing.
21. There is no dispute that significant allocations in addition to the long-allocated Wallyford site will be essential in the Musselburgh Cluster, to ensure that the SESPlan housing land target is successfully met in the prime location as defined by the LDP compact Spatial Strategy, particularly within the current five year time frame. As demonstrated above, simply adding additional phases to the same site will not meet the five-year housing land supply target, as confirmed by Technical Note 1.
22. In contrast, as recognised by ELC Officers in allocating the Goshen site in the draft Proposed Plan, the two house builders contracted to deliver Phase 1 at Goshen have programmed 300 houses within the current five-year target time frame (between 2018 and 2020). This represents some 13% of the housing land shortfall within the five year period to 2020. The additional 700 houses proposed for the Goshen site would be delivered up to 2024.
23. In deleting the Goshen site from the draft Proposed Plan, Members have chosen a strategy of seeking to accommodate more and more of the SESplan housing land requirement within an expanded Wallyford site, thereby allowing a single developer to control the competition by managing the release of land for housing development. This approach is, of course, entirely contrary to the Policy Principles set out in SPP which require the planning system to identify a generous supply of land to "*enable provision of a range of attractive, well designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places*" (our underlining) (Document 8, para. 110). The SPP, at para. 119, continues to refer to the importance of allocating "*a range of sites which are effective or expected to become effective in*

the plan period to meet the housing land requirement of the Strategic Development Plan up to year 10 from the expected year of adoption... In allocating sites, planning authorities should be confident that land can be brought forward for development within the plan period and that the range of sites allocated will enable the housing supply target to be met".

24. Instead of supporting the allocation of a range of sites as included within the Spatial Strategy of the draft Proposed Plan, ELC has sought to increase the capacity of the Wallyford site further, through the allocation of the Dolphingstone site (MH10). As referred to above, however, the intensification and extension of housing allocations in Wallyford will have no impact on the shortfall in the five year effective housing land supply, confirmed by the programming of completions in the Proposed Plan Technical Note 1.
25. There is also some significant uncertainty surrounding not only the deliverability of the Wallyford and Dolphingstone sites (MH9 and MH10) as outlined above, but also their capacity to deliver the number of units assumed in the Proposed Plan.
26. By way of illustration, PROP MH11 (New Secondary School Establishment) states that the new secondary school establishment will be at an expanded Wallyford site within PROP MH9 or MH10 *"and preferably within PROP MH9 as shown on the proposals map"*. This is a vague and imprecise policy wording and implies that the location of the secondary school establishment is flexible. The finalised LDP should ensure that the proposal for the secondary school is precise and the reference to the location of the site is explicit and specific.
27. MH11 states that a minimum of 6.2 hectares will be required for the secondary school campus and whilst this is referred to as potentially being located on either MH9 or MH10, the Development Brief published with the Proposed Plan illustrates the secondary school and primary school located within MH9. This is likely to result in a loss of approximately 200 units from the MH9 site, reducing the 400 units in the Proposed Plan to 200.
28. The Development Brief (as referred to later in this submission) also requires the loss of some 5.5 hectares from site MH10 at Wallyford, or between 150 and 200 units. The capacity of MH10 is likely to reduce from 600 in the Proposed Plan to between 400 and 450 as a result.
29. Overall therefore, there will be approximately 350-400 fewer houses delivered by the MH9 and MH10 allocations than currently anticipated.
30. The only alternative to the Goshen site for significant housing land in the Musselburgh Cluster is site MH1: Craighall. This allocation was also the subject of the amendment promoted by Councillors Hampshire and Innes at the 15th November Council meeting. The Councillors instructed officers *"to undertake necessary technical work to explore further the housing allocation at Craighall (MH1)"* (Document 4). The Planning Service Manager is minuted as stating, in response to the amendment relating to site MH1, 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 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.” (Document 4, page 7)

31. Despite the Planning Service Manager’s comments, the MH1 allocation has more than doubled the amount of housing, from 700 in the draft Proposed Plan to 1,500 in the Proposed Plan. All of this land is in the control of a single housebuilder.
32. Collectively, therefore, some 67% of the overall housing land allocation for the Musselburgh Cluster is in the control of just two parties (sites MH1, 9 and 10).

Summary

33. For the reasons outlined above, the Goshen site is necessary to secure compliance with Policies 5 and 6 of SESPlan. It will make an essential contribution towards meeting the housing land supply shortfall for the period up to 2020, and will provide certainty in terms of meeting the SESPlan housing land requirement to 2024 and beyond. There is no dispute that Goshen is effective, and any attempt to replace it with an alternative site in the form of the plainly ineffective MH10 as an extension of the questionably effective MH9 should be resisted.
34. Goshen is plainly required to meet the SPP objective for a range and choice of housing sites to be allocated in Plans. This cannot be achieved with 67% of effective and new allocations being in the control of just two parties.
35. Ashfield has committed to the delivery of the necessary infrastructure works to accommodate Goshen. These include the improvements to Salter’s Road required by condition of the Wallyford 2015 PPP, if these improvements have not already been implemented, and improvements to the Dolphinstone interchange with the A1. Ashfield also commits to the provision of a new primary school and a site for the new secondary school, if required. The Goshen site would complement other committed developments and Proposed Plan allocations in the Musselburgh Cluster, including Wallyford site MH9.
36. There are no other alternatives to Goshen which would justify a departure from the conclusion that it meets the requirements of Policies 5 and 6 of SESPlan, and will contribute to sustainable development, as a result of which, there is a presumption in favour of its development, in accordance with SPP.

New Sites Assessment

37. As referred to in the preceding section, ELC Members, at the Council meeting on 17 November 2015, tabled an amendment to the draft Proposed Plan which deleted Goshen and replaced it with two sites: Dolphinstone (MH10) and Howe Mire (MH13). Further consideration was also to be given to Craighall (MH1).
38. Dolphinstone (MH10) was included as a safeguarded site in the MIR and in the draft Proposed Plan. SNH engaged thoroughly at the MIR stage and raised concerns in relation to those allocations within the MIR “*which present the most significant challenges of protection and enhancement of the natural heritage*”. In relation to key issues of place-making, natural heritage, coalescence and cumulative impact (page 2, Document 9). There is no reference in the SNH response to the Goshen site as one of the allocations representing the most significant challenges.

39. Reference is, however, made by SNH to the Dolphingstone (MH10) site in the MIR Response. SNH considers this to present a significant challenge for the protection of natural heritage on the basis of its “*impacts on landscape character and regionally important views*” (page 2, Document 9). In response to question 8, SNH states, “*We highlight the adverse landscape and visual impacts that would arise from development of PREF-M11*”. At Annex 2 of the SNH response recommendations on site allocations are outlined, and in relation to Dolphingstone it recommends:
- “Seek Reasonable Alternative – the site is likely to present significant and/or adverse impacts on the natural heritage. We advise that the reasonable alternative sites listed in our covering letter may present less significant impacts and therefore as reasonable alternative options they should be considered in advance of these sites”* (page 23 of Annex 2).
40. The SNH advice was, of course, subsequently accepted by ELC officers in excluding the Dolphingstone site as a preferred site in the draft Proposed Plan.
41. The LDP Draft Environmental Report (part of the current Proposed Plan consultation) recognises that Dolphingstone (MH10) is devoid of natural boundary features, and highly visible from the surrounding landscape and road network. Dolphingstone is located on rising ground on Falside Hill, and visible in the foreground of open views towards Edinburgh and the Firth of Forth. The site helps maintain the separation between Wallyford and Prestonpans, particularly in long distance views from elevated land such as Falside Hill and Tranent. The scale of development proposed is described as representing “*a significant encroachment into the Green Belt and may undermine its role in preventing coalescence*”.
42. SNH considers a number of alternatives that could be allocated instead of these more challenging sites. Significant concerns are also raised by SNH in relation to the allocation at Craighall (M1) in terms of the “*significant coalescence and adverse effects on the wider landscape setting of Musselburgh and the City of Edinburgh*”.
43. In its most recent response to the LDP, therefore, SNH has raised concerns with the continued expansion of the Wallyford site into Dolphingstone and the large-scale expansion of the Craighall site west of the A1.
44. Of the major housing land allocations in Musselburgh that underpin the Musselburgh Cluster within the compact Spatial Strategy as outlined in the MIR and subsequently adopted in the draft Proposed Plan, the only site that SNH raised no concerns with was the Goshen site. This position was of fundamental importance to ELC in its preparation of the draft Proposed Plan and in the context of the suitability of the Goshen site over other sites in the Musselburgh Cluster, including Dolphingstone and Craighall. It was also fundamental in terms of the Goshen site’s acceptability in relation to SESplan Policy 12.
45. Elsewhere in the SNH response to the detailed MIR questions, it provides advice to ELC on how strategic land allocations should be considered, and states in relation to the Goshen site “*strategically positioned potential allocations within the Green Belt, such as Goshen Farm, have strong landscape assets which should be retained and incorporated into development in order to provide wider setting and separation between nearby settlements*” (Document 9, Response to Q7). Ashfield accepts this position and has incorporated the landscape assets into the development in the accompanying Masterplan Report.

46. Howe Mire (MH13) was included in the MIR as one of a number of “other site options” (page 87). The comments on the site state, “It is in the core of the Pinkie battlefield site and thus would have more significant landscape and cultural heritage impacts than other sites”.
47. Historic Environment Scotland (HES) responded to the MIR stage of the LDP in February 2015 (Document 10). HES is scathing in its criticism of any potential inclusion of the Howe Mire site in the LDP and states:
- “The proposal will destroy a significant part of the battlefield landscape where it is possible to appreciate and understand the open flat nature of the main area of the battle set against higher ground to the south. In light of this, and the potential scale of development in this area, Historic Scotland consider that this has the potential to raise issues of national significance regarding the level of impact on a heritage asset within their remit. They would therefore object to this area’s inclusion in the Spatial Strategy of the Local Development Plan, and any subsequent planning applications in this area”* (Response to Q11 – Musselburgh Cluster).
48. This Response was submitted in February 2015 and there is no reason why HES will not maintain its fundamental objection to the allocation of this site in response to the Proposed Plan.
49. The Development Brief for the Howe Mire site provides no comfort for concerns over not only the impact on the battlefield site, but the landscape impact of development, with no natural limit to development, and no credible ability to address other impacts on amenity, most notably noise.
50. In addition to Dolphingstone and Howe Mire, Members instructed Officials through the amendment to the draft Proposed Plan on 17 November to consider the housing allocation at Craighall (MH1). Officials have presumably undertaken the necessary technical work as requested by Members and concluded that the allocation of 700 houses as part of a mixed use allocation at Craighall in the draft Proposed Plan can more than double to 1,500 units as part of the M1 allocation in the Proposed Plan. No explanation or justification is provided for doing so in the Proposed Plan. In its response to the MIR, SNH states in relation to MH1 “The development of this site could have significant and adverse impacts on the landscape setting of Edinburgh and Musselburgh if inappropriately developed. Equally, it could fragment existing green infrastructure assets and lead to poorly planned access and active travel provision.” (Annex 2, Document 9). Despite this, the Proposed Plan more than doubles the size of this site.

Conclusion

51. In conclusion:
- The current five year effective housing land supply shortfall in East Lothian is significant and growing.
 - Of the total allocation for the Musselburgh cluster, some 67% is in the control of two landowners/developers (sites MH1 and MH9/MH10). 40% is in the control of just one landowner (MH9/MH10), and of the committed sites in its control, no housing has been delivered since the 2008 Local Plan allocation.
 - Sites MH10 (Dolphingstone) and MH13 (Howe Mire) are constrained from a landscape impact and cultural heritage perspective, with objections from statutory consultees (SNH and HES respectively). Concerns are also raised about site MH1 from a landscape perspective.

- The capacity of the Wallyford, Dolphingstone, Howe Mire and Craighall sites is overstated in the Proposed Plan, and Goshen is capable of meeting the shortfall, with capacity to deliver up to 900 houses.
- Goshen is free from any landscape impact objections, subject to careful masterplanning, is effective and is capable of delivering housing to meet the five year housing land shortfall.
- Goshen had the support of ELC officers and statutory consultees at draft Proposed Plan stage, and there was, and remains, no justification for the removal of the site from the Plan by Members. This decision should be reversed through the Examination process.

Documents List

1. East Lothian Council Draft Proposed Plan – November 2015
2. East Lothian Developments Ltd letter to East Lothian Council Chief Executive – 12 November 2015
3. East Lothian Developments Limited letter to Councillor Hampshire – 13 November 2015
4. Minutes from East Lothian Council meeting – 17 November 2015.
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Goshen Farm

REPRESENTATION TO EAST LOTHIAN LDP
PROPOSED PLAN

November 2016

MASTERPLAN REPORT



ASHFIELD LAND

**BARTON
WILLMORE**

Executive Summary

GOSHEN FARM: AN EXCEPTIONAL HOUSING SITE

The Goshen site has always been and continues to be an exceptional residential-led mixed use development site.

It was identified within the Main Issues Report as:

“...one of the most accessible in East Lothian, and its development would promote sustainable travel patterns and help minimise carbon emissions as well as help contribute to regeneration objectives.”

It was identified in the Draft Proposed Plan as:

“...one of the most accessible parts of East Lothian and is well served by public transport. It shall be developed at an appropriate higher density to make good use of this accessible land, consistent with Policy DP3. The development of this site including the provision of the required education and community facilities will support community regeneration objectives for east Musselburgh.”

This document provides an overview of the masterplan evolution which has been directly shaped through consultation with East Lothian Council and in response to statutory consultees, public consultation and updated technical assessments.

Ashfield Commercial Properties Limited (Ashfield) recognise that a site of this scale and importance will be delivered through partnership working, evidenced by our process of engagement to date and our willingness to continue this approach going forwards.

KEY CREDENTIALS

UNIQUE ACCESS TO SUSTAINABLE TRANSPORT

The site lies in close proximity to Wallyford railway station, just 200 metres at its western boundary and 1000 metres from its furthest edge and directly adjacent to Wallyford Park and Choose.

It is highly unlikely that there is another potential housing site within East Lothian that could come close to offering public transport services of the regularity and frequency as those next to Goshen Farm.

HIGH QUALITY ENVIRONMENT AND DISTINCTIVENESS

The existing landscape and local cultural heritage, will provide references to create a development with a strong sense of place and identity. Located on the eastern edge of the town, the proposed development offers the opportunity to add to the character when entering Musselburgh and provide a cohesive and attractive environment for both residents and visitors.

HIGH QUALITY LANDSCAPE AND RECREATIONAL RESOURCES

The proposed development provides an opportunity to open up the site to allow access from surrounding communities into the site to enjoy the parks, open spaces, paths and recreational facilities which will be provided as part of the proposed development.

The green network has also been designed to achieve a balance of formal and informal open space. The opportunities for increasing biodiversity on the site and increasing wildlife corridors are significant.

HOUSING DELIVERY

The proposed residential led mixed use development provides an opportunity to deliver a significant number of homes within a high quality environment close to a variety of modes of public transport. The development is capable of delivering a first phase of development, some 300 (of which 75 will be affordable) homes.

In addition to this, Ashfield are able to deliver the educational requirement in the form of a two stream primary school with nursery facilities on site if required, or alternatively, make the necessary contributions towards off site provision.

Ashfield also have standalone solutions to traffic impact but can support other consented schemes as ELC see fit.

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1 Introduction

Introduction

1.1. This document has been prepared by Barton Willmore on behalf of Ashfield Commercial Properties Limited (Ashfield) to accompany the representation to the East Lothian Local Development Plan (LDP) submitted by Scott Hobbs Planning (SHP) on their behalf. This document should therefore be read in conjunction with the main representation.

1.2. Barton Willmore has previously submitted a number of documents (on behalf of Ashfield) as part of the LDP process and the purpose of this document is to provide an updated Masterplan Report which demonstrates how the site has been amended to demonstrate that the development can be delivered in a way which will address all technical constraints (particularly archaeology / cultural heritage, landscape and visual impact, education and transportation).

1.3. The overall purpose is to emphasise the exceptional case for the Goshen site as a mixed use development of up to 900 houses, a local centre and a primary school and, if necessary, a secondary school.

THE GOSHEN SITE

1.4. The Goshen site is included as part of the Green Belt in the Proposed Plan. However the site was included as an allocation for 1,000 houses, a site for a primary school and the preferred site for the new Musselburgh Grammar School in the Draft Proposed Plan published in October 2015. The background to the preparation of the Proposed Plan is therefore important and will form a significant part of this representation.

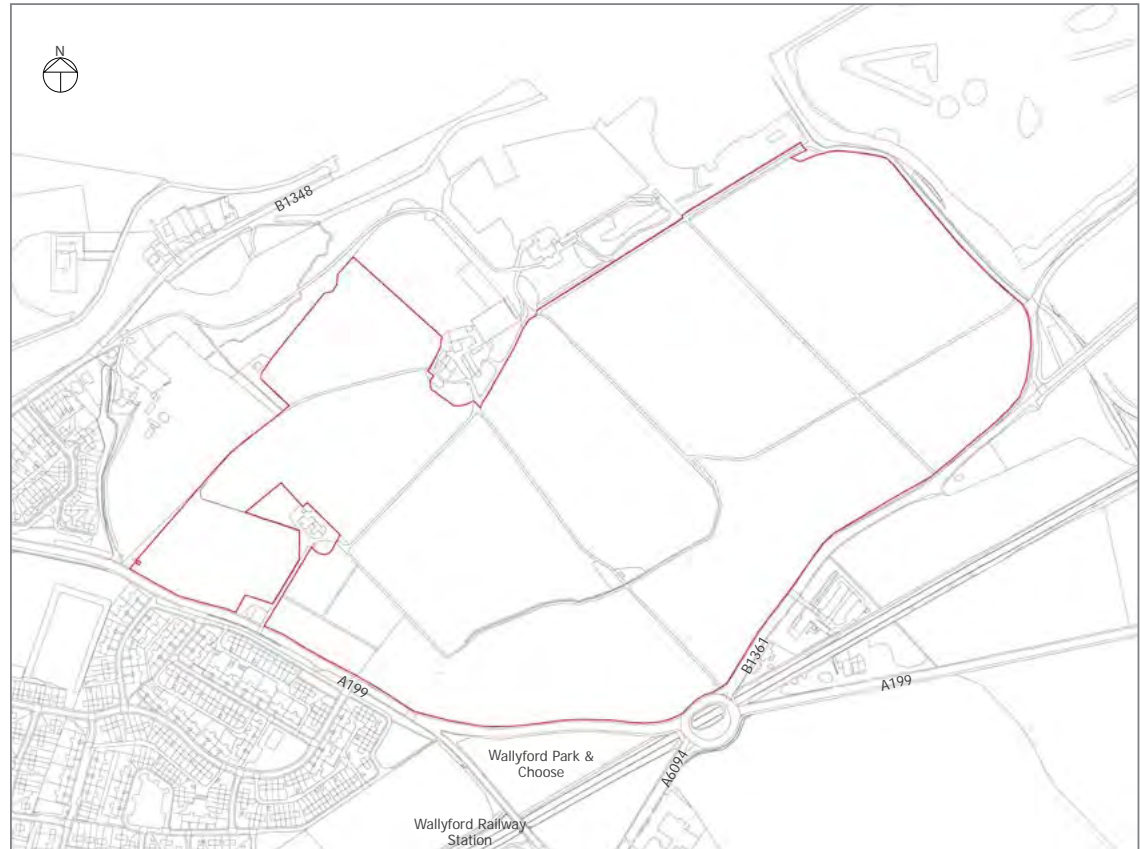


Figure 1 : Goshen Site Boundary

SITE HISTORY

1.5. The timeline opposite provides a summary of the Goshen Farm proposals from the PPP application in July 2011, through its inclusion in the Main Issues Report (MIR) 2014, Draft Proposed Plan 2015 and up to its omission from the Proposed Plan 2015.

INHERENT BENEFITS OF GOSHEN FARM

1.6. The MIR identified the Goshen site as:

- *“...one of the most accessible in East Lothian, and its development would promote sustainable travel patterns and help minimise carbon emissions as well as help contribute to regeneration objectives.”*

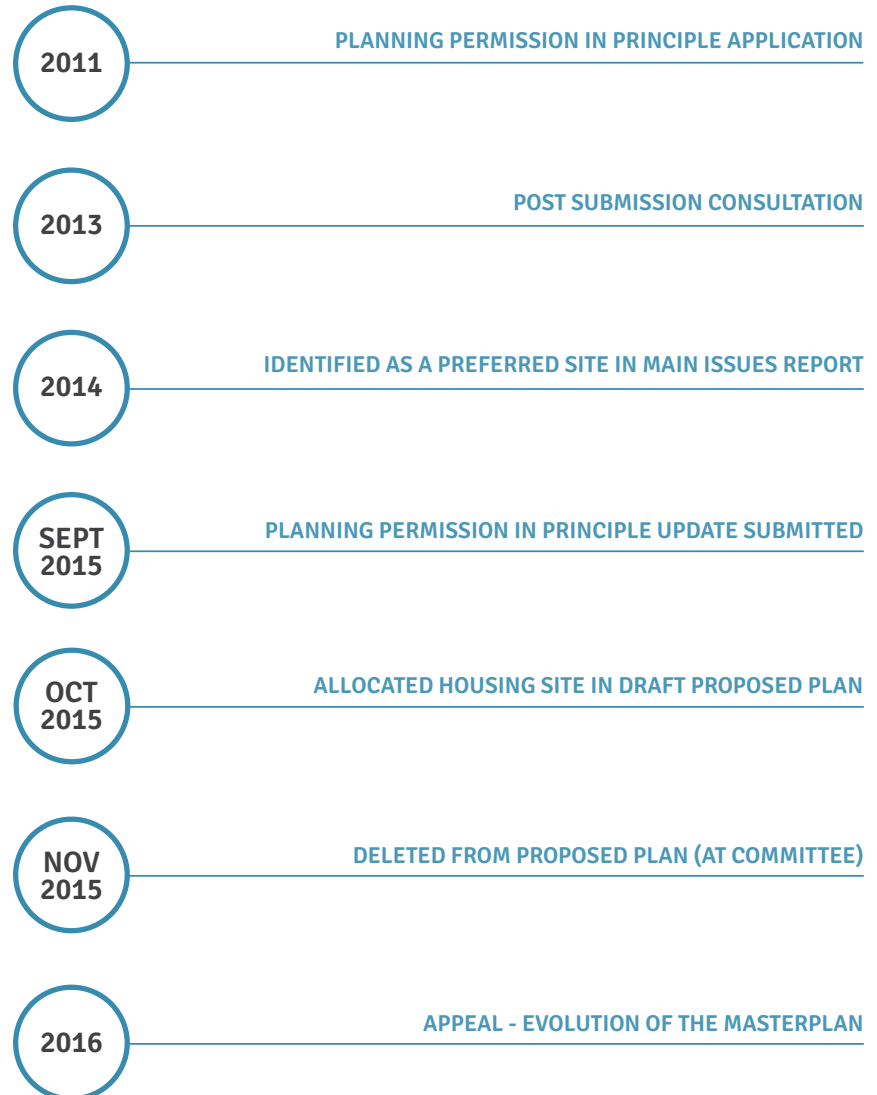
1.7. The Draft Proposed Plan identified the Goshen site as:

- *“...one of the most accessible parts of East Lothian and is well served by public transport. It shall be developed at an appropriate higher density to make good use of this accessible land, consistent with Policy DP3. The development of this site including the provision of the required education and community facilities will support community regeneration objectives for east Musselburgh.”*

A FLEXIBLE APPROACH

1.8. Since 2011 Ashfield have been committed to evolving the proposals for a high quality and sustainable development at Goshen Farm. We have always been and continue to be flexible in terms of ensuring the best possible fit for this development within Musselburgh.

1.9. Over the last five years Ashfield has worked closely with East Lothian Council (ELC) through consultation to resolve any perceived issues and will continue to do this.



2011 - PPP Application

1.10. Ashfield submitted a planning application (PPP) to ELC in July 2011 for:

- Up to 1200 residential units- mix of type and tenure, including provision of affordable housing;
- Local centre, including Employment Space;
- Non-denominational Primary School (two-stream) with pre-school facilities;
- Open space- formal/ informal, including SUDs;
- Landscaping; and
- Roads and associated infrastructure.



Figure 2 : Indicative Masterplan (July 2011)

2013 - Post Submission Consultation

1.11. Since the submission of the application in 2011, extensive discussions have taken place with ELC and other statutory consultees.

1.12. In total, four workshops were held with officials from various departments within ELC (Planning, Housing, Transport and Education) between July and September 2013. The purpose of the workshops was to critically analyse the draft proposals and to seek solutions to outstanding issues. The workshops were arranged in order to discuss specific topics and relevant council disciplines were represented at the respective workshops. These included:

- Transportation – 2nd July 2013
- Masterplanning – 24th July 2013
- Education/ Masterplanning – 13th August 2013
- Education – 6th September 2013

1.13. The masterplan proposals evolved as a result of this dialogue and a number of changes were made to reflect the views of officers:

- The number of residential units has been reduced from upto 1,200 to circa 1,000;
- The local centre has been reduced in scale and repositioned to the south west of the site in the form of retail/employment;
- The primary school has been relocated closer to existing communities; and
- The reprovision of openspace to form a landscape buffer providing separation between the site and Wallyford and providing an appropriate entrance to Musselburgh.



Figure 3 : Revised Indicative Masterplan (June 2014)

- 1 - Primary School (2 stream)
- 2 - Retail (800 sqm)

2014 / 15 - Masterplan Refresh

IDENTIFIED AS A PREFERRED SITE IN MIR - NOVEMBER 2014

1.14. Goshen was included within the MIR as a Preferred Housing Opportunity, referenced PREF-M9, stating that the site was in a location which makes a lesser contribution to the Green Belt, was one of the most accessible sites in East Lothian and provides regeneration opportunities.

PLANNING PERMISSION IN PRINCIPLE UPDATE SUBMITTED - SEPTEMBER 2015

1.15. The masterplan opposite was prepared to take account of updated and more detailed technical information post submission and in response to ongoing consultation with ELC. The plan incorporated the following:

- Revised drainage strategy - SuDS
- Land reserved for potential secondary school (south of Ravensheugh Burn)
- Detailed Phase 1 layout (300 units of which 75 were affordable) developed by David Wilson / Barratt Homes

ALLOCATED HOUSING SITE IN DRAFT PROPOSED PLAN - OCTOBER 2015

1.16. The draft Proposed Plan allocated the Goshen site as PROP MH9: Land at Goshen, Musselburgh.

DELETED FROM PROPOSED PLAN (AT COMMITTEE) - NOVEMBER 2015

1.17. The sites was removed deleted from the plan in favour of sites at:

- Dolphingstone (MH10)
- Howe Mire (MH13)
- Old Craighall intensification (MH1)



Figure 4 : Refreshed Indicative Masterplan (August 2015)

Figure 5 : Main Issues Report - Pref M10

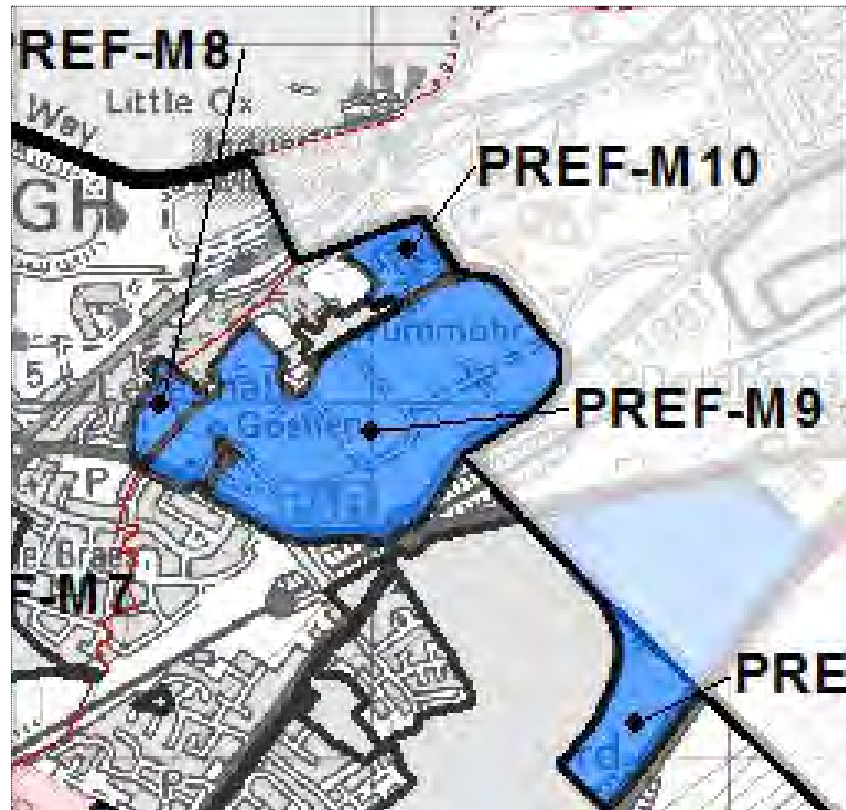
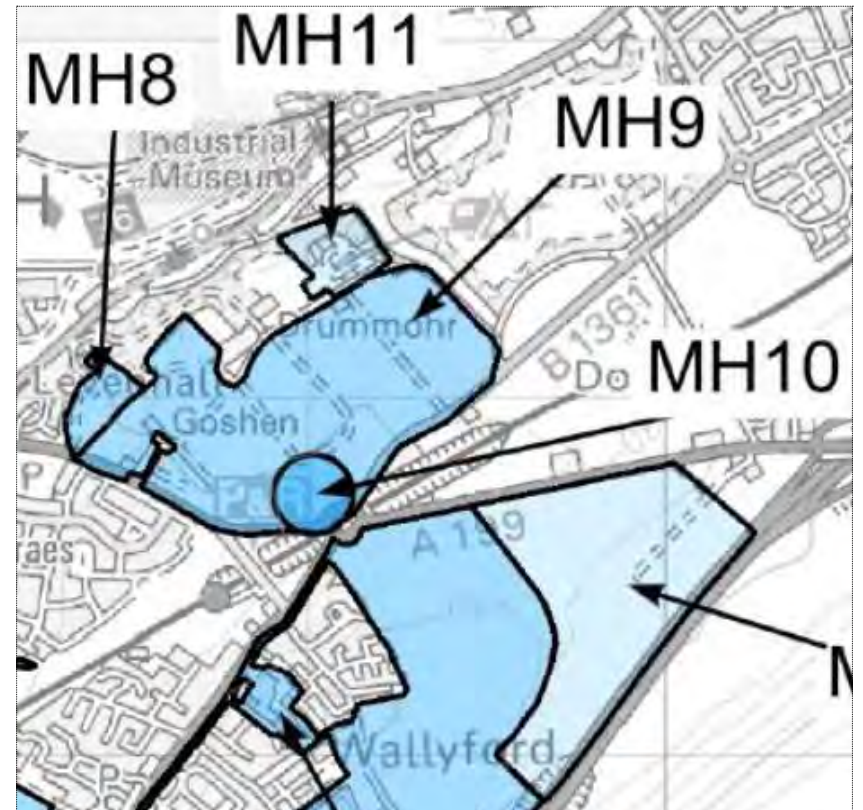


Figure 6 : Draft Proposed Plan - MH9



2 Changing Context: Updating the Masterplan

Revised Masterplan

2.1. Statutory consultees including SNH, Transport Scotland, HES and SEPA supported the inclusion of the Goshen site in the LDP at both MIR and draft Proposed Plan stages. There is no reason why this support would be altered by the decision of the Members in November 2015.

2.2. The following section tackles each of the main constraints and responds to changes in the existing and emerging context, and demonstrates that there are no insurmountable issues to development at Goshen Farm.

A REVISED MASTERPLAN

2.3. This document has identified that since the previous masterplan refresh in August 2015 a number of issues have been raised by ELC and other statutory consultees as areas of further concern regarding the future development of Goshen. However, none of these changes the support in principle to development at Goshen, as confirmed by the inclusion of the site at draft Proposed Plan stage.

2.4. In summary, issues raised included:

- An increased landscaped buffer along the site's eastern edge which sits adjacent to Prestonpans Golf Course and the TPO woodland
- An increased landscaped buffer along the site's south eastern edge which sits adjacent to the B1361 to prevent coalescence due to the November 2015 planning consent for the Edinburgh Road, Prestonpans, scheme for housing and a cemetery
- An increased area of open space to the south of Drummhor House to aid its setting and to take greater cognisance of views out from the House

2.5. The revised masterplan shown opposite and described within this section of the report shows how we have responded to these issues and considerations.

ADDRESSING DRUMMOHR HOUSE

2.6. An extended area of open space has been included to the south of Drummohr House and adjacent to the site's northern boundary. The area of open space reflects the original intention for the parkland area to the south of Drummohr House to have the appearance of a 'productive landscape'. The masterplan proposes that a proportion of the space be used for community gardens, community orchards, allotments, a community building / pavilion as well as a small area for car parking.

2.7. The amended masterplan design introduces a view corridor south from the House, enabling views to and from the House from the B1361 across proposed parkland.

FURTHER LANDSCAPE MITIGATION

The Eastern Edge

2.8. The built edge of development has been pulled back from the site's eastern boundary to provide an increased landscape buffer. A buffer of between 30m and 40m has been provided and will include a minimum of 15m for additional buffer planting in response to the request for an increased green buffer to the edge of Prestonpans.

2.9. We consider that this green buffer is effectively provided through this set back and landscape planting, between the stone wall and the edge of proposed built form, rather than through the provision of open space.

2.10. It is proposed that this landscape buffer is incorporated within the rear gardens of properties along the sites eastern edge.

The Southern Edge

2.11. An area of open space will be provided along the site's southern edge, the width of which will range between 65m and 200m. This will provide a significant area of parkland which incorporates extensive new woodland planting, to screen development from the B1361 east of the Ravensheugh Burn, as well as an improved ecological corridor for the Burn itself.

2.12. This parkland and woodland planting will ensure that the proposed development will be visually interpreted as part of Musselburgh and not Prestonpans or Wallyford.

OTHER CONSIDERATIONS

Visual Separation between Musselburgh and Wallyford

2.13. The existing open space to the north of Wallyford Toll, and enclosed by the tree belt along the Ravensheugh Burn, is retained as open space, preserving open views towards Wallyford and Musselburgh, and forming an extension of the existing linear green corridor which separates Musselburgh and Wallyford, orientated alongside the railway line.

Views of Arthur's Seat

2.14. Carried through from the initial design principles and masterplan from 2011, the revised masterplan seeks to retain a view corridors of Arthur's seat from the B1361 as well as from within the site's extensive parkland.

Figure 7 : Indicative masterplan



Development Parameters

DEVELOPMENT DESCRIPTION AND LAND USE

2.15. The Goshen site can accommodate up to 900 houses. In addition the site can accommodate a local centre, a primary school and, if necessary, a secondary school.

LAND USE	Ha	Ac
Residential and associated roads infrastructure	26.45	65.36
Primary School	2.0	4.94
Local Centre	0.35	0.86
Open Space (including land safeguarded for potential secondary school)	19.6	48.43
SuDS	2.2	5.44
TOTAL	50.6	122.83

Figure 8 : Land Use Table

DEVELOPMENT CAPACITY

2.16. The following table provides an indicative development capacity based on the market tested, detailed layout for Phase 1 (as prepared by Barratt Homes) as well as an average density of 35 dwellings per hectare (DPH) applied to Phases 2 and 3, although densities may vary.

PHASE	Ha	Ac	QUANTUM	DENSITY
1 2017-20	9.15	23	300	33 DPH
Includes provision of retail and potential primary school				
2 2020-22	6.5	16.5	215	33 DPH
3 2022-25	10.8	27.2	355	33 DPH
TOTAL	26.45	65.36	870	

Figure 9 : Development Capacity Table

Figure 10 : Land Use & Indicative Phasing Plan



Landscape

LANDSCAPE PROPOSALS

2.17. SNH have consistently supported the development potential of the site through the emerging Local Development Plan process, and recognised its potential to enhance green infrastructure and placemaking, making the following suggestions in their most recent consultation response:

- *“the potential to retain, repair and where necessary reposition existing stone walls which contribute to local landscape character and site identity;*
- *the potential to ensure that the Ravenshaugh Burn is fully de-culverted within the development site with appropriate marginal habitats, paths and crossing points also delivered;*
- *the potential to strengthen tree planting within the development, with particular focus given to enhancing the boundary planting on the public road boundaries which may help accommodate the development within the landscape and as seen within wider views; and*
- *the potential to provide clearly defined active travel provision through the site, connecting to wider places and integrated with other aspects of on-site green infrastructure (for example, combining active travel routes with areas of enhanced boundary planting or along the de-culverted water course route).”*

2.18. The Proposed Masterplan makes a significant contribution to regional green network connections, and delivers important strategic green infrastructure, providing 21.8ha of open space and SUDS.

2.19. The landscape proposals would reverse the decline of important landscape features within the site, securing their long-term management to safeguard their contribution to local landscape character and site identity.

Stone Walls

2.20. The existing red sandstone walls are an important feature of the site and surrounding streetscape, however they are in need of positive management to ensure their long-term survival. The Masterplan proposes to repair and reinstate the stone walls, and limits the number of new access points into the site to minimise interruptions to the stone wall. The proposed vehicular access points will be designed to create attractive gateways in keeping with the character of the estate walls.

Ravenshaugh Burn

2.21. The Ravenshaugh Burn will be not only be retained as a key element of the green infrastructure within the site, but will be enhanced to create marginal habitats through deculverting and reshaping bank profiles; biodiversity will be improved; and the open space corridor will provide paths and crossing points to allow for new pedestrian access and passive recreation along the Burn. The existing trees will be retained and supplemented with additional tree planting to create a clearly legible feature and biodiverse habitat corridor.

Open Space Network

2.22. The Masterplan provides a well-connected and multi-functional network of open space across the site

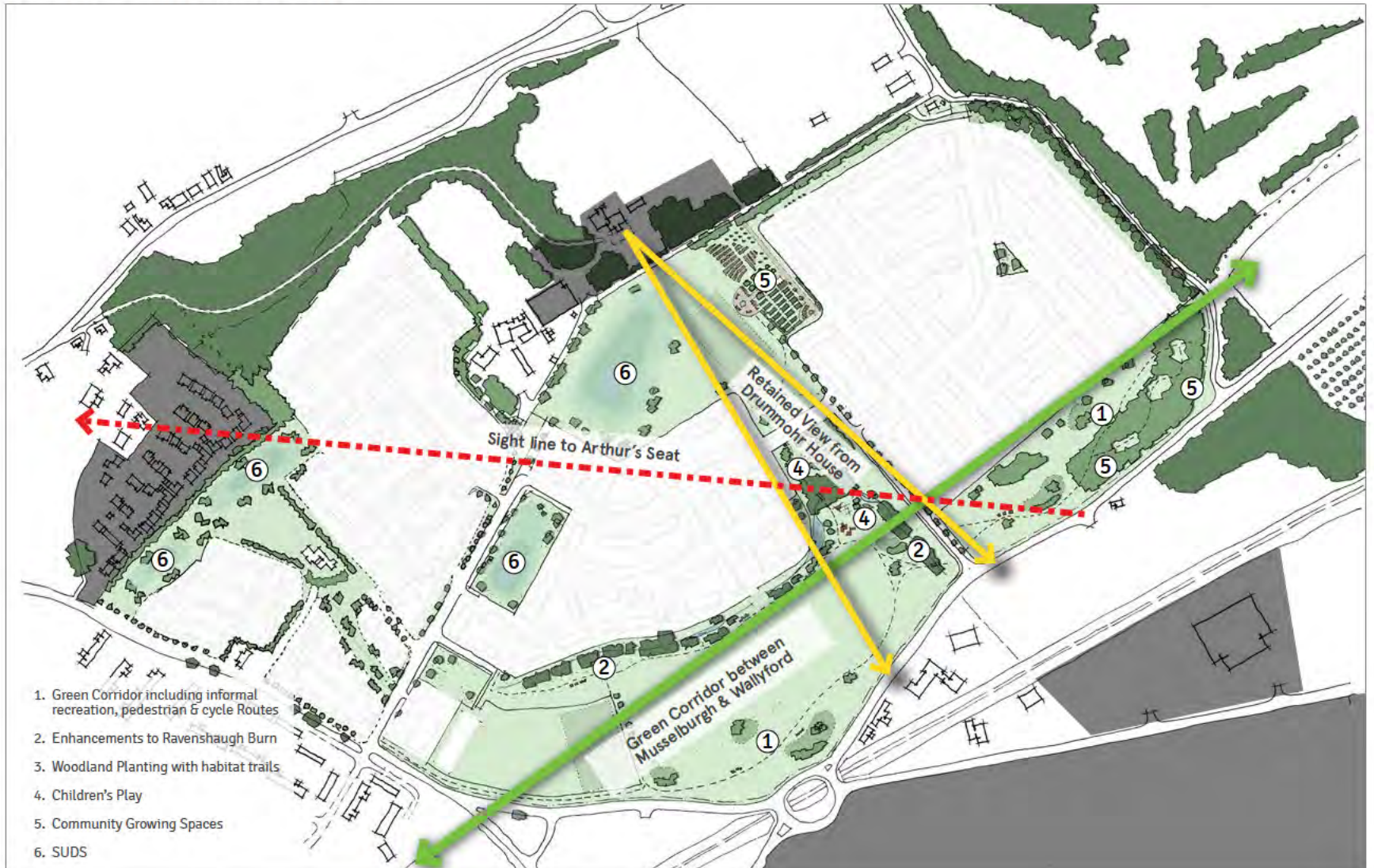
providing places for visual amenity, acting as ‘breathing spaces’; providing for informal recreation - walking, cycling, sitting, socialising, and children’s play; serving as wildlife corridors – allowing habitat connectivity, and maintaining and enhancing biodiversity; formal recreation – sports pitches, kick about areas and equipped play; and productive uses – community growing spaces and edible landscapes. The green network includes the incorporation of existing landscape features, and proposed structural planting to strengthen the site’s connection to the wider landscape patterns, including the creation of new woodland, as well as integrating the SUDS features into the open spaces, with opportunity to deliver key habitats of grassland and wetlands. The open space network will provide new connections and active travel provision through the site to connect to wider places and routes, contributing to the Central Scotland Green Network and meeting its objectives for connectivity, cross boundary linkages, and maintenance and enhancement of green space networks.

Views

2.23. The Masterplan maintains views towards Arthur’s Seat and the Pentland Hills that open up beyond the wooded setting of Prestonpans and the Royal Musselburgh Golf Course, traveling west on the B1361.

2.24. The site has excellent potential to accommodate high quality residential development, within a strong landscape framework that integrates existing landscape features, and reinforces and strengthens local landscape character through the provision of a significant green network.

Figure 11 : Indicative Landscape Masterplan



Landscape

GREEN BELT CONSIDERATIONS

2.25. The Updated Masterplan responds to changes in the local context, in particular as a result of new development and recent planning permissions and allocations.

Musselburgh

2.26. Musselburgh comprises a market town core focussed around the mouth of the River Esk, and extends across the coastal plain with outer areas of ubiquitous housing. The Masterplan proposes a high quality extension to Musselburgh set within a strong landscape framework. The framework will complement and reinforce the existing coastal corridor that comprises of public parks, semi-natural open space and woodland; and provide habitat and physical connections between the coast and the wider agricultural landscape to the south and south-east.

2.27. To the west of the site, built development has a close physical relationship with the existing settlement of Musselburgh. To the south, built development is contained by Ravenshaugh Burn, with the proposed informal open space preserving open views and the sense of arrival into Musselburgh.

Wallyford

2.28. Wallyford is a former mining town, comprising mainly of 20th century housing, located on the foothills of Falside Hill between the railway line and A1. The northern approach from Wallyford Toll is marked by ribbon commercial development, and the sense of arrival into Wallyford is changing as a result of the eastern expansion of Wallyford.

2.29. The Masterplan retains the existing stone wall that encloses Wallyford Toll and the southern edge of the Site, and the large open field that is enclosed by the

Ravenshaugh Burn and associated tree belt to the north. The open space incorporates playing fields and grounds for a Primary School and an informal park setting, which will preserve the sense of openness at the Wallyford Toll and arrival into Wallford from the north-east and prevent coalescence.

Prestonpans

2.30. Prestonpans is a coastal town, the older part of which is on the coast, with modern development extending up onto the raised beach and contained by the railway line to the south. The setting of Prestonpans is distinctively wooded, comprising of a network of mature policy woodlands which are distinctive in the relatively open landscape.

2.31. The Masterplan reinforces the existing pattern of woodland, strengthening this important landscape feature which is relatively mature and requires management and successional planting to persist in the long term. A tree belt is proposed along the eastern boundary of the Site to reinforce the woodland that encloses Royal Musselburgh Golf Course, to preserve the setting of the unnamed lane that provides access to the coast.

2.32. A substantial belt of new woodland planting is proposed along the south-eastern boundary to reinforce the existing woodland; improve habitat connectivity to the surrounding tree belts and woodland blocks; and provide additional screening on the edge of Prestonpans in light of the approved scheme to the west of Prestonpans. Together with the proposed wooded cemetery, the Golf Course and coastal open space and vegetation, this will prevent the coalescence of Prestonpans and Musselburgh and prevent intervisibility between the new settlement edges, although briefly curtailed at this point, open views to Arthur's Seat from along the B1361 are retained, emphasising the transition

from the visually enclosed setting of Prestonpans and the more open setting of Musselburgh and Wallyford.

Landscape Setting

2.33. The landscape setting of the Site, and the settlements of Musselburgh, Prestonpans and Wallyford, is one of an almost continuously settled coastal strip, contained by the steep slopes of Falside Hill to the south. The Proposed Development will not affect the landscape setting or views for users of the coastal parks, cycle routes, footpaths and recreational grounds. The Proposed Development has a very localised effect on landscape character and views, the majority of which are transient, affording an ever changing perspective on the relationship between Musselburgh, Prestonpans and Wallyford due to the changes in and interrelationships between landform, elevation, vegetation and built form.

2.34. Where elevated views are experienced from Falside Hill, the coastal strip forms part of a wider panoramic view of the Firth of Forth, Holyrood Park and Edinburgh, comprising a mixed belt of woodland, settlement and ribbon and sporadic development along the coast. These views have capacity for residential development within the coastal strip without compromising the important strategic views towards Edinburgh or across the Firth.

Figure 12 : Strategic Landscape Plan



Archaeology & Cultural Heritage

BATTLEFIELD

Current research indicates that the English Camp is not located in the area of the site. Metal detecting survey work and subsequent trial trenching supports the interpretation that the English Camp is not located within the Site.

An approach has been made to HES seeking a revision in the Battlefield Inventory on this basis.

2.35. The boundary of the Battle of Pinkie, as defined in the Inventory of Historic Battlefields, encompasses the landscape within which the main events of the battle took place and where associated physical remains and archaeological evidence occur, or may be expected to occur. Whilst the site is identified in the Inventory as the probable location of the English Camp on the night before the battle, more recent historical research has indicated that the Camp was more likely to have been situated between Dolphingstone and Prestonpans.

2.36. According to an eye witness to the battle, the English Camp was entrenched. If the Camp lay within the proposed development area, it is possible that archaeological traces of this feature survive. Following a programme of metal-detecting that was carried out in 2012 it was noted that the nature, density and date of the finds recovered did not support the hypothesis that the English Camp was sited at this location; there was a notable dearth of the general background clutter that one might expect after a large army had been camped for a night. Whilst this lent support to the interpretation of the historical evidence that placed the Camp further to the east, it was not conclusive proof and a programme

of trial trenching evaluation was undertaken in October 2016. No traces of entrenchment or other features that may have related to the English Camp were revealed by the trial trenching. The remains of rig and furrow cultivation and a single sinuous ditch that ran east to west across the site demonstrate that the site has not been horizontally truncated. Thus, it is not possible the English Camp was present within the site, but has been entirely ploughed away; rather, it must have been elsewhere, as the historical research has indicated, most likely further to the east.

2.37. The views from Falside and Carberry Hills towards Musselburgh, together with the view out to sea from Inveresk church, are highlighted by the Inventory as important in the context of comprehending the Battle of Pinkie in its landscape setting; these views would be unaffected by the proposed development. Indeed, the site is peripheral to the main events of the battle as fought on both days on Falside and Carberry Hills. The English line of approach to the battlefield may only partially lie within the proposed development area but it is equally possible that the English forces turned west towards Falside Hill before they actually reached the vicinity of the site.

Cultural Heritage

DRUMMOHR HOUSE

2.38. Drummohr House is designated as a Category B Listed Building. Its special interest derives primarily from its architectural merit. The House was originally situated at the centre of an estate designed in 1764, with gardens to its north and parkland situated to its immediate south and cultivated agricultural land to either side of the parkland. The original 1764 design and early 19th century design included trees or tree clumps positioned to frame views to and from the House. Later changes in the ownership and use of Drummohr House and the wider landscape, including the planting of a belt of coniferous trees to the immediate south of the House, have caused the House to become increasingly secluded and private. The site has been used as cultivated agricultural land for over 100 years.

2.39. The Masterplan includes a large area of open space to the south of Drummohr House including a visual corridor from Drummohr House towards Falside Hill. This corridor would also permit views towards the House, if the belt of coniferous trees to the immediate south of the House were removed. Responding to the original intention for the parkland to the south of Drummohr House to appear as a 'productive landscape', tree clusters, open grassland and a community growing space are included in the area of green space, which sets built development back from Drummohr House by over 200m.

2.40. The original entrance to the Drummohr Estate was from the north-east, along the East Drive, which was formerly enclosed by a tree-lined avenue. The Masterplan sets back development from the East Drive, and includes the reinstatement of the tree-lined avenue.

2.41. The boundary walls of the Drummohr Estate survive in a somewhat dilapidated condition, but form part of the local character of the area. The boundary wall will be restored and the number of new entrances through the wall will be limited. The entrances will be appropriately detailed in a style in keeping with the design of Drummohr House.

2.42. Drummohr House currently has planning permission for 7 no. additional houses, however, the new owner has indicated his intention to occupy and restore the House, potentially removing the coniferous tree line to the south. Although this now obscured existing view is considerably changed, with the view now including residential, industrial and commercial buildings, and infrastructure, the Masterplan has incorporated a visual corridor from Drummohr House towards Falside Hill, which relates to the southern entrance and the Drawing Room of Drummohr House, and the proposed open space affords new views of the House.

Transport

2.43. The site is immediately adjacent to the Wallyford Park and Choose transport hub, and is therefore particularly well served by bus services, to a range of destinations in Edinburgh and East Lothian. In addition, the site is within easy walking distance of Wallyford Rail Station, providing a very attractive choice of alternative modes of transport to the private car for journeys to and from the proposed development.

2.44. In preparing the draft Proposed Plan, ELC sought to prioritise sites that have some possibility of being served by public transport, in preference to sites remote from rail services, where that option is never likely to emerge. The site was referred to by ELC officials in the draft Proposed Plan, as one of the most accessible locations in East Lothian. Indeed, there are few prospective sites within the SESTRAN area that are better served by road and rail based public transport.

2.45. Discussions with ELC and with the Scotrail franchisee, Abellio, have identified proposals to deliver additional capacity on local services by operating longer trains in the short to medium term – that is to say, by increasing trains from 3 carriages to 6 carriages. Abellio are currently working with Network Rail through a “New Alliance” to extend the platform at North Berwick to remove the existing constraint on train length.

2.46. The inclusion of Goshen as a preferred site in the East Lothian LDP Main Issues Report (MIR) demonstrated all of this.

2.47. Transport Scotland, in their response dated 5 February 2016 to the planning application, stated that *“Having reviewed the minutes of the Committee’s meeting, it is apparent, from a transport perspective, that Goshen Farm was considered to offer a number of benefits with regards to accessibility and sustainable travel options.”*

2.48. With all of that in mind, the site’s locational advantages are likely to result in a lower vehicle impact on surrounding roads, than a similar-sized site more remote from public transport.

2.49. Following an extensive review of Transportation Assessments and Transportation Statements prepared for the planning application, agreement was reached with both Transport Scotland (the authority for the A1 trunk road) and ELC (in respect of all other local roads) that if the development is approved, the following major works will be undertaken by the Appellant

- (i) a scheme of traffic calming will be implemented within Wallyford, and along the A6094 Salters Road (in the event that this has not already been implemented by others);
- (ii) design and re-activation of the signal control at the junction of the A6094 Salters Road with the A1 (T) westbound slip roads;
- (iii) modifications to the A1(T) Dolphingstone Interchange to remove the existing signal controlled slip road junctions with the A199 and build two new roundabouts;
- (iv) traffic signals to be installed at the junction of the A199 and Macbeth Moir Road.

2.50. Separately, the principle of making contributions to the wider Transport Scotland works at Old Craighall was agreed.

2.51. A number of other proposals have emerged in the meantime, for residential development in the Wallyford area, including Prestonpans and Tranent. ELC have undertaken their own modeling exercise to assess the cumulative impacts of all of these developments, independent of any individual developer, and to then

identify an overall package of transport mitigation measures required for the forecast level of development, including improvements to public transport provision, particularly by rail, as well as road mitigation proposals.

2.52. ELC’s work will go on to identify costs for these transport measures, and a mechanism for contributions from individual developers towards that overall transport package. This approach is fully supported by the developers at Goshen.

Education

2.53. Ashfield has consistently committed to the construction of a primary school at the Goshen site within the first phase of the development, and the contribution of a site for a new Musselburgh Secondary School, in whatever form it was required to take as a result of the ELC review. This commitment was reflected in the proposed allocation of the Goshen site in the draft Proposed Plan in November 2015.

2.54. The draft Proposed Plan, in recommending the allocation of Goshen, states “A new primary school will be provided as part of the new local centre. This primary school may also provide education capacity for other housing sites (eg PROP MH11) so must be delivered as a first phase of development” (para. 2.34). Ashfield was, and remains, committed to this requirement.

2.55. ELC may consider that a new primary school at Goshen is unnecessary due to the construction of a new primary school at Wallyford, the catchment area of which includes Goshen. That school is to be open by October 2018 and will have a capacity for 900 pupils. It will have capacity for the first phase of development at Goshen (300 houses/100 pupils) up to 2020. Thereafter, pupils generated by the Goshen development could be accommodated at Wallyford Primary until it reaches capacity, and then in the extended Wallyford Primary which is designed to take up to 1200 pupils. Ashfield, however, remains committed to the alternative arrangement of delivering a new primary school at Goshen if this is what ELC still wish to deliver.

2.56. In relation to secondary education, Ashfield entered into a binding missive with ELC in October 2015 in relation to accommodating the secondary school requirement at Goshen. Site PROP-MH10: Goshen New Secondary School Establishment was allocated in the draft Proposed Plan to reflect the outcome of the Education Provision report to be considered by ELC at its meeting on 17th November 2015 (attached Document 5). The report concludes “The option that ranked highest in terms of Best Value was a second secondary school at Goshen” (para. 3.13). The report includes the scoring matrix that places the Appeal Site in first place when compared with all other options, including the site allocated for the school in the Proposed Plan at Wallyford (MH11).

2.57. The decision of ELC Members to delete the Goshen site at its meeting in November 2015 does not alter the factual position, as articulated in the report to ELC recommending the draft Proposed Plan in November 2015, that Goshen is the most appropriate site to meet the additional secondary education needs of the Musselburgh Cluster community. The report states: “The draft proposed Plan recommends a new secondary school establishment at Goshen as the most appropriate location for whichever type of secondary school provision the Council in its capacity as Education Authority decides is the most appropriate solution. In respect of its technical merits including location and accessibility this site is considered the most suitable site to provide for the growing community.”

2.58. Ashfield remains agreeable to the safeguarding of a site for the proposed Musselburgh Grammar School at Goshen if, following the Examination, Reporters agree with ELC officers that Goshen is the best site for the school. The site is safeguarded in the Masterplan and ELC have taken positive steps to retain the missive agreed in October 2015. Equally, Ashfield is content for pupils generated by the Goshen development to be accommodated at the alternative site at Wallyford.

3 Conclusion

Conclusion

STILL AN EXCEPTIONAL HOUSING SITE

3.1. The Goshen site has always been and continues to be an exceptional residential-led mixed use site.

3.2. It has been identified as one of the most accessible sites in East Lothian and the masterplan revisions, as detailed in this report, demonstrate that all technical issues can be addressed, namely:

- **Archaeology** - evidence now exists which confirms that this was not the English Camp
- **Cultural Heritage** - respond to the setting of Drummohr House
- **Landscape** - prevent coalescence and contribute to the wider green network
- **Education** - primary and secondary solutions are available to meet the demands of the site.
- **Transport** - a standalone solution can be implemented as previously agreed with TS or Goshen could make an appropriate contribution to a wider solution identified by ELC

COMMITMENT TO WORKING WITH ELC

3.3. We believe that Goshen Farm remains the most sustainable and appropriate development site in East Lothian and that it can help meet ELC's housing land shortfall up to 2020 and beyond.

3.4. In order to achieve this we are willing to work with ELC to ensure that all potential issues are effectively mitigated and that a high quality development at Goshen is delivered.

AMENDMENTS SOUGHT TO LDP

3.5. This Masterplan Report demonstrates the continuing acceptability of the Goshen site for mixed

use development of up to 900 houses, local centre and a primary school. It should be read in conjunction with the **formal representation made on behalf of Ashfield**, but repeated below for ease of reference.

3.6. The principal reasons for allocating the Goshen site are:

- **i.** The allocation of the site was supported by ELC officers at MIR and draft Proposed Plan stages, until Members intervened to delete the site under pressure from another developer in November 2015. The suitability of the site from each of these perspectives remains unchanged.
- **ii.** Statutory consultees including SNH, Transport Scotland, HES and SEPA supported the inclusion of the Goshen site in the LDP at both MIR and draft Proposed Plan stages. There is no reason why this support would be altered by the decision of the Members in November 2015.
- **iii.** Continuing reliance is placed on the Wallyford site in meeting housing need in the Musselburgh Cluster, despite it failing to deliver any housing since its allocation in the 2008 Local Plan. The accompanying Housing Land and New Sites Assessment submitted on behalf of Ashfield confirms that 1,050 (64%) of the 1,645 establish land supply units are to be delivered at the Wallyford site (para. 17), yet there is no evidence of contractual terms having been concluded with any housebuilder.
- **iv.** Despite the failure to deliver at the "established" Wallyford site, the Proposed Plan places greater reliance on the wider land in the same ownership (MH9 and MH10), with 1,000 additional houses allocated here. In addition, 1,500 houses are allocated at a further site in the control of a single party (MH1 at Craighall), resulting in 68% of the housing land supply included as new

sites in Table HOU1 being in the control of just two parties.

- **v.** Two of the sites introduced by Members to replace Goshen, at Dolphingstone (MH10) and Howe Mire (MH13) were the subject of objection from SNH and HES on landscape impact and cultural heritage grounds. A full assessment of these sites is set out in the Housing Land and New Sites Assessment. There is no need to allocate these sites if Goshen is allocated. Goshen is unencumbered by any of these constraints.
- **vi.** ELC is no longer promoting the secondary school at the Goshen site within the Proposed Plan. However the formal missive between ELC and Ashfield remains in place to facilitate the development of the school at Goshen, and the Masterplan can accommodate it, with a reduction in numbers to 700.

3.7. The following amendments to the Proposed Plan are therefore sought:

- **i.** The Goshen site should be allocated in the LDP for mixed use development of up to 900 houses, local centre and a primary school.
- **ii.** Sites MH10 (Dolphingstone) should revert to a strategic reserve in line with the draft Proposed Plan and MH13 (Howe Mire) should be deleted.
- **iii.** If the Reporters agree with the ELC Depute Chief Executive's report of November 2015 considering new secondary education provision for Musselburgh, the proposed new secondary school should be allocated at Goshen, and site MH11 deleted.
- **iv.** The Spatial Strategy for Musselburgh (page 15), the Proposals Map, and Table HOU1 should be amended accordingly.

Figure 13 : Indicative masterplan



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EAST LoTHIAN DEVELOPMENTS LIMITED
16 CHARLOTTE SQUARE
EDINBURGH
EH2 2DF

12 November 2015

Ms Angela Leitch
Chief Executive
East Lothian Council
John Muir House
Haddington
EH41 3HA

Dear Ms Leitch

East Lothian Developments Limited
East Lothian Council
East Lothian Local Development Plan

As one of the principal investors in East Lothian Developments Limited ("ELDL") I thought it important that I write to you now regarding recent events which could impact directly on the proposed development by ELDL at St Clements Wells, Wallyford and also on potential development on the adjoining land at Dolphinstone. We have now had sight of the proposed East Lothian Local Development Plan (the "LDP") which is due to be considered by the members of East Lothian Council at the specially convened meeting on 17 November 2015 in the Brunton Theatre, Musselburgh. Given the content of the LDP I wanted to make sure that neither you nor the various elected members to whom I have copied this letter were left in any doubt whatsoever, as to the likely consequences of the approach proposed by your officials in the LDP for the St Clements Wells Development in Wallyford.

As you will be aware, ELDL have sought to ensure that the necessary steps were in place to allow the St Clements Wells Development to fully commence in November/December 2015. That process has inevitably involved extensive contact with your Council colleagues and it was therefore a matter of profound surprise and shock when the LDP proposed a conflicting approach which could only result in the complete derailment of the development at St Clements Wells. I and each member of the professional team who have been working on behalf of ELDL have been utterly clear at meetings and in writing to the Council as to the potential consequences for the development at St Clements Wells if the Goshen Farm site is allocated for development as currently proposed. However, all of those warnings appear to have been either ignored or discounted. For completeness let me spell out one more time why a number of points have always been and remain pivotal from ELDL's perspective.

It should be self evident that a development on the scale of St Clements Wells requires a massive up front commitment from the developer in terms of the infrastructure required, the Section 75 contributions that the Council are requiring and the prolonged timescales before any meaningful return can be achieved by the developer. St Clements Wells has the additional cost that extensive ground stabilisation works were required before any other work could be undertaken on the site. In order to undertake a development of the scale of St Clements Wells any prudent developer would require as much comfort as possible as to the likely market place into which they would be seeking to sell the serviced land to house builders. The laws of supply and demand dictate that if the house builders have a choice of competing sites in the immediate vicinity (and I refer particularly to the Goshen Farm

site), it is all but inevitable that there will be a downward pressure on the prices that can be achieved for land sales. No developer could commit to the expenditure involved at St Clements Wells nor satisfy their funders as to the risks they would be taking if the future income from the development is in danger of being fatally undermined by, in this instance, a large competing site at Goshen Farm. The Council themselves recognised the compelling logic of this in paragraph 5.37 of the Main Issues Report which quoted from Paragraph 3.11 of SES Plan's Supplementary Guidance on Housing Land where it was stated that, "...new housing allocations brought forward by the LDP must complement and not undermine the ability to develop existing housing allocations." It is not made clear in the LDP why this guidance should now be blatantly ignored in Wallyford.

Let me therefore make it absolutely clear that if Goshen Farm is supported for the development of 1,000 residential units and the new secondary school on that site in the LDP, then the proposed start on the earth works at St Clements Wells (which would represent the official Commencement of Development insofar as the Section 75 Agreement is concerned) will not happen as currently programmed by November/December 2015. ELDL would then have to undertake a complete review as to whether the economic case for the development at St Clements Wells was still viable. Given the extraordinarily tight timescales that had been accepted by ELDL in order to achieve handover of the proposed site for the intended new primary school at St Clements Wells in October 2016, any delay to the commencement of development would make handover by that date unachievable. Similarly there could be no possibility of constructing the initial affordable housing at St Clements Wells by the end of 2016. As your planning colleagues will be aware a detailed application has already been submitted for that work with a number of contractors in advanced negotiations with ELDL to deliver the affordable housing. It has always been made abundantly clear to ELDL that the Wallyford community set great store by the early delivery of both the new primary school and additional affordable housing. ELDL will not hesitate to tell the community if the Council's actions through the LDP delay these much sought after facilities indefinitely.

Given that there has been almost universal opposition to development on the Goshen Farm Site as far back as 2002, I am bemused and deeply sceptical as to the reasons why the Goshen Farm Site is now being proposed with such enthusiasm by the planning officials at East Lothian Council. The issues and problems arising from any development on the Goshen Farm Site are, I think, well known but let me highlight a number of the key factors which have not been given enough prominence in the LDP: -

1. The Goshen Farm Site represents the final significant parcel of land that separates and distinguishes the settlements of Musselburgh, Prestonpans and Wallyford particularly following the granting of planning permission by the Council's Planning Committee on 03rd November 2015 for the erection of 160 dwelling houses on a site at the western extremity of Prestonpans. Plan 1 in the attached Coalescence Diagram shows the effect of allowing development on the Goshen Farm Site where it is abundantly clear that Musselburgh, Prestonpans and Wallyford would simply become one indistinguishable urban mass. Plan 2 within the same Diagram attached shows the contrasting effect of instead having development at St Clements Wells and Dolphingstone allocated. In this case the setting of the three settlements can be maintained; their separate identities protected; and countryside retained between them for the enjoyment of all, precisely the purposes for which the Goshen Farm site should be retained within the Green Belt.

2. If the Goshen Farm Site goes ahead and the St Clements Wells development is indefinitely delayed, the new distributor road through St Clements Wells will also be delayed. The transport assessments for the proposed development at Goshen Farm (which to date have been woefully inadequate compared to the detailed work done for St Clements Wells) offer no solution to the inevitable significant increase of traffic movements on Salter's Road. The local community would therefore be faced with the worst of all worlds in terms of increased traffic on Salter's Road and no progress on the relieving distributor road at St Clements Wells. By contrast the suggested development at Dolphingstone which is located immediately adjacent to the Dolphingstone Interchange on the A1 would not only generate less potential additional traffic on Salter's Road but could only proceed if the St Clements Wells distributor road was already in place thereby alleviating local traffic problems for the existing community.
3. ELDL cannot and will not allow their proposed investment in infrastructure upgrade for water, gas and electricity and traffic calming works on Salters Road as part of the St Clements Wells development to be utilised by another developer on the Goshen Farm Site at nil or minimal cost to that developer. There would though be a compelling economic case for ELDL to ensure the infrastructure capacity at St Clements Wells factored in the additional capacity required for Dolphingstone if the Council commit to that site at this time.
4. One of the primary purposes of the LDP is to facilitate the construction of housing on viable sites as quickly as possible. If the Goshen Farm Site was allowed to proceed at this time the net effect would be to reduce the overall supply of new housing given the inevitable delays that would occur on the St Clements Wells development. Any loss of proposed housing land supply on the Goshen Farm Site could of course be immediately mitigated if the Council supported the allocation of up to 800 units on the Dolphingstone Site.

ELDL have consistently sought to work with the Council to maximise the potential of St Clements Wells for all parties including ELDL, the Council and in particular the local community who have been hugely supportive of the development. Despite ELDL's concerns as to the process for identifying a site for the new secondary school which bluntly, came across as the Council hawking their planning support in exchange for the largest area of "free" land with little or no regard for sound planning criteria, ELDL sought to engage fully in that process. As you will be aware an agreement was signed by ELDL with the Council offering land for the new school largely within the Dolphingstone Site based on the compelling case of aligning the new secondary school with the new primary school at St Clements Wells. There is no mention made of this alternative site in the LDP and no explanation as to why such a compelling alternative was not promoted to the Council members in the LDP. All parties should be made aware that alternative sites for the new secondary school do exist if the Goshen Farm development is not supported.

The LDP suggests that any allocation on Dolphingstone should only be considered following completion of the distributor road and the new primary school at St Clements Wells. Such a suggestion is totally unacceptable to ELDL and entirely short sighted in terms of approach by the authors of the LDP. For the reasons set out above, progress on the allocation at Dolphingstone at this time can only assist the economic case for ELDL investing in St Clements Wells at this time with full capacity to meet additional development in the future on adjoining land. As you would expect given the gravity of the situation, ELDL

have taken Counsels advice on this and other aspects of the LDP and will not hesitate to take whatever steps are necessary to protect ELDL's position going forward.

ELDL's whole approach to St Clements Wells has been to set out for the Council and indeed the community exactly what ELDL intend to undertake and then to deliver on those commitments. There can be no better illustration of this than the work that is currently well underway at St Clements Wells on the ground stabilisation. Despite the lack of clarity on the outcome of the LDP, ELDL committed in good faith following discussions with the Council to an investment in the site which will exceed £4 million. Without that commitment by ELDL and their funders, there could have been no possibility whatsoever of the proposed new primary school site being made available for October 2016. The Council and members should give considerable thought as to the value of progressing with a committed party who is already on site and delivering on their promises as against the risk and uncertainty of switching to another party who is yet to make any progress on the ground at the Goshen Farm Site.

At the recent Planning Committee hearing for the infrastructure consent at St Clements Wells, one of the members present made it very clear that such is the importance of the St Clements Wells development to the Wallyford community that there should be "no barriers to progress". Given the level of support that we have encountered for the St Clements Wells development, both locally and amongst the Council members, it seems inexplicable that the whole development is on the verge of being jeopardised at the very point of commencement by the short sighted promotion of an alternative competing site by officials. I hope that I could not have been clearer as to the consequences for the St Clements Wells Site if the Goshen Farm Site is zoned for development as presently proposed on Tuesday. I hope it is equally clear that there is also a viable and logical alternative with an option of promoting additional housing and indeed the secondary school on the Dolphingstone Site. For the reasons set out above I hope that the members will recognise and reject the entirely flawed approach proposed in the LDP so far as it relates to the Goshen Farm Site and the Dolphingstone Site and step back from a decision which would prejudice all of the social and economic benefits flowing from the St Clement Wells development and also irrevocably alter the distinct character of Musselburgh, Prestonpans and Wallyford.

With support from the members on Tuesday the risk of further delay in Wallyford can be removed and ELDL can and will move quickly on site to deliver a better solution for the community and the Council at St Clements Wells and Dolphingstone.

Yours sincerely



cc Councillors Shamin Akhtar, David Berry, Ludovic Broun-Lindsay, Steven Brown,
John Caldwell, Stuart Currie, Tim Day, Andrew Forrest, Jim Gillies, Jim Goodfellow,
Donald Grant, Norman Hampshire, Willie Innes, Margaret Libberton, Peter McKenzie,
Fraser McAllister, Paul McLellan, Kenny McLeod, John McMillan, John McNeil,
Tom Trotter, Michael Veitch, John Williamson



Our Ref: ep416/let047/DS

13th November 2015

Councillor Norman Hampshire
East Lothian Council
John Muir House
Brewery Park
Haddington
East Lothian
EH41 3HA

Dear Councillor Hampshire

**EAST LOTHIAN DEVELOPMENTS LIMITED
EAST LOTHIAN LOCAL DEVELOPMENT PLAN
GOSHEN V DOLPHINGSTONE**

We refer to recent correspondence issued by our clients, East Lothian Developments Limited and by us in connection with the Proposed East Lothian Local Development Plan which you and other members of your Council are due to consider at a specially convened meeting in the Brunton Theatre on Tuesday 17th November 2015.

You will be aware by now from correspondence previously issued that we and our clients were very surprised and disappointed that your Planning Department have chosen to recommend the allocation of the Goshen Farm site on the outskirts of Musselburgh for the development of a new secondary school and 1000 residential units. In recent days we have been corresponding with you to promote the retention of the Goshen Farm site within the Green Belt and as an alternative we have been requesting that land in our client's ownership at Dolphingstone to the east of Wallyford be allocated for that new secondary school and the development of 600-800 residential units; the final number of residential units being dependent on the size of the site required for the secondary school facility.

To assist in your further deliberations on this matter we attach for your attention a small document which highlights the key advantages of the Dolphingstone site over the Goshen site from the perspectives of Impact on Viability, Traffic Considerations and Coalescence.

I trust that you find this additional information of assistance. Should you have any queries in connection with any of the contents please do not hesitate to contact me.

Yours sincerely


Derek Scott

enc.

Goshen v Dolphingstone



IMPACT ON VIABILITY

Goshen

1. East Lothian Developments Limited will be postponing indefinitely any further development on the St Clements Wells, Wallyford site should Goshen Farm be zoned for development in the East Lothian Development Plan for the following reasons:
 - (a) It would lead to a reduction in land values and/or in the rate of housebuilding on the site at St. Clements Wells, rendering it a commercially unviable project.
 - (b) Our clients are firmly of the opinion that the Goshen Farm site only becomes viable from a servicing perspective if they proceed with its servicing programme for the St. Clements Wells site. East Lothian Developments Limited are not prepared to install on-site and off-site infrastructure in association with its development at St Clements Wells that others, including Goshen Farm, can 'piggy back' on at a future date at nil cost.

2. The benefits to be derived from the St Clements Wells Development, which include a new primary school, a new local centre, new sports pitches, allotments and traffic calming on Salters Road will be delayed indefinitely if the Goshen Farm site is zoned for development.

3. It has been claimed by the promoters of Goshen Farm that their site is capable of making an immediate and short term contribution to East Lothian Council's Housing Land Supply. The net benefits of such contributions are nil as there would be no units whatsoever being delivered from the St. Clements Wells site in such circumstances.

4. East Lothian Developments Limited can give an unequivocal commitment to East Lothian Council that it will commence development on the St Clements Wells scheme to ensure the timely delivery of the new primary school and other community facilities **but only** if the Goshen Farm site is retained in the Green Belt and not zoned for development.

Dolphingstone

1. The allocation of land for 600-800 units at Dolphingstone and the reservation of a site for a new secondary school facility to serve the Musselburgh Catchment area will not lead to a reduction in land values or slow down in the rate of housing completions on the St. Clements Wells site as both land holdings are controlled by the same party.
2. The servicing requirements of the St Clements Wells site, which will only be delivered in the event of the Goshen Farm site not being zoned in the East Lothian Local Development Plan, will render the Dolphingstone site immediately viable. Development can thereafter proceed on both the Dolphingstone and St Clements Wells sites in parallel thus making a significantly greater contribution to the Council's housing land supply than would the St. Clements Wells site were it to be developed on its own.



TRAFFIC CONSIDERATIONS

Goshen

1. The development of 1000 houses at Goshen Farm will result in a significant increase in Edinburgh bound traffic movements on Salters Road, Wallyford thereby negating the benefits to be derived from the traffic calming and environmental improvement works required by the Council's existing local plan and proposed in association with the St. Clements Wells development where permission has been granted for 1450 residential units.
2. The development of a new secondary school on the Goshen Farm site would significantly increase the number of local vehicle movements on Salters Road, Wallyford.
3. The Transportation Assessment submitted in support of the Goshen Farm planning application significantly underestimates the volume of traffic likely to arise from the development and fails to assess the cumulative impacts of other developments including the permission granted for 1450 residential units and associated development at St. Clements Wells (14/00903/PPM); the 160 units granted at Prestonpans West (15/00473/PPM); and the primary and secondary schools proposed within that scheme on the local road network. It should not therefore be allocated for development.

Dolphingstone

1. The development of 600-800 units at Dolphingstone will have little or no impact on either Salters Road or Musselburgh Town Centre as all Edinburgh bound traffic from this part of the overall development will access and exit from the A1 at the Dolphingstone Interchange.
2. The lands at Dolphingstone are within close proximity to the local centre and primary school proposed within the St. Clements Wells Development. This site represents the most appropriate location for a new secondary school facility as it is located beside the largest feeder primary school within the catchment area thus minimising traffic movements overall and having a minimal impact on Salters Road.



COALESCENCE

Goshen

1. The Goshen Farm site was given the following description by the Council's Planning Department in a 2002 Report subsequently approved by elected members at the time:

'This site is a major and visible intrusion into the Edinburgh Green Belt. It is not well-integrated with the surrounding communities and could have substantial adverse impacts on the wider road network unless steps can be taken to minimise additional traffic flows through Wallyford and Musselburgh. The land fails to meet a number of the locational criteria.'

It is nothing short of remarkable that the site is now being recommended for the allocation of 1000 houses and a new secondary school.

2. Following the granting of planning permission for 160 residential units and a cemetery facility at Prestonpans West (15/00473/PPM) on 03rd November 2015 the Goshen Farm site represents the last significant parcel of land separating and providing a landscape setting to the settlements of Musselburgh, Prestonpans and Wallyford.

The Goshen Farm site **MUST** be retained in the Green Belt to ensure that the area does not become an indistinguishable urban mass resulting in the loss of individual identity to Musselburgh, Prestonpans and Wallyford. **Plan 1** in the attached Coalescence Diagram clearly demonstrates that the three settlements will coalesce and become indistinguishable if Goshen Farm is zoned for development as currently proposed.

Dolphingstone

1. The Dolphingstone site is referred to as follows in the existing East Lothian Local Plan adopted by the Council in 2008:

'There is further land between Wallyford and the A1/A199 that may be capable of accommodating additional housing and associated development. The requirement for development there, the suitability of the land and the impact that this might have on Wallyford will be matters for consideration in a review of the Development Plan.'

2. The allocation of the Dolphingstone site for development and the retention of the Goshen site within the Green Belt will ensure that Musselburgh, Prestonpans and Wallyford can all maintain their separate identities and not merge into an indistinguishable urban mass. **Plan 2** in the attached Coalescence Diagram when compared with **Plan 1** demonstrates quite clearly the importance and value of maintaining the Goshen site within the Green Belt.





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 Humbie 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.

REPORT TO: East Lothian Council

MEETING DATE: 17 November 2015

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Additional Secondary Education Provision – Musselburgh

1 PURPOSE

- 1.1 The purpose of this report is to provide Council with the ranked outcome of the option appraisal for Secondary Education provision in the Musselburgh Area (Appendix A).

2 RECOMMENDATIONS

- 2.1 It is recommended that the solution to providing additional secondary education capacity in Musselburgh is Option A - a new second secondary school at the Goshen Site.

3 BACKGROUND

- 3.1 The first Strategic Development Plan for South East Scotland (SDP1) was approved by Scottish Ministers in June 2013.
- 3.2 Supplementary Guidance on Housing Land has now been approved by Scottish Ministers (subject to minor change).
- 3.3 In East Lothian, the Supplementary Guidance on Housing requires the allocation of sites capable of delivering 10,050 homes during the period 2009 – 2024, with 6,250 homes being delivered in the period to 2019.
- 3.4 SDP2 (2024 – 2032) could see demand for a further 3,800 homes.
- 3.5 The Main Issues Report (MIR) details a preferred approach of “Compact Growth”. The option appraisal is therefore based on the Council electing for a compact high growth strategy for Musselburgh and the resultant options available.

- 3.6 The Council must ensure provision can be made for the education of children in its area and must consult on certain changes in such arrangements before it can commit to them, including if required what is needed, to make sites effective.
- 3.7 A qualitative assessment of potential sites for future secondary schools in Musselburgh was prepared in February 2015. This provided an assessment of nine potential sites to establish their suitability and to provide a range of options for the delivery of secondary school facilities in Musselburgh. Initially the sites were assessed in respect of area and ownership. Sites that were then shown to be suitable were then assessed in respect of access, pupil movement and various constraints. Three sites were identified as being suitable for the various school options. (Appendix B). These are :
- Dolphinstone
 - Goshen
 - Craighall
- 3.8 Three alternative solutions were identified for providing the required additional capacity.
- 3.8.1 Option A – A new second Secondary School serving part of Musselburgh
- 3.8.2 Option B – A new S4/S6 phase school for all Musselburgh
- 3.8.3 Option C – a new single S1/S6 Musselburgh Grammar school for all Musselburgh.
- 3.9 A pre-consultation exercise, which was open to anyone, was carried out by the Council's Education Service on the three education options for the delivery of secondary school facilities. This took place during the summer of 2015. This consultation generated 261 responses of which 78% were received from parents and pupils (Appendix C1 and C2).
- 3.10 An appraisal of each of the three school options on each of the three potential sites was carried out based on the qualitative criteria and features which formed part of the pre consultation (Appendix D).
- 3.11 The purpose of the option appraisal was to provide a structured auditable approach to assessing the different ways of providing additional capacity using available resources to achieve the objective(s) and to attribute monetary values against each option.
- 3.12 The scoring of the qualitative criteria was then evaluated along with the capital cost of the new Education provision including land acquisition costs to provide a Best Value ranking (Appendix E).
- 3.13 The option that ranked highest in terms of Best Value was a second secondary school at Goshen (Appendix A).

4 POLICY IMPLICATIONS

- 4.1 There are no direct policy implications associated with the report recommendations although clearly securing an effective solution for the delivery of secondary education in Musselburgh will contribute to the achievement of key educational attainment objectives within the Council Plan. Any proposed solution will have significant implications for the Council's Financial Strategy and both Strategic and Local Development Plans.

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 An Equality Impact Assessment has been started but is not yet complete. The impact assessment will be complete prior to the Council meeting and any impact will be reported at this stage.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – estimated capital budget provision for a second secondary school at Goshen of £[REDACTED]. Costs for both capital investment requirements and general operational activities for any additional secondary school capacity will be necessary within future capital and revenue budgets.
- 6.2 Personnel - no immediate staffing implications although there will clearly be additional staffing requirements associated with implementation of the proposed solution.
- 6.3 Other – none

7 BACKGROUND PAPERS

- 7.1 Members briefing, 10 November 2015

AUTHOR'S NAME	Alex McCrorie
DESIGNATION	Depute Chief Executive Resources and Peoples Services
CONTACT INFO	Ext 7834
DATE	9 November 2015

APPENDIX A

Musselburgh Secondary Education Options

SUMMARY	OPTION A - a new second school			OPTION B - a Senior Phase school			OPTION C - a single new school		
	Dolphinstone	Goshen	Craighall	Dolphinstone	Goshen	Craighall	Dolphinstone	Goshen	Craighall
ELC Capital Project costs									
PPP									
total ELC contribution									

Option Appraisal Scoring (a)	1157	1286	923	1036	1136	940	1229	1358	1107
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Value For Money (a) / (b)	67.00	79.03	53.78	59.38	68.79	53.91	44.51	55.33	41.93
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Ranking	3	1	7	4	2	6	8	5	8
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A QUALITATIVE ASSESSMENT OF POTENTIAL SITES FOR FUTURE SECONDARY FACILITIES IN MUSSELBURGH

QUALITATIVE ASSESSMENT OF POTENTIAL SITES

This paper provides an assessment of the sites to establish their suitability, and to provide a range of options for the delivery of secondary school facilities in Musselburgh. Initially the sites were assessed in respect of area and ownership. Sites that were shown to be suitable were then assessed in respect of access, pupil movement and various constraints. In respect of pupil movement, the paper presumes that the Council will be responsible for pupil transport costs where the travel distance exceeds 2 miles. The recommendations at the end of each potential site option are based on suitability in respect of the listed factors.

OPTIONS

OPTION A – A New Second S1/S6 Secondary School Serving Part of Musselburgh

The existing Musselburgh Grammar School would be retained and serve a western catchment area of Musselburgh.

OPTION B - A New S4/S6 Senior Phase School for All Musselburgh

The existing Musselburgh Grammar School would be retained and adapted to provide an S1/S3 facility for all of Musselburgh, and the new facility would be for the S4/S6 pupils. This configuration provides the most effective use of the existing school building.

OPTION C – A New Single S1/S6 Musselburgh Grammar School for All Musselburgh

This school would accommodate all secondary school pupils in the Musselburgh catchment area. The existing Musselburgh Grammar School and site would be vacated.

POTENTIAL SITES FOR AN ADDITIONAL SECONDARY SCHOOL FACILITY

The sites include:

Pinkie Playing Fields	Land at Craighall
Land at Dolphinstone	Fisherrow Links
Land at Goshen	Levenhall Links
Former Edenhall Hospital Site	Land West of Former Edenhall Site
Former Wireworks Site	

A QUALITATIVE ASSESSMENT OF POTENTIAL SITES FOR FUTURE SECONDARY FACILITIES IN MUSSELBURGH

DRAFT

A QUALITATIVE ASSESSMENT OF POTENTIAL SITES FOR FUTURE SECONDARY FACILITIES IN MUSSELBURGH

OPTION A – A SECOND S1/S6 SECONDARY SCHOOL (SERVING PART OF MUSSELBURGH)

Potential Sites	Critical Suitability Factors		Sites to take Forward for further Assessment	Additional Suitability Factors				Sites With Potential for a New School
	Site Area	Tenure		Access	Pupil Movement	Constraints		
						Environmental and Other	Current Site Designation	
Pinkie Playing Fields			NO					NO
Land at Craighall			YES					YES
Land at Goshen			YES					YES
Land at Dolphinstone			YES					YES
Fisherrow Links			NO	Not taken forward				NO
Levenhall Links			NO	Not taken forward				NO
Former Edenhall Site			NO	Not taken forward				NO
Land West Of Edenhall			NO	Not taken forward				NO
Former Wireworks			NO	Not taken forward				NO

LEGEND:

suitable

constrained

unsuitable

PINKIE PLAYING FIELDS

Site Area and Tenure: The playing field is owned by East Lothian Council and has insufficient area and configuration to deliver a new S1/S6 secondary school for the eastern part of the Musselburgh cluster.

Access and Pupil Movement: The site is centrally located in the cluster, relates well to the existing catchment area, and relates well to the many access routes and public transport services that service the existing Grammar school, particularly from the settlements around Musselburgh. Whitecraig is 2.1 miles away and Old Craighall 2 miles away - this pupil travel distance is likely to increase once the extent of new development areas is considered. Additional pupil transport costs are likely to be incurred.

Constraints: The site is of insufficient area. A most significant issue is in regard to the current use of the site, and the loss of open space and pitches. Pinkie Playing Field provides a central location for open space and sports facilities for schools and the community. It may be that some sports pitch capacity could be re-provided with any new

A QUALITATIVE ASSESSMENT OF POTENTIAL SITES FOR FUTURE SECONDARY FACILITIES IN MUSSELBURGH

secondary school facility on this site, whilst replacement pitches could be re-provided locally elsewhere in association with potential new development areas. The site is in a Conservation Area, a drainage servitude restricts the effective area for a new school, the required height of any new school (3 or 4 storeys) would not be in keeping with the setting, and the site configuration may adversely influence the design of a new school.

Recommendation: Pinkie Playing Fields should be dismissed as an option for a new S1/S6 secondary school for part of the Musselburgh cluster as it has insufficient area, there would be access and pupil movement issues, and the site has significant constraints including the established uses of the field, the site is in a Conservation Area, the height of any new school and a drainage servitude.

LAND AT CRAIGHALL

Site Area and Tenure: The site is big enough to deliver a new S1/S6 secondary school for part of the Musselburgh cluster. The site is in the ownership of a party who may be willing to release the site for such a purpose.

Access and Pupil Movement: This site is on the edge of the cluster and access is limited to a few pedestrian and cycle routes, and by limited public transport services. The site is some distance from the eastern part of the cluster. A new S1/S6 secondary school here would be a minimum of 3.4 miles from Wallyford (3.8 miles if the land at Dolphinstone is included) and additional pupil transport costs may be incurred.

Constraints: The sites are currently allocated in the local plan for employment or green belt, but this may change if the wider area is to feature as part of large mixed use proposals incorporating housing and employment land, as well as community and education facilities. Such a development of the area may improve access and public transport provision, and there may be synergies between any new secondary school and the nearby QMU. The location of these sites does not relate well to any new catchment area.

Recommendation: The land at Craighall may be considered as an option for a new S1/S6 secondary school for part of the Musselburgh cluster, although the site has significant constraints including access, pupil movement and land designation issues.

LAND AT GOSHEN

Site Area and Tenure: The site is big enough to accommodate a new S1/S6 secondary school for the eastern part of the Musselburgh cluster. The site is in the ownership of a party who may be willing to release it for such purposes.

Access and Pupil Movement: The site could be located centrally in what may become any new S1/S6 secondary school catchment area for eastern part of Musselburgh. The site could relate well to any new catchment area. The site can be accessed using a range of suitable pedestrian and cycle routes, and by using public transport services.

A QUALITATIVE ASSESSMENT OF POTENTIAL SITES FOR FUTURE SECONDARY FACILITIES IN MUSSELBURGH

However, a new secondary school at the site would be a minimum of 1 mile from Millhill/Linkfield Road (edge of the Pinkie St Peter's catchment area) or 2.3 miles from Whitecraig. Additional pupil transport costs would be incurred if this site was used, and if Whitecraig is included in this catchment.

Constraints: The site is currently allocated in the local plan as green belt, but this may change if this area is to feature as part of a large mixed use proposal incorporating housing as well as community and education facilities.

Recommendation: The land at Goshen may be considered as a potential option for a new S1/S6 secondary school for the eastern part of the Musselburgh cluster.

LAND AT DOLPHINSTONE

Site Area and Tenure: The site is big enough to accommodate a new S1/S6 secondary school for the eastern part of the Musselburgh cluster. The site is in the ownership of a party who may be willing to release it for such purposes.

Access and Pupil Movement: The site could be suitably located in what may become any new S1/S6 secondary school catchment area for eastern part of Musselburgh, especially if Whitecraig PS were to feed any new S1/S6 secondary school. The site could relate well to any new catchment area. The site can be accessed using a range of suitable pedestrian and cycle routes, and by using public transport services. However, a new secondary school at the site would be a minimum of 1 mile from Millhill/Linkfield Road (edge of the Pinkie St Peter's catchment area) or 2.3 miles from Whitecraig. Additional pupil transport costs would be incurred if this site was used and if Whitecraig were to be included in the new school's catchment area. Whitecraig pupils would be required to cross the existing A1 Wallyford Interchange to get to this site – they currently use an overbridge to get to the existing Musselburgh Grammar School.

Constraints: The site is currently allocated in the local plan as green belt, but this may change if this area is to feature as part of a large mixed use proposal incorporating housing as well as community and education facilities.

Recommendation: The land at Dolphinstone should be considered as a potential option for a new S1/S6 secondary school for the eastern part of the Musselburgh cluster.

THE SITES AT FISHERROW LINKS AND LEVENHALL LINKS

Recommendation: These sites are both on Common Good land, and should therefore be dismissed as potential options for a new S1/S6 secondary school for the eastern part of the Musselburgh cluster.

A QUALITATIVE ASSESSMENT OF POTENTIAL SITES FOR FUTURE SECONDARY FACILITIES IN MUSSELBURGH

THE FORMER EDENHALL HOSPITAL AND FORMER WIREWORKS SITES

Recommendations: Each of these sites is too small for a new S1/S6 school for part of Musselburgh. The former Edenhall Hospital site is further constrained by the need to retain listed buildings and the topography of the site. Each of these sites should therefore be dismissed as potential options for a new S1/S6 secondary school for the eastern part of the Musselburgh cluster.

LAND WEST OF THE FORMER EDENHALL HOSPITAL SITE

Site Area and Tenure: The site is of sufficient size for a new S1/S6 secondary school for the eastern part of the Musselburgh cluster. The site is agricultural land in the green belt, and in private ownership.

Access and Pupil Movement: Access to the site is restricted as it is landlocked on three sides - by the former Edenhall Hospital site to the east, by the Eskbank village to the west, and by the railway line to the south.

Constraints: Approximately 50% of the site is scheduled as an ancient monument. The site's development would compromise the setting of Inveresk conservation village, and the probability of coalescence.

Recommendations: The land west of the former Edenhall Hospital site should be dismissed as an option for a new S1/S6 secondary school for the eastern part of Musselburgh as the site is too small, site access is restricted, part of the site is scheduled as an ancient monument, and the site's development would compromise the setting of Inveresk village.

A QUALITATIVE ASSESSMENT OF POTENTIAL SITES FOR FUTURE SECONDARY FACILITIES IN MUSSELBURGH

OPTION B – A NEW S4/S6 SENIOR PHASE SCHOOL FOR MUSSELBURGH

Potential Sites	Critical Suitability Factors		Sites to take Forward for further Assessment	Additional Suitability Factors				Sites With Potential for a New School
	Site Area	Tenure		Access	Pupil Movement	Constraints		
						Environmental and Other	Current Site Designation	
Pinkie Playing Fields			NO					NO
Land at Craighall			YES					YES
Land at Goshen			YES					YES
Land at Dolphinstone			YES					YES
Fisherrow Links			NO	Not taken forward				NO
Levenhall Links			NO	Not taken forward				NO
Former Edenhall Site			NO	Not taken forward				NO
Land West Of Edenhall			NO	Not taken forward				NO
Former Wireworks			NO	Not taken forward				NO

LEGEND:

suitable

constrained

unsuitable

PINKIE PLAYING FIELDS

Site Area and Tenure: The playing field is owned by East Lothian Council and has insufficient area and configuration to deliver a new S4/S6 senior phase school for the Musselburgh cluster.

Access and Pupil Movement: The site is centrally located in the cluster, relates well to the existing catchment area, and relates well to the many access routes and public transport services that service the existing Grammar school, particularly from the settlements around Musselburgh. Whitecraig is 2.1 miles away and Old Craighall 2 miles away - this pupil travel distance is likely to increase once the extent of new development areas is considered. Additional pupil transport costs are likely to be incurred.

Constraints: The site is of insufficient area. A most significant issue is in regard to the current use of the site, and the loss of open space and pitches. Pinkie Playing Field provides a central location for open space and sports facilities for schools and the community. It may be that some sport pitch capacity could be re-provided with any new secondary school facility on this site, whilst replacement pitches could be re-provided locally elsewhere in association with potential new development areas. The site is in a

A QUALITATIVE ASSESSMENT OF POTENTIAL SITES FOR FUTURE SECONDARY FACILITIES IN MUSSELBURGH

Conservation Area, a drainage servitude restricts the effective area for a new school, the required height of any new school (3 or 4 storeys) would not be in keeping with the setting, and the site configuration may adversely influence the design of a new school.

Recommendation: Pinkie Playing Fields should be dismissed as an option for a new S4/S6 senior phase school for the Musselburgh cluster as it has insufficient area, there would be access and pupil movement issues, and the site has significant constraints including the established uses of the field, the site is in a Conservation Area, the height of any new school and a drainage servitude.

LAND AT CRAIGHALL

Site Area and Tenure: The site is big enough to deliver a new S4/S6 senior phase school for the Musselburgh cluster. Each site is in the ownership of a party who may be willing to release their site for such a purpose.

Access and Pupil Movement: These site is on the edge of the cluster and access is limited to a few pedestrian and cycle routes, and by limited public transport services. The site is some distance from the eastern part of the cluster. A new S1/S6 secondary school here would be a minimum of 3.4 miles from Wallyford (3.8 miles if the land at Dolphinstone is included) and additional pupil transport costs may be incurred.

Constraints: The sites are currently allocated in the local plan for employment or green belt, but this may change if the wider area is to feature as part of large mixed use proposals incorporating housing and employment land, as well as community and education facilities. Such a development of the area may improve access and public transport provision, and there may be synergies between any new secondary school and the nearby QMU. The location of these sites does not relate well to any new catchment area.

Recommendation: The land at Craighall may be considered as an option for a new S4/S6 senior phase school for the Musselburgh cluster, although the site may have significant constraints including access, pupil movement and land designation issues.

LAND AT GOSHEN

Site Area and Tenure: The site is big enough to accommodate a new S4/S6 secondary school for the Musselburgh cluster. The site is in the ownership of a party who may be willing to release it for such a purpose.

Access and Pupil Movement: The site is not ideal as it is on the edge of the cluster, but it can be accessed via a range of suitable foot and cycle routes and public transport services from the cluster overall. The site is however some distance from the western part of the cluster. Significant additional pupil transport costs would be incurred if this site were used.

Constraints: The site is currently allocated in the local plan as green belt, but this may change if the area is to feature as part of large mixed use proposals incorporating housing and employment land, as well as community and education facilities.

A QUALITATIVE ASSESSMENT OF POTENTIAL SITES FOR FUTURE SECONDARY FACILITIES IN MUSSELBURGH

Recommendation: The land at Goshen may be considered as an option for a new S4/S6 senior phase school for the Musselburgh cluster, although the site has significant pupil movement issues with significant associated additional costs.

LAND AT DOLPHINSTONE

Site Area and Tenure: The site is big enough to accommodate a new S4/S6 senior phase school for the Musselburgh cluster. The site is in the ownership of a party who may be willing to release it for such a purpose.

Access and Pupil Movement: The site is not ideal as it is on the edge of the cluster, but it can be accessed via a range of suitable foot and cycle routes and public transport services from the cluster overall. The site is however some distance from the western part of the cluster. A new larger secondary school at Wallyford would be a minimum of 3.4 miles from Old Craighall, or 3.9 miles if the land at Dolphinstone is considered. Significant additional pupil transport costs would be incurred if this site were used. Whitecraig pupils would be required to cross the existing A1 Wallyford Interchange to get to this site – they currently use an overbridge to get to the existing Musselburgh Grammar School.

Constraints: The site is currently allocated in the local plan as green belt, but this may change if the area is to feature as part of large mixed use proposals incorporating housing and employment land, as well as community and education facilities.

Recommendation: The land at Dolphinstone may be considered as an option for a new S4/S6 senior phase school for the Musselburgh cluster, although the site may have significant pupil movement issues with significant associated additional costs.

THE SITES AT FISHERROW LINKS AND LEVENHALL LINKS

Recommendation: These sites are both on Common Good land, and should therefore be dismissed as potential options for a new S4/S6 Musselburgh Grammar School.

THE FORMER EDENHALL HOSPITAL AND FORMER WIREWORKS SITES

Recommendations: Each of these sites is too small for a new S4/S6 school. The former Edenhall Hospital site is further constrained by the need to retain listed buildings and the topography of the site. Each of these sites should therefore be dismissed as potential options for a new S4/S6 Musselburgh Grammar School.

A QUALITATIVE ASSESSMENT OF POTENTIAL SITES FOR FUTURE SECONDARY FACILITIES IN MUSSELBURGH

LAND WEST OF THE FORMER EDENHALL HOSPITAL SITE

Site Area and Tenure: The site is of sufficient size for a new S4/S6 senior phase school for the Musselburgh cluster. The site is agricultural land in the green belt, and in private ownership.

Access and Pupil Movement: Access to the site is restricted as it is landlocked on three sides - by the former Edenhall Hospital site to the east, by the Eskbank village to the west, and by the railway line to the south.

Constraints: Approximately 50% of the site is scheduled as an ancient monument. The site's development would compromise the setting of Inveresk conservation village, and the probability of coalescence.

Recommendations: The land west of the former Edenhall Hospital site should be dismissed as an option for a new S4/S6 senior phase school for the Musselburgh cluster as site access is restricted, and a part of the site is scheduled as an ancient monument.

A QUALITATIVE ASSESSMENT OF POTENTIAL SITES FOR FUTURE SECONDARY FACILITIES IN MUSSELBURGH

OPTION C – A SINGLE NEW S1/S6 MUSSELBURGH GRAMMAR SCHOOL

Potential Sites	Critical Suitability Factors		Sites to Take Forward for further Assessment	Additional Suitability Factors				Sites With Potential for a New School
	Site Area	Tenure		Access	Pupil Movement	Constraints		
						Environmental and Other	Current Site Designation	
Pinkie Playing Fields	Red	Green	NO	Yellow	Yellow	Red	Red	NO
Land at Craighall	Green	Yellow	YES	Red	Red	Green	Yellow	YES
Land at Goshen	Green	Yellow	YES	Green	Red	Green	Yellow	YES
Land at Dolphinstone	Green	Yellow	YES	Green	Red	Green	Yellow	YES
Fisherrow Links	Red	Red	NO	Not taken forward				NO
Levenhall Links	Green	Red	NO	Not taken forward				NO
Former Edenhall Site	Red	Red	NO	Not taken forward				NO
Land West of Edenhall	Red	Yellow	NO	Not taken forward				NO
Former Wireworks	Red	Green	NO	Not taken forward				NO

LEGEND:

suitable

constrained

unsuitable

PINKIE PLAYING FIELDS

Site Area and Tenure: The playing field is owned by East Lothian Council and has insufficient area and configuration to deliver a single new S1/S6 secondary school for the Musselburgh cluster.

Access and Pupil Movement: The site is centrally located in the cluster, relates well to the existing catchment area, and relates well to the many access routes and public transport services that service the existing Grammar school, particularly from the settlements around Musselburgh. Whitecraig is 2.1 miles away and Old Craighall 2 miles away - this pupil travel distance is likely to increase once the extent of new development areas is considered. Additional pupil transport costs are likely to be incurred.

Constraints: The site is of insufficient area. A most significant issue is in regard to the current use of the site, and the loss of open space and pitches. Pinkie Playing Field provides a central location for open space and sports facilities for schools and the community therefore its loss would be significant for all users. It may be that some sport

A QUALITATIVE ASSESSMENT OF POTENTIAL SITES FOR FUTURE SECONDARY FACILITIES IN MUSSELBURGH

pitch capacity could be re-provided with any new secondary school facility on this site, whilst replacement pitches could be re-provided locally elsewhere in association with potential new development areas. The site is in a Conservation Area, a drainage servitude restricts the effective area for a new school, the required height of any new school (3 or 4 storeys) would not be in keeping with the setting, and the site configuration may adversely influence the design of a new school.

Recommendations: Pinkie Playing Fields should be dismissed as an option for a new S1/S6 school for the Musselburgh cluster as there is insufficient area, there would be access and pupil movement issues. In addition, the site has significant constraints including the established uses of the site, the site is in a Conservation Area, the height of any new school and a drainage servitude.

LAND AT CRAIGHALL

Site Area and Tenure: The site is big enough to deliver a single new S1/S6 secondary school for the Musselburgh cluster. Each site is in the ownership of a party who may be willing to release their site for such a purpose.

Access and Pupil Movement: These site is on the edge of the cluster and access is limited to a few pedestrian and cycle routes, and by limited public transport services. The site is some distance from the eastern part of the cluster. A new S1/S6 secondary school here would be a minimum of 3.4 miles from Wallyford (3.8 miles if the land at Dolphinstone is included) and additional pupil transport costs may be incurred.

Constraints: The sites are currently allocated in the local plan for employment or green belt, but this may change if the wider area is to feature as part of large mixed use proposals incorporating housing and employment land, as well as community and education facilities. Such a development of the area may improve access and public transport provision, and there may be synergies between any new secondary school and the nearby QMU. The location of these sites does not relate well to any new catchment area.

Recommendations: The land at Craighall may be considered as an option for a new S1/S6 Musselburgh Grammar School for the cluster, although the site may have significant constraints including access, pupil movement and land designation issues.

LAND AT GOSHEN

Site Area and Tenure: The site has potential to accommodate a new S1/S6 secondary school for the Musselburgh cluster. The site is in the ownership of a party who may be willing to release it for such a purpose.

Access and Pupil Movement: The site is located on the edge of the cluster, but can be accessed via a range of suitable foot and cycle routes and public transport services from the cluster overall. The site is however some distance from the western part of the cluster. Significant additional pupil transport costs may be incurred if this site was used.

A QUALITATIVE ASSESSMENT OF POTENTIAL SITES FOR FUTURE SECONDARY FACILITIES IN MUSSELBURGH

Constraints: The land is currently allocated in the Local Plan as green belt, but this may change if these areas are to feature as part of large mixed use proposals incorporating housing and employment land, as well as community and education facilities.

Recommendations: The land at Goshen may be considered as an option for a new S1/S6 Musselburgh Grammar School for the cluster, although the site may have significant pupil movement issues with significant associated costs.

LAND AT DOLPHINSTONE

Site Area and Tenure: The site has potential to accommodate a new S1/S6 secondary school for the Musselburgh cluster. The site is in the ownership of a party who may be willing to release it for such a purpose.

Access and Pupil Movement: The site is located on the edge of the cluster, but can be accessed via a range of suitable foot and cycle routes and public transport services from the cluster overall. The site is however some distance from the western part of the cluster. A new larger secondary school at Wallyford would be a minimum of 3.4 miles from Old Craighall. Significant additional pupil transport costs MAY be incurred if this site was used. Whitecraig pupils would be required to cross the existing A1 Wallyford Interchange to get to this site – they currently use an overbridge to get to the existing Musselburgh Grammar School.

Constraints: The land is currently allocated in the local plan as green belt, but this may change if these areas are to feature as part of large mixed use proposals incorporating housing and employment land, as well as community and education facilities.

Recommendations: The land at Dolphinstone may be considered as an option for a new S1/S6 Musselburgh Grammar School for the cluster, although the site may have significant pupil movement issues with significant associated costs.

THE SITES AT FISHERROW LINKS AND LEVENHALL LINKS

Recommendations: These sites are both on Common Good land, and are therefore dismissed as potential options for a new S1/S6 Musselburgh Grammar School.

THE FORMER EDENHALL HOSPITAL SITE, AND FORMER WIREWORKS' SITE

Recommendations: Each of these sites is too small for a single S1/S6 school. The former Edenhall Hospital site is further constrained by the need to retain listed buildings and the topography of the site. Each of these sites is therefore dismissed as potential options for a new S1/S6 Musselburgh Grammar School.

A QUALITATIVE ASSESSMENT OF POTENTIAL SITES FOR FUTURE SECONDARY FACILITIES IN MUSSELBURGH

LAND WEST OF THE FORMER EDENHALL HOSPITAL SITE

Site Area and Tenure: The site is too small to accommodate a new school. The site is agricultural land in the green belt, and in private ownership.

Access and Pupil Movement: Access to the site is restricted as it is landlocked on three sides - by the former Edenhall Hospital site to the east, by the Eskbank village to the west, and by the railway line to the south.

Constraints: Approximately 50% of the site is scheduled as an ancient monument and Historic Scotland has advised the site should not be developed. The site's development would compromise the setting of Inveresk conservation village, and the probability of coalescence.

Recommendations: The land west of the former Edenhall Hospital site should be dismissed as an option for a new S1/S6 Musselburgh Grammar School for the cluster as the site is too small, site access is restricted, part of the site is scheduled as an ancient monument, and the site's development would compromise the setting of Inveresk village.

SUMMARY OF RECOMMENDATIONS REGARDING SITES SUITABLE FOR THE SECONDARY SCHOOL OPTIONS

The following table lists the potential sites that are recommended for the various School Options. See sheet 14 of 14 for the site locations.

School Options	Description	Recommended Sites
1	A New Single S1/S6 Musselburgh Grammar School for All Musselburgh	Land at Dolphinstone Land at Goshen Land at Craighall
2	A New S4/S6 Senior Phase School for All Musselburgh	
3	A New Second S1/S6 School Serving part of Musselburgh	

A QUALITATIVE ASSESSMENT OF POTENTIAL SITES FOR FUTURE SECONDARY FACILITIES IN MUSSELBURGH

DRAFT

A QUALITATIVE ASSESSMENT OF POTENTIAL SITES FOR FUTURE SECONDARY FACILITIES IN MUSSELBURGH

DRAFT

An Assessment of Potential Sites For Future Secondary School Facilities in Musselburgh Following Pre-Consultation Feedback

The recent pre-consultation from 24/06/15 to 31/07/15 generated 261 responses of which 204 (78%) were received from parents and pupils. A further 28 (11%) responses were received by members of staff and 25 (10%) responses were from others. These figures indicate a good response rate for a pre-consultation exercise and will help inform the next stage of the consultation process. From the information received there are no major “showstoppers” for any of the three options offered and the information below demonstrates emerging themes of challenges and opportunities. Completion of the questionnaire allowed respondents to choose more than one option and comments raised could be reflected by many respondents.

The emerging themes of challenges and opportunities for each of the three options are:

Option A:

Keep the existing Musselburgh Grammar as it currently stands and build a second secondary school, (roll 1100-1300). The existing school catchment would be divided and students would be allocated the appropriate school based on where they lived.

Responses: Acceptable 40%, Neutral - 18%, Unacceptable - 24%

Opportunities:

- Two S1-S6 Secondary Schools of an optimum size to provide quality education
- No additional transition (from S3 - S4)
- Small catchment areas, potentially reducing travel time
- Less disruption in staffing structures and team in the existing school
- A new school building on one site designed for 21st Century education
- Each secondary school will have its own separate cluster of new and existing primary schools
- An opportunity for the two schools to work closely together to enhance educational provision e.g. wider choice with regard to national qualifications

Challenges:

- No onsite provision for outdoor PE on one of the sites
- Pressure on other services within the Musselburgh area to deliver to two separate secondary schools
- More modern provision at the new school
- Catchment area review may impact upon community

Advantages - emerging themes from Pre-Consultation Questionnaire:

A second separate second school would benefit both, pupils and teachers as well as the community. Smaller schools where teachers and pupils know each other and allowing senior pupils to have a positive influence over junior pupils. Senior pupils inspire the younger pupils, who need this positive influence from role models, which would be lost if the school was split by age. A healthy competition between two schools of similar size would hopefully be a positive aspect and lead to improvements at the existing Grammar. Two schools serving both ends of Musselburgh would help ease traffic congestion within the centre of Musselburgh and would be safer and healthier for pupils to cycle or walk to school. Many towns have two or more secondary schools and the risk of maintaining one single school could lead to further expansions in the future.

Disadvantages - emerging themes from Pre-Consultation Questionnaire:

Splitting same aged children into two schools could be disastrous and cause social issues, bullying and split the community, causing rivalry between the two schools. The east side of Musselburgh has a higher concentration of deprivation, which could give the perception of a 'good' and 'bad' school and lead to parents trying to get their children into the 'perceived' better school, which could be detrimental to education standards and attainment levels. Dividing catchment areas would split friendship groups and possibly lead to siblings attending different schools. There would be a desire to invest additional funds into the existing Grammar to ensure both schools are of a comparable standard. Traffic congestion could be increased as this would now affect two parts of the town instead of just one.

Option B:

Retain Musselburgh Grammar and all catchment students would attend for years S1-S3, the 'Broad General Education', (with an approximate peak roll of 1300). A new additional facility for Musselburgh Grammar would be built, in a new location, to accommodate years S4-S6, the 'Senior Phase', (with a peak roll of approximately 1250).

Responses: Acceptable - 26%, Neutral - 36%, Unacceptable - 24%

Opportunities:

- A new facility designed for 21st Century education, with new learning spaces allowing innovative ways of learning and teaching to be undertaken
- No changes to existing secondary catchments
- Equality of provision across Musselburgh
- The existing building would still access the playing field at Pinkie St Peter's PS
- Enhancement of educational provision to deliver better partnership working, better outcomes for pupils and to develop innovative practice, particularly in the Senior Phase

Challenges:

- Distance between campuses may cause difficulties of timetabling staff, the impact of staffing on school structures
- There would be an additional transition (S3 to S4)
- Existing building would need to be extended to meet the projected S1 to S3 roll

Advantages - emerging themes from Pre-Consultation Questionnaire:

A single secondary school split over two campuses allows the greatest possibility of keeping the community intact and allowing pupils at similar developmental stages to enjoy the widest possible variety of subjects and equality of provision for the whole of the Musselburgh catchment area. It could also assist overcoming long-term underperformance at MGS. This model works well in other European countries and allows ELC to be innovative and bold to create Scotland's best secondary school. It will provide opportunities for developing learning spaces and a culture suited to two stages. It will make an easier transition for S1 pupils after attending small primary schools. It could alleviate some of the traffic congestion if split over two sites and more children would be able to cycle or walk to school.

Disadvantages - emerging themes from Pre-Consultation Questionnaire:

There could be difficulties in providing a teaching provision for lower and upper school over two campuses and could limit teachers to teaching either junior or senior level classes. This would not attract the best teachers for a school that is only S1-S3 and therefore only part of secondary education. Arranging whole school events would be a logistical nightmare and would be difficult for teachers to

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Appendix C1

commute between the two campuses. It would be disruptive to pupils as they would have a second transition from S3 to S4 which would incorporate new rules, building and teachers. It would almost be better to split the schools by S1-S2 and S3-S6 as subjects are chosen from S3 onwards and changing schools after the first of the two crucial years to lead into S5&6 would be challenging and disruptive. There would be a division between younger and older pupils and the younger pupils would have no senior role models which helps the development and motivation of the S1-S3 pupils to have success in education modelled by the S4-S6 pupils who provide the inspiration. Pupils too close in age can lead to bullying and being among older pupils can change the atmosphere positively. The younger pupils would lose out on buddy/mentoring support and the senior pupils would lose responsibility of setting an example.

Option C:

Close the existing school and provide a new school to accommodate all students S1-S6 (Roll 2550). The roll for this new facility would be one of the largest in Scotland, although the school would be designed appropriately with sufficient space and areas to ensure a good learning environment.

Responses: Acceptable - 32%, Neutral - 20%, Unacceptable - 45%

Opportunities:

- A new facility designed for 21st Century education, with new learning spaces allowing innovative ways of learning and teaching to be undertaken
- No changes to existing secondary catchments
- Continuity of provision on the same site
- No additional transition compared to Option B
- Opportunities to work with other services to meet the diverse needs of the community e.g. police, health, voluntary
- Opportunities for increased choice in pathways for young people through partnership links with QMU, Academies etc
- Opportunities for bespoke vocational facilities e.g. Tots and Teens crèche etc
- Possible enhancement of authority facilities e.g. facilities for young people with Additional Support Needs
- Opportunity for new high quality community facilities

Advantages - emerging themes from Pre-Consultation Questionnaire:

A new building with opportunities to teach diverse and vocational subjects, despite being large, would be a great example to set as pupils would have the chance to mix with children of all ages and a new school would benefit children in years to come. The benefit of having one school at the centre of the community allows pupils from diverse backgrounds to meet and there is the potential for a state of the art facility, housing all support services. There would be room for outdoor PE classes onsite, which would save time and allow for quality lessons to take place without walking as part of the lesson. Traffic congestion needs to be diverted from Musselburgh town centre and one large campus would make communication easier and lessen travel difficulties. Locating a larger school outwith the town centre would reduce truancy rates and also a reduction in pupils descending on town food outlets at lunchtime. One school would benefit both, teachers and pupils, a united secondary school where relationships are built and community spirit is nurtured. The James Gillespie campus in Edinburgh is a good example. It would allow for multi-agency working - health, social work, educational psychologists, police and assist with GIRFEC principles. A whole school approach to pupil education and integration with the community and socialisation.

Disadvantages - emerging themes from Pre-Consultation Questionnaire:

One single school would increase the school roll to approximately 2500 pupils, which would make the transition to a large school difficult for pupils and would therefore increase levels of anxiety for pupils, especially those with complex additional support needs. It would also make school a challenging experience for a lot of pupils as some children would be 'lost' in such a huge environment. There could be difficulties of managing pupils who are less known to teachers due to the size of the school, a smaller school means children are known as individuals. A large school on the outskirts of town would mean that only a small proportion of pupils would be able to walk to school and other pupils would have increased travel to the new location. This in turn would be detrimental to the town centre shops and businesses. It would be tragic and a waste of money to demolish the newly refurbished existing Grammar. The current Grammar has managed to maintain a community spirit and positive ethos despite its size, which would be hard to maintain in a school twice its size. Even the current size of the existing Grammar exacerbates problems of bullying, victimisation and a culture of getting pupils in one door and out the other, regardless of grades. The current Grammar has a poor academic results record and is partly due to its current size of pupil roll. Musselburgh has a very mixed catchment area with some challenging behaviour and areas of high social deprivation. The school has recently been re-categorised in the LEAPS (Lothians Equal Access Programme for Schools) programme due to poor attainment. Class teachers, department heads and management must work together to maintain standards and values. The fear is that this would be impossible in a 'super' school. It has been proven that schools with a higher roll than 1300+ have lower achievement rates and higher 'drop out' rates. Two comments that arose from parents are: "I would rather move house than send my two children to a school with a roll over 2000 pupils" and "If one massive school is the chosen option, I would be forced to look for alternative high school options".

Summary: It was stressed in the questionnaire that the quality of education should be more important than the building itself (whilst also bearing in mind the potential loss of greenbelt areas). Whatever is decided, it is essential that the school(s) provides the highest possible learning experience and that the facilities (whether new or existing) are suitable for 21st Century teaching and learning. Improved facilities will not necessarily raise standards, however sense of the 'new' could raise aspirations among pupils and parents. Children should be encouraged to cycle or walk to school in terms of the environment and encouraging children to be active. It is fully understood the need to engage parents and pupils in this decision, however these opinions are likely to be based on traditions and emotions rather than sound educational advice. It is therefore imperative that the thoughts and opinions of educational professionals are given high priority.

Headline Statistics:

Factors deemed as 'Very Important' and 'Important' when considering options for secondary provision:

- High quality learning environment - 99%
- Walk to school safely - 93%
- Public transport accessible - 88%
- New subjects - 83%
- One secondary school covering the whole of Musselburgh - 41%
- Cost - 39%

School size (agreeing or strongly agreeing with school size) ** figures in brackets include neutral:

- 1000 - 1350 80% (93%)
- 1351 - 1700 54% (77%)

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Appendix C1

- 1701 - 2000 21% (39%)
- 2001 - 2500 23% (34%)

What these figures are telling is that although the respondents are in favour of one school for the Musselburgh area, they would prefer the pupil roll to be capped at a certain level and are less keen on establishing a 'super' school to accommodate all pupils.

Views on the three options:

	Acceptable	Neutral	Unacceptable
Option A (A second separate secondary school)	40%	18%	24%
Option B (One secondary school over two sites - pupils split S1-S3 and S4-S6)	26%	36%	24%
Option C (One new school built to accommodate all pupils)	32%	20%	45%

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Appendix C2

Secondary School Provision in Musselburgh - Pre-Consultation

- Consultation from 24/06/15 to 31/07/15
- 261 Responses received

Q1 Which of the following are you?...

	Total	Percent of all
Parent	184	71%
Pupil	20	8%
Member of staff	28	11%
Other	25	10%
Not answered	4	2%

Q2 Are you or your child / children currently at a primary or secondary school in Musselburgh?

	Total	Percent of all
Primary	174	67%
Secondary	85	33%
Not answered	38	15%

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Appendix C2

Q3 How important are the following factors to you when considering the various options for secondary school provision in Musselburgh?

'One secondary school covers the whole of Musselburgh'		
	Total	Percent of all
Very important	63	24%
Important	44	17%
Doesn't matter either way	54	21%
Fairly unimportant	32	12%
Not important	57	22%
Not answered	11	4%

'A high quality learning environment is provided'		
	Total	Percent of all
Very important	250	96%
Important	7	3%
Doesn't matter either way	0	0%
Fairly unimportant	0	0%
Not important	0	0%
Not answered	4	2%

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Appendix C2

'There are opportunities to learn new subjects not previously taught'		
	Total	Percent of all
Very important	115	44%
Important	102	39%
Doesn't matter either way	30	11%
Fairly unimportant	6	2%
Not important	3	1%
Not answered	5	2%

'Schools can be reached using public transport'		
	Total	Percent of all
Very important	149	57%
Important	82	31%
Doesn't matter either way	19	7%
Fairly unimportant	1	0%
Not important	5	2%
Not answered	5	2%

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Appendix C2

'Pupils are able to walk to school safely'		
	Total	Percent of all
Very important	178	68%
Important	64	25%
Doesn't matter either way	12	5%
Fairly unimportant	0	0%
Not important	0	0%
Not answered	7	3%

'The cost of a new school (or schools) is kept as low as possible'		
	Total	Percent of all
Very important	34	13%
Important	68	26%
Doesn't matter either way	71	27%
Fairly unimportant	44	17%
Not important	36	14%
Not answered	8	3%

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Appendix C2

Q4 How much do you agree or disagree with the following statements about school size?

'I would be happy with a secondary school pupil role of 1000 – 1350 pupils'		
	Total	Percent of all
Strongly agree	133	51%
Agree	75	29%
Neither agree nor disagree	34	13%
Disagree	6	2%
Strongly disagree	2	1%
Not answered	11	4%

'I would be happy with a secondary school pupil role of 1351 – 1700 pupils'		
	Total	Percent of all
Strongly agree	28	11%
Agree	113	43%
Neither agree nor disagree	59	23%
Disagree	25	10%
Strongly disagree	23	9%
Not answered	13	5%

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Appendix C2

'I would be happy with a secondary school pupil role of 1701 – 2000 pupils'		
	Total	Percent of all
Strongly agree	12	5%
Agree	42	16%
Neither agree nor disagree	46	18%
Disagree	84	32%
Strongly disagree	63	24%
Not answered	14	5%

'I would be happy with a secondary school pupil role of 2001 – 2500 pupils'		
	Total	Percent of all
Strongly agree	26	10%
Agree	33	13%
Neither agree nor disagree	30	11%
Disagree	34	13%
Strongly disagree	126	48%
Not answered	12	5%

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Q5 Please indicate your views on the three options outlined for possible secondary school accommodation in Musselburgh.

	Acceptable	Neutral	Unacceptable
Option A (A second separate secondary school)	40% (106)	18% (47)	24% (63)
Option B (One secondary school over two sites – pupils split S1-S3 and S4-S6)	26% (69)	36% (95)	24% (64)
Option C (One new school built to accommodate all pupils)	32% (85)	20% (53)	45% (117)

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**RESPONSE TO EAST LOTHIAN COUNCIL CONSULTATION ON
LOCAL DEVELOPMENT FRAMEWORK – MAIN ISSUES REPORT**

06 FEBRUARY 2015

ABOUT HOMES FOR SCOTLAND

Homes for Scotland is **the** voice of the home building industry.

With a membership of some 180 organisations together providing 95% of new homes built for sale in Scotland each year as well as a significant proportion of affordable housing, we are committed to improving the quality of living in Scotland by providing this and future generations with warm, sustainable homes in places people *want* to live.

Visit www.homesforscotland.com for further information and follow us on twitter @H_F_S

PROCESS

Homes for Scotland represents members on a wide range of issues affecting their ability to deliver much needed homes.

Our views are endorsed by committees and advisory groups utilising the skills and expertise of key representatives drawn from member companies.

This consultation response has been discussed, drafted and approved by the South East Scotland Homes Builders Committee

RESPONSE TO EAST LoTHIAN COUNCIL CONSULTATION ON LOCAL DEVELOPMENT FRAMEWORK – MAIN ISSUES REPORT - 2014

Question 1: Aims, Objectives and Outcomes

Homes for Scotland supports the clear plan objective of increasing housing supply, and the recognition given to needing to ensure sites are allocated in marketable locations. This is vital if the plan is to be successfully implemented, shows a proper understanding of the needs of the house-building industry and provides a strong context for emerging policies on housing supply.

Question 2: Sustainability & Climate Change

Homes for Scotland strongly supports the proposal to embed the Scottish Planning Policy presumption in favour of sustainable development within the LDF. As an over-arching element of the plan this will give a useful back-stop point of reference when individual schemes are considered. An expression of how the presumption will operate within East Lothian could be presented as an over-arching strategic policy early in the plan, or as a piece of contextual text before the policies, explaining how the Council will pro-actively implement the LDP through its approach to development management work. See, for example, the approach taken in the emerging Main Issues Report for Angus. The presumption could also be woven through the plan objectives.

In accordance with paragraph 30 of Scottish Planning Policy, it does appear that the Council are seeking to positively seek opportunities to meet the development needs of the plan area in a way which is flexible enough to adapt to changing circumstances over time. The commendable approach taken to establishing and delivering on housing requirements is a notable example of how a Main Issues Report can increase understanding of this important issue, and pave the way for a strong LDP which makes good and flexible provision for new housing development that has a good chance of actually being delivered.

Given the acknowledged need to increase the rate of house-building in East Lothian, the presumption section of the forthcoming plan could usefully explain how the presumptions relates to housing proposals, and what contribution housing development will make to a sustainable East Lothian. A cross-reference could usefully be provided to to the relevant paragraphs of Scottish Planning Policy, including paragraphs 125 and 32-25, which explain the circumstances in which the national policy presumption will be a significant and lead consideration in the determination of planning applications.

Question 3: Development Locations

Homes for Scotland considers that whichever spatial strategy is selected, the most important thing is that it is capable of being delivered. In relation to housing, this means identifying a range of sites in marketable locations (in line with the plan objectives) that are genuinely effective or capable of becoming effective and delivering homes within the LDP and SDP timescales. We do not at this stage wish to express a clear preference for one particular strategy, but recognise the planning sense in seeking to maximise supply in areas which relate most closely to demand and which are most accessible. Individual landowners and developers will make their own representations on the spatial strategy, and Homes for Scotland would urge the Council to take heed of evidence presented on effectiveness (and to solicit further information if this is needed).

The flexible and pragmatic approach taken to considering sites outwith the Strategic Development Area, as well as considering the release of some Green Belt land, is welcomed. Land will need to be made available across East Lothian if the market is to maximise its contribution to meeting the area's housing requirements.

Question 6: Planning for Housing

Homes for Scotland supports the preferred approach to planning for housing. There is much to be commended in the approach being taken, in particular the recognition of the two distinct housing requirements set out in the SDP; the willingness to exceed those requirement periods in the interest of clear longer-term planning; the clear focus on identifying land which will deliver homes during the plan period; and openness to identifying sites of a range of sizes and types (including greenfield land). This approach gives the Council and the home-building industry the best opportunity to maximise delivery during the LDP period and beyond.

Planning for a longer term settlement strategy would, as the Main Issues Report acknowledges, provide a stronger context for infrastructure planning.

The only cautionary points Homes for Scotland would make at this stage are:

(1) We consider there to be more scope for reviewing existing allocations than the Main Issues Report recognises. The Council seem to have interpreted the SDP as requiring all local plan allocations to be maintained. Consequently there is no reference in the Main Issues Report to the potential de-allocation of sites. This could undermine the Council's determined approach to ensuring housing is delivered across all sites.

(2) Paragraph 5.39 alludes to the need to allocate sufficient land to make it possible for East Lothian's housing requirement to be met in full, even if the housing market is not able to sustain the necessary build rates. The Council is to be commended in not using any concerns with the market to under-allocate to take a do-minimum position. The Council will want, though, to ensure its concerns do not

deter it from allocating a range of sites that the market can genuinely deliver (i.e. there should be no unrealistic – including unmarketable sites – included just to make up the numbers.

See also Appendix 1.

Question 7: Green Belt

Homes for Scotland supports the preferred option as it provides the greatest flexibility in terms of ensuring the rights range of sites are identified.

Question 8: Countryside Around Towns

Homes for Scotland supports the reasonable alternative, which is *not* to introduce a new Countryside Around Towns designation.

Homes for Scotland objects to the proposed introduction of this unnecessary new policy constraint. The MIR does not set out a convincing or detailed case on the need for this new designation for the various areas for which it is mooted. On the other hand, the MIR *is* very clear on the need to find additional land for housing, including on greenfield land. The Council should avoid restricting its ability to meet housing need in this way. A generous supply of marketable and otherwise deliverable housing land (and the continued operation of settlement envelopes) will provide sufficient protection against inappropriate or harmful development elsewhere, without the introduction of a new, highly-restrictive policy.

Question 10: Development in the Countryside and on the Coast

Of the two approaches suggest, Homes for Scotland would support the reasonable alternative. This makes important provision for replacement dwellings (though the circumstance in which these would be allowed are markedly limited) and for very small scale affordable housing projects. Homes for Scotland considers there may be scope for greater allowances still – without undermining the ambition to maintain the character of the open countryside and unspoilt coast. The replacement of existing buildings and the construction of new ones can, with high standards of design and architecture, lift the character and appearance of an area and remove ‘blots’.

Question 11: Musselburgh Cluster

Question 12: Prestonpans / Port Seton / Cockenzie / Longniddry Cluster

Question 13: Tranent Cluster

Question 15: Dunbar Cluster

Question 16: North Berwick Cluster

Homes for Scotland has undertaken detailed programming work in relation to the MIR preferred housing sites, to ascertain whether they can deliver new homes in the volumes required according to the timescales set out by the Council. We have

identified a significant likely shortfall that has implications for the forthcoming Proposed Plan (which we think will need to identify land that can deliver an additional 1,295 homes in the period to 2019 (889 by 2024). Homes for Scotland also considers there is a need to review the current approach to taking development management decisions on windfall housing sites, in order to maximise the short to term medium term pipeline of new housing and reduce pressure on the new allocations to deliver at such very optimistic rates during the early years of the new plan. Please refer to Appendix 1 for detailed information on this.

Question 17: Blindwells New Settlement

Homes for Scotland's position is that Blindwells is currently constrained, and that neither the existing area nor an expanded area can be counted as contributing to the effective land supply for the LDP period unless comprehensive solutions to addressing infrastructure constraints can be found prior to the Proposed Plan stage.

At the current time there remain considerable infrastructure requirement constraints to overcome, i.e. education, transport and service capacities. Homes for Scotland would expect to see tangible action taken to overcome these constraints before we would consider this site to have the potential to become effective within the proposed plan period.

The Council may wish to consider forming a special purpose vehicle to oversee the detailed planning and implementation of the proposed settlement. This type of approach has been used or considered in relation to range of planned new settlements or major regeneration/development projects elsewhere in Scotland and the wider UK.

Question 18: Housing Land Requirement and Housing Land Supply

The approach taken broadly accords with Homes for Scotland's understanding of how the housing requirement for the LDP should be calculated. On the other hand, though, our own review of the calculations and programming suggests the approach has not resulted in sufficient land being identified. In consequence, the plan does not therefore accord fully with SPP or the SDP.

The Supplementary Guidance to the SDP sets out a housing requirement figure for East Lothian for the 5-year period 2009 to 2019 and another for the 10-year period 2019 to 2024, and the HoNDA additionally gave an early indication of what may be need for the longer term period of 2024-32. East Lothian Council have used the SDP figures as a starting point and have sought to allocated sufficient additional land (over and above established source of supply) to more than meet the SDP requirement. By not combining the first two periods together, East Lothian Council are seeking to ensure the housing requirement in the first SDP period (when the average annual requirement is much higher) will be met in full. In other words that housing will be delivered when it is needed. This is the right approach to take.

The approach accords with Scottish Planning Policy (paragraph 117) which allows for windfall development to be included in housing supply calculations. The Main Issues Report uses the windfall estimates from the SDP, which are lower than East Lothian's actual windfall rates. It is noted this may change in the Proposed Plan. Homes for Scotland would advocate retaining the lower SDP figures. This provides greater flexibility and contributes to the 12% generosity margin.

The approach taken does not fully accord with Scottish Planning Policy advice on providing for a generous supply of housing land. No up-front allowance is made for a generosity margin on the 10-20% scale set out in national policy, though the Council has retrospectively calculated (once new site allocations and existing sources are considered) that it has in-effect provided a generosity margin of 12% over and above the SDP requirement for the combined period 2009 to 2024. To be properly in line with SPP and the SDP, the Council should identify, from the outset of its calculations, a generosity margin on 10% to 20% for each of the two SESplan periods, not just the combined period.

The MIR does not contain a clear explanation as to why 12% is considered as sufficient generosity margin, and why a more generous allowance has not been made. The effective generosity allowance for the first SESplan period (to 2019) is exceptionally low at just 6% which is well below the minimum 10% allowed for under Scottish Planning Policy. It is noted this is compensated by a much higher generosity margin in the following plan period (23%). However, Homes for Scotland's view is that Council should be seeking an SPP-compliant generosity allowance in each distinct period, and that this should be at or close to 20% unless a clear and convincing is given to the contrary.

See also Appendix 1 which sets out Homes for Scotland's detailed representations on housing land requirement and housing land supply.

Question 19: Developer Contributions

Any approach to developer contributions needs to respect and follow the provisions of Circular 3/2012 and to meet all of the test set out therein. A case-by-case approach is truer to the intentions of the Circular, as Homes for Scotland understands them, in that it provides the most transparent means of clearly linking the contributions sought from a particular development to the planning impacts arising from it. It is important, though, that potential developers have access to up to date and clear information on what they will likely be asked for by way of contributions. This is essential to the development appraisal process and can be a make-or-break issue in terms of whether a site is a viable and therefore deliverable proposition. The Proposed Plan should be as clear as possible in terms of what developments in each cluster area, at Blindwells, and elsewhere are likely to be expected to contribute. It is noted that throughout section 6 there are references made to landowners / developers needing to work with the Council to identify comprehensive solutions for developments in all areas, prior to the suite of new allocations being finalised for include in the Proposed Plan. If this work is completed,

that plan should be well able to set out a clear stall on developer contributions. Detail should not be reserved for Supplementary Planning Guidance if it can be included in the LDP itself. Paragraph 7.6 of the Main Issues Report seems to say that the draft Action Programme (which will accompany the Proposed LDP) will set out the infrastructure requirements. This approach would be supported by Homes for Scotland, providing there is sufficient detail for investors to work from.

Question 20: Affordable Housing Quota

Clearly the preferred approach would have a lighter impact upon development viability than the reasonable alternative. A rate of 25% will, though, very likely put a significant strain on some sites. It is vital therefore that the rate is reviewed on a case by case basis wherever an applicant presents good evidence that the overall development would be unviable if the full quota were applied to it. Developers should be encouraged to present this evidence during the Proposed Plan preparation period in order that lower rates can be established in policy for any sites where it is known the 25% quota would threaten deliverability of a scheme that the Council is relying on for meeting its housing requirement.

Question 21: Affordable Housing Tenure Mix

Homes for Scotland supports the proposed introduction of a more flexible policy stance on affordable housing tenures (i.e. the preferred option), and commends the recognition given to the need to factor-in viability, market and development finance issues when considering the affordable housing tenure mix for a site.

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Housing Land Requirements and Housing Land Supply

This Appendix supplements Homes for Scotland's representations on Question 18: Housing Land Requirement and Housing Land Supply. We have set out the key steps in identifying the housing land requirement for the LDP and ascertaining how much additional land will need to be allocated in order to meet that requirement. We have commented on the approach taken to each step in the MIR, and identified changes needed for Scottish Planning Policy and/or the SESplan SDP conformity.

Step 1

Recognising the SDP Housing Land Supply Targets

- 1.1 SESplan Supplementary Guidance requires the East Lothian Local Development Plan to achieve the following housing supply targets. These two distinct targets are correctly recognised in the MIR.

Table 1

	2009-19	2019-24	2009-2024
SDP housing land supply target	6,250	3,800	10,050

Step 2

Adding a Generosity Margin to identify the overall LDP Housing Land Requirement

- 2.1 Scottish Planning Policy advises that a generosity margin of 10% to 20% should be added to these targets. For the purposes of this calculation a generosity of 12% is used, as this is the margin the Council believes itself to have achieved overall through the preferred sites it has identified. The Council should though, quantify the generosity margin it is pro-actively seeking to make provision for, and provide an explanation if this is lower than 20%. In any case, a generosity allowance of at least 10% is required for each of the two periods.

Table 2

	2009-19	2019-24	2009-2024
SDP housing land supply target	6,250	3,800	10,050
12% generosity margin	750	456	1,206
LDP housing land requirement	7,000	4,526	11,256

- 2.2 The approach that Council has taken to identifying its generosity margin is not consistent with Scottish Planning Policy. A 'target' generosity margin has not been identified at the outset of its calculations of housing supply and housing requirement. The Council has instead calculated, retrospectively, how much of a surplus of housing land it believes it has made provision for through the identification of its preferred options. On the basis of the Council's programming of sites, there would be a surplus of some 12% over the whole

of the amalgamated period 2009-2024. However, when broken down to show the surplus for the two distinct periods, the Council's programming only achieves a 6% surplus / generosity margin for 2009-2019. This is compensated by a 23% surplus / generosity marking for 2019-24. The Council should, though, plan for a SPP-compliant generosity margin within each of the two distinct periods. If this is not possible or appropriate an explanation should be given.

- 2.3 In summary, to comply with SPP provisions, the Council should add a generosity margin of 10% to 20% to the SDP housing land supply targets for each of the two periods 2009-19 and 2019-24. This will give the LDP housing land requirements for each period.

Step 3

Identifying the potential contribution from existing sources of supply

- 3.1 To understand how much housing will need to be provided through new housing land allocations, the Council has considered the following existing sources of supply: effective supply (as identified through the Housing Land Audit process); sites that are currently constrained but that are expected to become effective; a reasonable allowance for windfall development; and any demolitions which will take place during the plan period. The Council's figures on existing sources of supply are set out below in Table 3.

Table 3

	2009-19	2019-24	2009-2024
SDP housing land supply target	6,250	3,800	10,050
12% generosity margin	750	456	1,206
LDP housing land requirement	7,000	4,526	11,256
Effective supply (2013 audit)	3,133	1,793	4,926
Constrained sites coming forward	0	0	0
Windfall allowance	220	110	330
Demolitions	0	0	0
Total supply from existing sources	4,674	1,903	6,577
Housing required from new sites	2,326	2,353	4,679

- 3.2 AS the draft Housing Land Audit for 2014 has yet to be agreed between the Council and Homes for Scotland, the effective supply in the agreed HLA 2013 has been used for the purposes of the rest of this paper. A revised picture will need to be considered once the 2014 HLA has been agreed.

3.2 Step 4

Identifying and programming preferred new housing sites

- 4.1 The MIR includes a schedule of preferred sites which, together, the Council believes could deliver sufficient units to meet the LDP housing requirement.

These are identified in separate tables for each cluster-area, set out within section 6 of the MIR. Table 26 (on page 175 of the MIR) summarises the contribution the Council expects each preferred site to make towards housing supply:

Table 5

	2009-19	2019-24	2009-2024
SDP housing land supply target	6,250	3,800	10,050
12% generosity margin	750	456	1,206
LDP housing land requirement	7,000	4,526	11,256
Effective supply	3,133	1,793	4,926
Constrained sites coming forward	0	0	0
Windfall allowance	220	110	330
Demolitions	0	0	0
Total supply from existing sources	4,674	1,903	6,577
Housing required from new sites	2,326	2,353	4,679

- 4.2 This table shows that the LDP needs to allocate sites capable of delivering at least 2,326 new homes in the period to 2019, and 2,353 more in the period 2019 to 2024. This amounts to 4,679 new homes across the two periods.
- 4.3 The Council estimates that the preferred sites identified in the MIR could deliver 2,126 new homes in the period to 2019, and 2,779 more in the period 2019 to 2024. This amounts to 4,905 new homes across the two periods. See Table 6 below.
- 4.4 If the Council's estimates were taken at face value, the preferred sites could be seen as having the potential to meet the LDP housing requirement, when added to existing sources of supply. There would be a slight shortfall of 200 new homes during the period to 2019, though this would be more than compensated for in the subsequent period. However, Homes for Scotland has identified a number of concerns with the programming assumptions made by the Council in respect of the preferred MIR sites. The number of units which the new sites are expected to yield during the plan period looks optimistic. This is particularly the case for the period to 2019. The plan is expected to be adopted during 2017/2018. The Council expects 2,126 units to be delivered by newly allocated sites by 2019. Homes for Scotland considers this a too challenging target to achieve just one year after LDP adoption.
- 4.6 To provide industry advice on what yield is realistic from new sites during each of the housing land requirement periods, Homes for Scotland has undertaken its own indicative programming. This is also shown in summary in Table 6 below – and in detail in Table 8 at the end of this Appendix. This has been based on standard, practice-based assumptions on factors such as

lead-in times and typical annual build-rates for different types of sites. These include:

- An assumption that any single developer can built on average 24 units per year on a typical urban housing site.
- This is reduced to 12 units per year for more rural sites
- Where more that one developer will be operating on site, the figure is multiplied accordingly. For this exercise, Homes for Scotland has assumed there will be 2 developers operating on any site with a total capacity of 500 or more
- It has been assumed that each new site has the theoretical potential to deliver new units from 18/19 (one year after anticipated LDP adoption in 17/18. It should be note that this is a very generous estimate given:
 - Very few of the new allocations have any current planning status or consent
 - There are infrastructure constraints to be addressed in many areas
 - Development on all new sites at once would require build rates significantly in excess of those witnessed in recent year.

4.7 More consideration of the above points is provided later in this Appendix.

Table 6

	2009-19	2019-24	2009-2024
SDP housing land supply target	6,250	3,800	10,050
12% generosity margin	750	456	1,206
LDP housing land requirement	7,000	4,526	11,256
Effective supply	3,133	1,793	4,926
Constrained sites coming forward	0	0	0
Windfall allowance	220	110	330
Demolitions	0	0	0
Total supply from existing sources	4,674	1,903	6,577
Housing required from new sites	2,326	2,353	4,679
ELC estimated contribution from new sites	2,129	2,779	4,905
	= -197	= + 426	= +226
HfS estimated contribution from new sites	1,031	2,759	3,790
	= 1,295	= +406	= -889

4.7 On the basis of Homes for Scotland's programming work, the emerging LDP will result in an undersupply of at some 889 homes if it allocates only the preferred sites listed in the MIR. This is before any adjustments are made to reflect the emerging 2014 Housing Land Audit.

Step 5

Further considerations to reality-check expected delivery rates

- 5.1 Tables 7A and 7B show the annual build-rates suggested by (respectively) East Lothian Council's and Homes for Scotland's indicative programming of sites. Table 7C compares these rates to the actual annual completion rates achieved in East Lothian in recent years. 7D shows the build rates needed to support the new LDP site and existing supply in combination.

Table 7A: East Lothian Indicative Programming of New Sites – Summarised by Cluster Area (Averages taken from MIR Tables)

Area	13 14	14 15	15 16	16 17	17 18	18 19	19 20	20 21	21 22	22 23	23 24
Musselburgh	0	0	0	257	257	257	217	217	217	217	217
Tranent	0	0	0	192	192	192	114	114	114	114	114
Haddington	0	0	0	81	81	81	52	52	52	52	52
Dunbar	0	0	0	68	68	68	70	70	70	70	70
N. Berwick	0	0	0	110	110	110	30	30	30	30	30
East Lothian	0	0	0	708	708	708	483	483	483	483	483

Table 7B: Homes for Scotland's Indicative Programming of New Sites – Summarised by Area

Area	13 14	14 15	15 16	16 17	17 18	18 19	19 20	20 21	21 22	22 23	23 24
Musselburgh	0	0	0	24	24	240	288	222	222	172	168
Tranent	0	0	0	0	0	228	212	204	172	151	99
Haddington	0	0	0	73	101	71	17	0	0	48	48
Dunbar	0	0	0	48	48	126	94	50	72	96	82
N. Berwick	0	0	0	0	0	120	102	120	120	18	0
East Lothian	0	0	0	173	173	785	713	596	586	485	397

Table 7C: Previous Annual Completion Rates Achieved in East Lothian (also showing HLA 201 & 14 estimates for 13/14 to 18/19)

	04 05	05 06	06 07	07 08	08 09	09 10	10 11	11 12	12 13	13 14	14 15	15 16	16 17	17 18	18 19
Actual Records¹	518	833	705	327	502	468	381	266	295						
Agreed HLA 13										390	317	571	531	548	776
Draft HLA 14 (ELC)											306	558	774	641	655
Draft HLA 14 (HfS)											297	382	538	399	414

¹ Source = Housing Statistics for Scotland (All Sectors), Scottish Government

Table 7D: Required Build Rates to Deliver both MIR Preferred Site Programming and HLA 2013 Effective Supply

	14	15	16	17	18	19	20	21	22	23
	15	16	17	18	19	20	21	22	23	24
Effective Supply HLA 13 averaged post 19/20	317	571	531	548	776	574	656	656	656	656
ELC MIR Programming	0	0	708	708	708	483	483	483	483	483
Combined Total	317	571	1,239	1,239	1,484	1,057	1,139	1,139	1,139	1,139

5.2 In summary, the what tables 7A to 7C show is that the Council’s anticipated programming for future sites would require average completion rates of 708 units per year from 16/17 to 18/19 (assuming no yield from preferred sites before 16/17). This would require to a return to completion rates of the scale achieved in 2006-07, which was East Lothian’s highest delivering year in terms of housing completions. For the 5-year period 2019/20 to 2023-24 an average annual build rate of 483 units per annum would be agreed. This would also require a significant improvement on recent annual build rates. The last time a rate of this ilk was achieved was in 2009/2010, since when annual build rates have continued to decrease. It should also be noted that the figures shown in Table 7A excludes residual sites from existing sources of supply that will still be being built as new allocations become available. Table 7D shows the effect of adding together the combined build rates necessary to fulfil the 2013 Housing Land Audit predictions of effective supply and deliver the new LDP allocations in line with the Council’s preferred programming.

5.3 Meeting the SESplan housing land targets, and making provision on top of this for a generous land supply, cannot be achieved without a significant increase in annual build rate. Homes for Scotland recognises that the Council cannot control what the market is able to or seeks to deliver in any given year. The Council must though give the market the best possible opportunity to maximise the contribution it can make to meeting East Lothian’s housing requirements. In light of the significant increase in production needed to implement the SDP and LDP housing, East Lothian Council should:

- Plan for a generosity allowance at the upper end of the 10-20% scale recommended by Scottish Planning Policy
- Allocate a range of sites, including in terms of size, location and type (greenfield / brownfield) – being flexible in respect of any preferred spatial strategy if this will help deliver houses in the volumes needed
- The above will require the identification of a range of sites over and above those already identified as preferred sites in the MIR.

Step 6

Early action required to minimise housing shortage arising in new LDP period

- 6.1 In light of the above, East Lothian Council is strongly urged to review its current approach to planning for new housing in the area, in particular in respect of development management decisions on windfall housing sites. Taking action now to increase the effective supply of housing, particular on sites which can deliver units within the 2009-19 period could help to reduce the shortfall identified by Homes for Scotland. In particular it would reduce the significant pressure arising from the aspiration to deliver 2,124 new homes on newly allocated site by the end of 2018/19 – just one year after the anticipated LDP adoption date.
- 6.2 East Lothian Council may also wish to consider taking a proactive and positive approach to early planning applications for housing development on land identified as a preferred housing site in the Main Issues Report. If this were an active and declared strategy to help address East Lothian's housing shortfall then there would be more justification for the Council's optimistic early programming of delivery on new sites.

Table 8:Homes for Scotland' programming of potential annual yields from new site allocations throughout the LDP period.

Cluster	MIR Ref	Site Name	House Builder/Developer	Capacity	13/14	14/15	15/16	16/17	17/18	18/19	Total 13-19	19/20	20/21	21/22	22/23	23/24	Total 19-24	Total 13-24	Post 2024	Comment
Musselburgh	PREF – M7	Pinkie Mains	Taylor Wimpey	127	0	0	0	0	0	0	0	50	50	27	0	0	127	127	0	Assumes continuation of TW programming of current allocation
	PREF – M13	Wallyford		350	0	0	0	0	0	0	0	0	0	0	0	0	0	0	350	Hfs consider the site non-effective
	PREF-M1	Craighall		700	0	0	0	0	0	48	48	48	48	72	72	72	312	360	340	Default HFS assumed build rate with 2 developers on site
	PREF-M9	Goshen		1,000	0	0	0	0	0	48	48	48	48	72	72	72	312	360	640	Default HFS assumed build rate with 2 developers on site
	PREF-M8	Levenhall		75	0	0	0	0	0	24	24	24	24	3	0	0	51	75	0	Default HFS assumed build rate
	PREF-M6	Edenhall		100	0	0	0	0	0	24	24	24	24	24	4	0	76	100	0	Default HFS assumed build rate
	PREF-M3(a)	Old Craighall East		50	0	0	0	0	0	24	24	24	2	0	0	0	26	50	0	Default HFS assumed build rate
	PREF-M3(b)	Newton Farm (also Old Craighall East)		50	0	0	0	0	0	24	24	24	2	0	0	0	26	50	0	Default HFS assumed build rate
	PREF-M4	Whitecraig South		300	0	0	0	0	0	24	24	24	24	24	24	24	120	144	156	Default HFS assumed build rate
	PREF-M12	Barbachlaw	Sirius Sport & Leisure	94	0	0	0	24	24	24	24	72	22	0	0	0	0	22	94	0
Musselburgh Total				2,846	0	0	0	24	24	240	288	288	222	222	172	168	1,072	1,360	1,486	
Tranent	PREF-T4	Windygoul South - MARKET	Walker Group	413	0	0	0	0	0	48	48	48	48	48	48	48	240	288	125	Developer anticipates 18/19 start (plan adopt + 1yr) & 2 developers on site. Affordable yield programmed separately (assuming c25%)
		Windygoul South - AFFORDABLE		137	0	0	0	0	0	24	24	24	24	24	17	113	137	0		
	PREF-T2	Lammermoor Terrace		120	0	0	0	0	0	24	24	24	24	24	0	96	120	0	Default HFS assumed build rate	
	PREF-T1	Bankpark Grove		80	0	0	0	0	0	24	24	24	8	0	0	56	80	0	Default HFS assumed build rate	
	PREF-T8	Macmerry North		150	0	0	0	0	0	24	24	24	24	24	24	120	144	6	Default HFS assumed build rate	
	PREF-T11	Tynemount West (Ormiston)		70	0	0	0	0	0	12	12	12	12	12	10	58	70	0	Default HFS assumed build rate Assuming same developer for PREF-T11&T12	
	PREF-T12	Tynemount East (Ormiston)		16	0	0	0	0	0	12	12	4	0	0	0	4	16	0		
	PREF-T10	Elphinstone West		80	0	0	0	0	0	24	24	24	8	0	0	56	80	0	Default HFS assumed build rate	
	PREF-T13	Woodhall Road (Pencaitland)		16	0	0	0	0	0	12	12	4	0	0	0	4	16	0	Default HFS assumed build rate - rural	
PREF-T14	Lempockwells Rd (Pencaitland)		115	0	0	0	0	0	24	24	24	24	19	0	91	115	0	Default HFS assumed build rate		
Tranent Total				1,197	0	0	0	0	0	228	228	212	204	172	151	99	838	1,066	131	
Haddington	PREF-H2	Letham Mains		275	0	0	0	0	0	0	0	0	0	48	48	96	96	179	Picks up after 22/23 after current scheme ends.	
	PREF-H1	Dovecot	Barratt	113	0	0	0	25	53	35	113	0	0	0	0	0	113	0	Appeal site. Programming from 2014 HLA	
	PREF-H3	Gateside East		60	0	0	0	24	24	12	60	0	0	0	0	0	60	0	Got consent so earlier completions	
	PREF-H4	Alderston (w.Aberlady Rd)	Gladedale	89	0	0	0	24	24	24	72	17	0	0	0	0	17	89	0	Got consent so earlier completions
Haddington Total				537	0	0	0	73	101	71	245	17	0	0	48	48	113	358	179	Got consent so earlier completions
Dunbar	PREF-D2	Beveridge Row		90	0	0	0	24	24	24	72	18	0	0	0	0	18	90	0	Got consent so earlier completions
	PREF-D3	Hallhill North		250	0	0	0	0	0	0	0	0	24	24	48	48	144	144	106	MIR anticiates completions from 2019/20
	PREF-D5	Newtonlees North		250	0	0	0	0	0	24	24	24	24	48	48	34	178	202	48	Default HFS assumed build rate
	PREF-D4	Brodie Road		50	0	0	0	0	0	24	24	24	2	0	0	0	26	50	0	Default HFS assumed build rate
	PREF-D12	Innerwick East		18	0	0	0	0	0	12	12	6	0	0	0	0	6	18	0	Default HFS assumed build rate - rural
	PREF-D10	St John Street (Spott)		6	0	0	0	0	0	6	6	0	0	0	0	0	0	6	0	Default HFS assumed build rate - rural
	PREF-D9	The Crofts (Stenton)		16	0	0	0	0	0	12	12	4	0	0	0	0	4	16	0	Default HFS assumed build rate - rural
Dunbar Total				680	0	0	0	24	24	102	150	76	50	72	96	82	376	526	154	
North Berwick	PREF-N2	Tantallon Road		100	0	0	0	0	0	24	24	24	24	4	0	76	100	0	Default HFS assumed build rate	
	PREF-N5	Fire Service College (Gullane)		100	0	0	0	0	0	24	24	24	24	4	0	76	100	0	Default HFS assumed build rate	
	PREF-N8	Saltcoats (Gullane)		150	0	0	0	0	0	24	24	24	48	48	6	0	126	150	0	Default HFS assumed build rate
	PREF-N4	Castlemains (Dirleton)		30	0	0	0	0	0	24	24	6	0	0	0	0	6	30	0	Default HFS assumed build rate
	PREF-N9	Aberlady West		100	0	0	0	0	0	24	24	24	24	4	0	76	100	0	Default HFS assumed build rate	
North Berwick Total				480	0	0	0	0	120	120	102	120	120	18	0	360	480	0		
EAST Lothian TOTALS				5,740	0	0	0	121	149	761	1,031	695	596	586	485	397	2,759	3,790	1,950	

REPORT TO: East Lothian Council

MEETING DATE: 23 February 2016

BY: Depute Chief Executive (Partnerships and Community Services)

SUBJECT: Housing Land Supply: Interim Planning Guidance

1 PURPOSE

- 1.1 To provide advice to the Council on how the Housing Land Supply: Interim Planning Guidance should be used in view of approval of the Council's Draft Local Development Plan (as amended) on 17 November 2015.
- 1.2 To notify Council of the effective housing land supply position in East Lothian based on the 2015 Housing Land Audit, including planning permissions approved for residential development since 31 of March 2015.
- 1.3 In view of the continued shortfall of effective housing land in East Lothian, to approve this updated Housing Land Supply: Interim Planning Guidance as containing material considerations to be taken into account when determining planning applications for housing development on land not allocated for that purpose by the East Lothian Local Plan 2008.

2 RECOMMENDATIONS

- 2.1 It is recommended that:
 - (i) Council agrees to use the approved Draft Proposed Local Development Plan (as amended) as a material consideration that gives additional weight in favour of 'the general principle' of housing development on sites included within the Draft Proposed Local Development Plan (as amended) as it determines planning applications under the Housing Land Supply: Interim Planning Guidance. The approved Draft Proposed Local Development Plan (as amended) should be taken into account on a case-by-case basis with other material considerations as appropriate.
 - (ii) Council agrees to the further strengthening of the principle established in 2.1(i) as the Draft Proposed Local Development Plan (as amended) advances through its stages to adoption, using it as a significant material consideration in favour of proposals for housing development on sites that it proposes to allocate for housing development. This

would be on the basis that it provides sufficient effective housing land, and provided no representations would affect an issue relevant to the determination of an application. This should be reflected at key stages including the approved Proposed Local Development Plan and the Proposed Local Development Plan (as modified) post examination.

- (iii) Council agrees to use the advice set out in this report and the factors set out in the Housing Land Supply: Interim Planning Guidance at Appendix One as material considerations in the assessment of planning applications for housing against SDP Policy 7 where such proposals are made for land not allocated for this purpose by the East Lothian Local Plan 2008.

3 BACKGROUND

Housing Land Supply Issues

- 3.1 Scottish Planning Policy (SPP) requires a generous supply of land for house building to be maintained at all times so there is enough effective housing land for at least five years. Recent planning appeal decisions, together with the modifications made by Scottish Ministers in their approval of SESplan's Strategic Development Plan, indicate a requirement to increase the amount of effective housing land within East Lothian. In recognition of this, since 2013 the Council has been using Housing Land Supply: Interim Planning Guidance to support appropriate proposals for housing development on land not allocated for that purpose by the East Lothian Local Plan 2008.
- 3.2 However, despite housing developments allowed on appeal, and that the Council has had in place Housing Land Supply: Interim Planning Guidance since December 2013, and that it has approved planning permissions for housing development on sites not allocated for that purpose by the adopted East Lothian Local Plan 2008, there continues to be a shortfall of effective housing land in the area. The basis for this conclusion is set out at Appendix Two of this report. Whilst there is currently no nationally prescribed method for how the adequacy of the five year effective housing land supply is to be calculated, the methodology used here is based on established practice, as applied in recent planning appeal decisions in East Lothian. The steps of this calculation are also explained fully in Advice Box 1 of the Council's approved Draft Proposed Local Development Plan (as amended).
- 3.3 The adopted East Lothian Local Plan 2008 does not provide an adequate supply of effective housing land for the next five years, even though a significant part of the shortfall that has arisen is as a consequence of wider economic and housing market conditions. It is also likely that, if the Council were to wait until adoption of the emerging East Lothian Local Development Plan, it will be early to mid-2017 before any house completions can be anticipated from those sites. Consequently, only a very limited contribution of house completions from emerging Local Development Plan allocations could realistically be delivered in the short term with that approach.

- 3.4 For this reason, when the Council approved its Draft Proposed Local Development Plan on 17 of November 2015, it invited land owners and developers in control of sites that it wants to allocate for housing development to engage collaboratively with officers to seek to address cumulative impact issues and constraints, and to identify appropriate mitigation solutions. Such engagement was invited in relation to all sites promoted by the draft plan.
- 3.5 The intention of this engagement is to ensure that appropriate solutions can be found to enable housing delivery on sites promoted by the Council to occur as early as possible following adoption of the Local Development Plan and thereby make an earlier contribution to the five year supply of effective housing land. The resources respective parties choose to invest in such collaborative working is clearly at their own risk, since confirmation of approach will only be certain following adoption of the plan. However, the Council has made clear that it is willing to commit officer time to this engagement in the interests of delivering the additional homes required by the SDP in the locations that it has decided are the most appropriate for residential development.
- 3.6 Importantly, in circumstances where the adopted plan is out of date or where there is a shortfall in the five-year supply of effective housing land, Scottish Planning Policy is clear that the adopted plan policies on the supply of housing land will not be considered up to date. On both counts this is relevant to the East Lothian Local Plan 2008, which remains the adopted local plan for the area. Although SPP reaffirms the primacy of the adopted East Lothian Local Plan 2008 in decision making, in circumstances where development plan policies are not considered up to date it further advises that a significant material consideration in the assessment of planning applications should be the policy principles of SPP, including *'the presumption in favour of development that contributes to sustainable development'*.
- 3.7 SPP is clear that the aim of *'the presumption'* is to achieve the right development in the right place; it is not to allow development at any cost. However, SPP only contains high level policy principles. It does not provide a vision or a spatial strategy for the future planning of a local area. Whilst compliance with SPP does not mean planning permission must be approved, speculative housing proposals may be able to meet these high level policy principles of SPP. In these situations, less weight may be given to policies or proposals of the adopted East Lothian Local Plan 2008 that specify where the Council does not want housing development to occur than may be given to a planning application's compliance with the high level policy principles of SPP.
- 3.8 As such, in the absence of up-to-date local plan policies on the supply of housing land, the Council should continue to manage proposals for housing development on land not allocated for that purpose by the current East Lothian Local Plan 2008 by using the factors set out in Housing Land Supply: Interim Planning Guidance as material considerations. In addition to all the relevant policies of the statutory development plan, decisions must also have regard to all relevant material considerations, and apply an appropriate

degree of weight to them and the statutory plan. Important material considerations include SPP and the emerging LDP.

SESplan Strategic Development Plan

- 3.9 Scottish Ministers approved the SESplan's Strategic Development Plan on 27 June 2013 and its associated Supplementary Guidance on Housing Land on 18 June 2014. This has confirmed the distribution of housing requirements for the SESplan area and for East Lothian.
- 3.10 As such, SESplan Policies 1A and 1B, Policy 5, Policy 6 and Policy 7 provide the up-to-date strategic planning policy context on the supply of housing land. In accordance with SESplan's Supplementary Guidance on Housing Land, the emerging East Lothian Local Development Plan is to plan for the delivery of 10,050 homes in the period 2009–2024, with an interim requirement for 6,250 new homes up to 2019 (with balance of 3,800 in the period 2019–2024).
- 3.11 In the context of these SDPs requirements, and if there is a shortfall of effective housing land, SESplan Policy 7 gives councils discretion to approve planning permission, in appropriate circumstances, for housing development on greenfield land not allocated for that purpose. In adopting this approach, it should be emphasised that it does not mean any location or scale of greenfield housing land proposal is acceptable in principle.
- 3.12 While SESplan Policy 7 provides planning authorities with discretion to grant planning permission to maintain a five years' effective housing land supply this does not override other relevant statutory development plan policy, including those of the East Lothian Local Plan 2008. These policies are still to be taken into account, and weighed against other relevant material considerations. The housing land supply issue is, however, a significant material consideration to be taken in to account when determining such applications.
- 3.13 SESplan Policy 7 states:

“Maintaining a Five Year Housing land Supply

*Sites for greenfield housing development proposals either within or outwith the identified strategic development areas **may** be allocated in local development plans or granted planning permission [our emphasis] to maintain a five years' effective housing land supply, subject to satisfying each of the following criteria:*

- a) The development will be in keeping with the character of the settlement and local area:*
- b) The development will not undermine green belt objectives; and*
- c) Any additional infrastructure required as a result of the development is either committed or to be funded by the developer.”*

- 3.14 As described above, the emerging East Lothian Local Development Plan is unlikely to be adopted before late 2016 / early 2017. Waiting to address the effective housing land supply issue until its adoption would mean (a) a further 12–15 month period during which the Council is at risk of planning by appeal (and potential awards of costs against it) and (b) a housing requirement that will increase to a level that is undeliverable during the Local Development Plan period, particularly in the short term (with increased likelihood of on-going plan failure when the new plan is operative).
- 3.15 Accordingly, the approach again recommended is that the Council embraces SESplan Policy 7 by supporting the principle of appropriate proposals for housing development on greenfield land in situations where, other than for the land's non-allocation for housing in the adopted East Lothian Local Plan 2008:
- (i) the proposed development would not otherwise be a significant departure from the provisions of the Development Plan (while ensuring consistency with SESplan's Policy 7 itself);
 - (ii) the land is or can be made effective and is demonstrably able to deliver early house completions to augment the 5-year effective land supply (and thus support for the principle of the proposal may be justified because it could increase the 5-year effective housing land supply, and the site could be substantially completed within this period);
 - (iii) the proposal, consequent on its scale or impact (on an individual or cumulative basis), would not prejudice existing Development Plan allocations (which the SDP requires to be carried forward and not undermined) or the strategy or proposals of the emerging LDP (taking in to account prematurity and prejudice considerations of SPP).
- 3.16 As such, to ensure that the Council supports only those proposals that are, in the first instance, consistent with these overarching principles, and to ensure it is consistent in its assessment of such proposals, its approach should be supported by further criteria against which the principle of such planning applications would be assessed. The Housing Land Supply: Interim Planning Guidance at Appendix One draws relevant factors together and translates them into material considerations that should be applied in the assessment of planning applications. The proposal to which support may be given at this stage should be assessed on a case by case basis against these factors.
- 3.17 The discretionary use of SDP Policy 7 to support planning applications for residential development on an unallocated, greenfield housing site should therefore depend on (a) the extent to which the proposal satisfies other relevant provisions of the statutory Development Plan, and (b) the extent to which it satisfies the Council's criteria for assessing housing applications on unallocated, greenfield land, including as the proposal's scale, and (c) any other relevant material considerations as appropriate.

- 3.18 The main issue currently facing East Lothian is in the delivery of housing in the short-term to 2019/2020. Slippage in the start date / programming of large scale housing allocations (such as Letham Mains and Blindwells) of the East Lothian Local Plan 2008 is pushing more anticipated completions into the period 2019–2024, at the expense of completions up to 2019/20. Appropriate additional smaller and deliverable sites that can start and complete quickly (and be substantially complete before 2019/20) without undermining the emerging East Lothian Local Development Plan are needed to make a positive contribution to support the housing land supply in this period. The Council has identified a number of such additional sites in its Draft Proposed LDP.

Using the Emerging LDP when determining planning applications

- 3.19 In parallel with the Housing Land Supply: Interim Planning Guidance, the Council should increase the degree of support it gives to the strategy and sites of the emerging local development plan as it advances through the remaining stages towards its adoption. A significant consideration will be a need to avoid prejudicing the preparation, final content or ability to deliver the emerging East Lothian Local Development Plan.

Draft Proposed Local Development Plan (as amended)

- 3.20 The approval of the Council's Draft Proposed Local Development Plan (as amended) on 17 November 2015 was an important step forward, although this was a non-statutory stage in the plan-making process. Nonetheless, this decision provided the Council's 'settled view' on the strategy and sites it wants to promote as a sustainable development strategy for the area, to ensure the right development can occur in the right places to meet the SDP's requirements. In approving the draft plan, consultation responses to the Main Issues Report were also considered by the Council.
- 3.21 Given the shortfall of effective housing land in the area, and that the Council's 'settled view' has been reached, the draft plan should be taken into account by the Council as a material consideration when it determines planning applications for housing development on land not allocated for that purpose by the adopted East Lothian Local Plan 2008.
- 3.22 As such, in the assessment of planning applications it would be reasonable for the Council to use the approved Draft Proposed Local Development Plan (as amended) as a factor to give additional weight in favour of 'the general principle' of housing development on sites which are included within the draft plan.
- 3.23 This position could be further strengthened when the sites of the finalised Proposed Local Development Plan are included within a Housing Land Audit as '*sites with agreed residential development potential*'. This means that their anticipated contribution is taken into account in the overall effective land supply position.

- 3.24 However, the draft plan needs to be given an appropriate degree of weight when taking such decisions. At this stage it cannot be given as much or more weight than Scottish Planning Policy, or a Finalised Proposed Local Development Plan.
- 3.25 This is because the draft plan has not yet replaced the adopted East Lothian Local Plan 2008 as the statutory local development plan for the area. Before this can happen the draft plan needs to be finalised as a Proposed Local Development Plan. It needs to be published for a period of representation so interested parties have the opportunity to seek modifications to the plan. If there are unresolved representations, these will be examined by a reporter appointed by Scottish Ministers. The reporter will consider the merit of the representations and, following examination, make recommendations to the Council on whether the plan should be changed as a result of these. Any such recommendations will be largely binding on the Council, and may require that changes be made to the plan before it can be adopted by the Council as the up-to-date local development plan for the area.
- 3.26 For these reasons, and until technical work on the draft plan has been concluded such that it can be finalised as a Proposed Local Development Plan, the degree of weight that can be given to the draft plan when determining planning applications for housing development on land not allocated for that purpose by the adopted East Lothian Local Plan 2008 should be limited.
- 3.27 Nonetheless, the draft plan does provide the Council's 'settled view' on the sites that it considers have residential development potential and that it considers should be developed to meet the SDP's housing requirements. At this stage, this view is subject to the conclusion of further technical work, including the identification of acceptable means of funding and delivering suitable mitigation that will address the cumulative impact of development.
- 3.28 The draft plan should be taken into account on a case-by-case basis with other material considerations as appropriate when determining planning applications for housing on land not allocated for that purpose by the adopted East Lothian Local Plan 2008.

Finalised Proposed Local Development Plan

- 3.29 Following publication of the Main Issues Report, the next statutory stage in the process is approval of a finalised Proposed Local Development Plan for representation. Once the Council has approved a finalised Proposed Local Development Plan the content of the plan will be a material consideration in the determination of planning applications for housing development on land not allocated for that purpose by the adopted East Lothian Local Plan 2008.
- 3.30 Furthermore, following the period for representation, if no representations have been made to the finalised Proposed Local Development Plan that would affect consideration of an issue relevant to the determination of an

application, then the content of the Proposed Local Development Plan will be a significant material consideration in the determination of such applications.

- 3.31 Accordingly, on the basis that the finalised Proposed Local Development Plan provides sufficient effective housing land, and provided no representations would affect an issue relevant to the determination of an application, the finalised Proposed Local Development Plan would be a significant material consideration in favour of proposals for housing development on sites that it proposes to allocate for housing development.
- 3.32 However, where representations have been made that are relevant to an issue that could affect the determination of an application, the finalised Proposed Local Development Plan should carry less weight in the determination of such applications. Unresolved representations may result in changes to the plan. In these circumstances it would be unreasonable to place significant weight on disputed aspects of the plan when determining applications. Such considerations could apply to sites that the Council would wish to see developed for housing, and/or to policies that may support or seek to restrain housing development, etc.
- 3.33 The finalised Proposed Local Development Plan should be taken into account on a case-by-case basis with other material considerations as appropriate. At this stage it would be reasonable to consider whether there are acceptable means of funding and delivering the identified mitigation that will address the cumulative impact of development (see paragraphs 3.38–3.39 below).
- 3.34 Notwithstanding the considerations that may arise from representations made to the finalised proposed local development plan, at this stage the Council should, wherever it can but subject to the considerations set out in paragraphs 3.35–3.42 below, continue to take action in advance of adopting the plan by being prepared to approve planning permission for appropriate housing proposals.
- 3.35 This ongoing early action will be needed to ensure planning permission can be approved for appropriate housing sites within a timescale that could allow them to deliver enough homes in the periods envisaged by the SDP.

Considerations related to prematurity and prejudice

- 3.36 SPP states that where a plan is under review (as is the case here) decisions should not prejudice an emerging plan by predetermining the scale, location or phasing of development central to the emerging plan.
- 3.37 This is a consideration that is very likely to apply where the development is so substantial, or its cumulative effect (e.g. with other existing and / or emerging proposals) would be so significant, that to grant permission would undermine the plan making process. Such considerations related to prematurity and prejudice will become even more relevant closer to plan adoption, e.g. at Proposed Local Development Plan stage, etc.

- 3.38 It is important to note that these considerations are equally relevant to larger scale proposals that are supported by the emerging plan as well as those that are not – the outcome of any examination of the emerging plan is not yet known, and to approve planning permission for a large scale proposal (even if supported by the Council at this stage) may prejudice the ability of an examination to recommend that it be replaced by another.
- 3.39 Prematurity and prejudice considerations can also apply in situations where a proposed development, even small scale, is dependent on an infrastructure solution that is necessary to accommodate the impact of development proposed by the emerging plan, on an individual or cumulative basis, but for which a solution has not yet been identified, e.g. the provision of additional secondary education capacity in the Musselburgh area.
- 3.40 The same considerations would apply if the early approval of sites associated with the finalised Proposed Local Development Plan strategy were to occur without the requisite contributions being provided towards additional infrastructure capacity that arise as a consequence of the strategy overall – doing so could compromise the funding base for the infrastructure, and potentially prejudice the deliverability of the finalised Proposed Local Development Plan.
- 3.41 Importantly, however, there may be situations where cumulative impact issues can be overcome for smaller scale housing proposals of an appropriate scale in suitable locations that would not undermine the finalised Proposed Local Development Plan (and may help deliver it) and that would contribute towards the maintenance of an adequate five-year effective supply of housing land.
- 3.42 Such proposals may be supported on the proviso that the necessary cumulative impact assessment has been undertaken (based on accommodating all relevant proposals of the finalised Proposed Local Development Plan) and if any necessary mitigation can be provided and will be funded by the developer on a proportionate and pro-rata basis as appropriate. Such proposals would need to be assessed on a case-by-case basis.
- 3.43 To avoid decisions that would be premature to or prejudice the emerging plan, the factors set out in the Housing Land Supply: Interim Planning Guidance should therefore only be used to determine appropriate smaller scale housing proposals in suitable locations that, if approved, would not undermine significant decisions on where large scale developments should occur and that would not compromise how additional infrastructure capacity could be funded and delivered on an individual or cumulative basis.

Post-Examination Report

- 3.44 Once the finalised Proposed Local Development Plan has been examined and the report of examination has been received, the Council will have before it the finalised Proposed Local Development Plan and any amendments that it may need to make to the plan consequent on the findings of the examination.

The finalised proposed plan and any recommendations to modify it, taken together, should reflect the plan that the Council can adopt.

- 3.45 However, at this stage adoption of a modified plan is subject to some limited exceptions, for example where a recommended modification to the finalised Proposed Local Development Plan should not be followed consequent on the findings of further environmental assessment. As such, once the plan has been modified as appropriate, and this further technical work has concluded, the finalised Proposed Local Development Plan (as modified) should carry significant weight as a material consideration.

Post-Adoption

- 3.46 The key stage will be the Council's adoption of an up-to-date Local Development Plan as soon as possible on conclusion of the above steps. This will provide up-to-date development plan coverage in the area, and reaffirm the primacy of the development plan in decision making.
- 3.47 The adopted Local Development Plan will set out where new housing development can occur to meet the SDP requirements. It will also allow the Council to resist proposals for housing development in locations where the plan does not provide for this, provided the plan makes available sufficient effective housing land.

Proposed Site Assessment Criteria

- 3.48 Notwithstanding the need to make more effective housing land available in the area, the Council should nonetheless adopt a cautious approach to the release of non-allocated housing sites, particularly where the scale and impact on the character of an existing settlement or the local area / landscape is an issue. Matters of prematurity and prejudice also need to be carefully considered on a case-by-case basis. The scale of proposals and the ability to provide infrastructure capacity to non-allocated sites without undermining existing allocations or those of the emerging LDP will be key considerations.
- 3.49 To help ensure a prudent approach the recommended considerations that should be taken into account when determining planning applications for housing development on land not allocated for this purpose by the East Lothian Local Plan 2008 are detailed in Appendix One to this report. These material considerations should be applied with immediate effect to new applications for planning permission and to those that have been registered and are presently undetermined.

4 POLICY IMPLICATIONS

- 4.1 In appropriate circumstances application of the material considerations set out in the Housing Land Supply: Interim Planning Guidance would allow the Council to support planning applications for housing that are not consistent with site-specific policies of the East Lothian Local Plan 2008.

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 This report is not applicable to the well being of equalities groups and an Equalities Impact Assessment is not required.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – none
- 6.2 Personnel - none
- 6.3 Other – none

7 BACKGROUND PAPERS

7.1 DPEA Planning appeal decisions:

- PPA-210-2037, Dovecot Farm, Haddington
- PPA-210-2036, Ferrygate Farm, North Berwick
- PPA-210-2031, Beveridge Row, Belhaven
- PPA-210-2018, Barbachlaw, Wallyford
- PPA-210-2049, Land at Lempockwells Road, Pencaitland
- PPA-210-2047, Ferrygate Farm, North Berwick
- PPA-210-2043, Land at Old Craighall, Musselburgh
- PPA-210-2038, Land West of Aberlady Road, Haddington

7.2 SESplan Strategic Development Plan, June 2013

7.3 Letter of approval of SESplan Strategic Development Plan, Scottish Government, June 2013

7.4 SESplan Supplementary Guidance on Housing land, May 2014

7.5 Letter of approval of SESplan Supplementary Guidance on Housing Land, Scottish Government, June 2014

7.6 Report by Depute Chief Executive (Partnerships and Services for Communities) to 28 October 2014 meeting of East Lothian Council, *SESplan Supplementary Guidance on Housing Land*

7.7 East Lothian Council LDP: Main Issues Report (October 2014)

7.8 East Lothian Council Draft Proposed LDP (as amended) (November 2015)

7.9 Housing Land Supply: Interim Planning Guidance (December 2013)

7.10 Housing Land Supply: Interim Planning Guidance (December 2014)

7.11 Housing land Audit 2015

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East Lothian Council

Housing Land Supply: Interim Planning Guidance

Factors against which planning applications for housing on land not allocated for this purpose will be assessed pending adoption of East Lothian Local Development Plan

In assessing planning applications for housing the Council will have regard in the first instance to the statutory Development Plan status of any site. This is the SESplan Strategic Development Plan and the East Lothian Local Plan 2008 (ELLP).

In the case of a planning application for housing on a site where the principle of such a use is not specifically supported by the statutory Development Plan, the Council accepts that the availability of an effective supply of housing land is a significant material consideration. In the case of a greenfield site, SESplan Policy 7 would be applicable. The weight the Council affords its terms, and the terms of other Development Plan policies, to individual planning applications will depend on the extent to which the proposed development is able to satisfy all of the following material considerations:

1 Effectiveness

The Council will require convincing evidence that, were planning permission to be granted, then the site would be immediately effective or capable of being substantially complete within five years.

2 Scale

This guidance does not apply to planning applications for single houses or small groups of houses in the open countryside since SESplan Policy 7 refers to the 'character of the settlement and local area', requiring proposals to adjoin existing settlements.

The upper size limit of the proposed development must be such that, were the Council to grant planning permission, it would not be of a scale that would prejudice the Council's subsequent flexibility to consider and determine the amount and location of housing land release through the Local Development Plan process.

The actual number of residential units permissible on any one site or within any one settlement will be assessed against the scale and character of the specific settlement. However, the Council will only consider approving a development proposal that, in its totality, does not exceed 300 residential units. Other than in the main towns where the upper limit will apply, the maximum permissible will therefore be significantly less than this maximum

site capacity. Planning applications that are a consequence of the subdivision of a larger site into smaller applications in order to meet this maximum will be resisted.

This also reflects that it can contribute to short term needs, that is, the site must be capable of being substantially built out within any five year period starting from its anticipated determination date so that it can contribute to the five year housing land supply. At the same time, it must not be so large that it would prejudice future decisions on development plan requirements and how these would be best dealt with in the short term and beyond.

3 Timing

If the proposal is otherwise acceptable, the Planning Authority may direct that the duration of planning permission is for a period of less than 3 years. This is intended to reinforce the Council's requirement that sites must be developed in the short term and not land banked.

Applicants must also be aware that renewal of such a planning permission might not be permitted.

In this regard the Council will require convincing evidence that a housebuilder has an interest in the site such that it can reasonably be followed through within the duration of any planning permission, so that early completions may be anticipated.

4 Development Plan Strategy

In situations where infrastructure capacity is available and the site is/can be made effective, any grant of planning permission must not prejudice the delivery of the existing Development Plan strategy, or that of the emerging LDP as it is developed. For example:

- (i) It must not take infrastructure capacity from, or compromise the ability to provide infrastructure to, existing housing land allocations of the adopted local plan that do not yet have planning permission or are committed but have not yet started, and
- (ii) it must not be dependent on the prior provision of infrastructure required by existing housing land allocations that do not yet have planning permission or are committed but have not yet started and delivered the necessary infrastructure; and
- (iii) it must not prejudice the ability to provide infrastructure capacity for proposals emerging through the LDP as it is developed, or be dependent on the potential provision of infrastructure capacity associated with any emerging LDP strategy or site.

5 Locational Considerations

As a general principle, this guidance only applies to housing applications that form an appropriate extension to an existing settlement defined in ELLP2008. The guidance does not apply to otherwise isolated development in the countryside, to which the terms of ELLP2008 Policy DC1 (Development in the Countryside and Undeveloped Coast) will continue to apply.

Sites identified to contribute to the short-term housing land supply will also contribute to SESplan's strategic housing requirements, as set out in its Supplementary Guidance on Housing Land¹. Consequently:

- 5(i) Sites within the East Lothian Strategic Development Area as defined in SESplan's Strategic Development Plan, June 2013², **may** be acceptable, subject to criteria 1-4 (above) being met, and provided that:
- a. development of the site would not undermine green belt objectives, and
 - b. the site is an appropriate extension to an existing settlement identified in the East Lothian Local Plan 2008, and its scale and nature is in keeping with the scale and character of that settlement and the local area, and
 - c. infrastructure is available or can be made available (see also criterion 4) within a timescale that allows for early house completions, and
 - d. the site's development for housing is consistent with all other relevant Development Plan policies.
- 5(ii) Sites outwith the East Lothian Strategic Development Area **may** be acceptable, subject to criteria 1-4 (above), the provisos noted in 5(i) above and the following additional provisos:
- a. the settlement is well-served by public transport, and
 - b. existing facilities and services are both available and accessible within the settlement such that the need to travel is minimised;
 - c. the extent to which the additional housing would help make a demonstrable and necessary contribution to sustaining or improving educational, social or community facility provision within the local area may also be a material consideration
- 5(iii) The proposed development must not use land that is allocated for another specific use unless: there is no reasonable prospect of that use being realised on all or part of the site; a housing use on a part of the site would help deliver the allocated use on a significant remainder of the site; or the desirability of securing housing outweighs the retention of the allocated use.

¹ SESplan Supplementary Guidance on Housing Land May 2014 (ratified by East Lothian Council October 2014).

² Broadly defined as area 5 in Figures 1 and 4, and as described in paragraph 48, of SESplan's Strategic Development Plan, June 2013,

Mixed use proposals, including residential development, for undeveloped land allocated for business or industrial use under Classes 4, 5 or 6 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 will be expected to:

- a. provide appropriate services to unserviced business/industrial land, thereby facilitating the take-up of employment land, and
- b. not prejudice the continued use of the remainder of the allocated area for the business/industrial use, and
- c. not prejudice, in the Council's view, the supply of employment land in East Lothian, and
- d. demonstrate that the location is in all other respects a suitable one for housing.

Where necessary, the Council will require the landowner and/or developer to enter into legal agreements to ensure these objectives are met. Unilateral obligations may also be considered.

For the avoidance of doubt, this guidance does not override the provisions of ELLP2008 Policy ENV2 (Town and Village Centres, Other Retail or Mixed Use Areas).

- 5(iv) The proposed housing use must be compatible with adjoining or nearby existing uses and the amenity to be enjoyed by the residents of the proposed new housing must not be harmed by such existing uses. The introduction of new homes should not be compromised by or compromise the consideration of potential new land allocations, including potential employment allocations, set out in the emerging LDP as it is developed.
- 5(v) The proposed housing use must be capable of being contained within robust, defensible boundaries and must not set a precedent for subsequent future expansion, the principle of which would be more appropriately considered through a Development Plan review.

**Planning Service
Partnerships and Services for Communities
East Lothian Council**

23rd February 2016

How the Adequacy of the 5-year Effective Housing Land Supply has been Assessed

Introduction

B.1 There is currently no nationally or regionally prescribed method for how the adequacy of the five year effective housing land supply should be calculated. However, the Council's Draft Proposed Local Development Plan sets out a methodology for this based on established practice, including as applied in recent planning appeal decisions within East Lothian, as well as the current principles set out in the Scottish Government's planning advice note PAN 2/2010.

Background

B.2 SDP1 was prepared under SPP 2010, which expected the SDP to set a housing requirement to 2024, and to identify how much land '*should be capable of development*' by 2019 – i.e. there was no need to set a housing requirement for the period up to 2019. However, the outcome of the SDP Examination was that the current SDP sets two housing requirements, one for the whole plan period to 2024 and one 'interim' requirement up to 2019.

B.3 Consequently, when approving SDP1, Scottish Ministers required SESplan to prepare Supplementary Guidance on Housing Land to confirm the distribution of the SDP housing requirement across Local Development Plan areas for the period 2009-2024, with an interim requirement also to be introduced for the period up to 2019.

B.4 In accordance with SESplan's Supplementary Guidance on Housing Land, the East Lothian Local Development Plan is to plan for the delivery of 10,050 homes in the period 2009 – 2024, with an interim requirement for 6,250 new homes up to 2019. Whilst need and demand and rates of development can change significantly under different economic conditions, the SDPs housing requirements cannot change when the SDP is operative. They are based on HNDA estimates of housing need and demand that are approved as housing requirements by the Scottish Government.

B.5 House completions achieved and anticipated from the established housing land supply over these periods, including from land allocated by the East Lothian Local Plan 2008, can contribute to meeting the SDPs requirements in addition to new land allocations to be made by the emerging Local Development Plan. However, delays in confirming the distribution of the housing requirement at SDP level has delayed LDP preparation in East Lothian and thus the timescales within which additional land can be allocated by the Council.

B.6 If the Council is to meet the SDPs requirements, particularly in the short term, it needs to release additional land for housing earlier than can be achieved through the plan-making process. This is why the Council has been operating Housing Land Supply: Interim Planning Guidance since December 2013.

Current Method for Assessing the Adequacy of the 5-Year Effective Housing Land Supply

National and Regional Planning Policy

B.7 There is currently no nationally or regionally prescribed calculation method for how the numerical adequacy of the five year effective housing land supply should be carried out. Importantly, however, SESplan's Supplementary Guidance on Housing Land was approved by Scottish Ministers on the proviso that a modification was made to it to remove a sentence which read:

'Member authorities will base their calculation of the five year land supply on the period 2009-2024, taking into consideration housing completions.'

B.8 This would have required planning authorities to base their calculation of the adequacy of the five-year effective housing land supply over the period to 2024, taking in to account completions achieved since 2009 – i.e. to ensure enough effective land was available to meet the housing requirement for the whole plan period. Scottish Ministers took no issue with this calculation method. However, their approval letter continued to state in relation to that sentence:

'While it may be considered to provide useful further information or detail, the inclusion of this also gives rise to a potential inconsistency between SESplan itself and the supplementary guidance.'

B.9 The inconsistency referred to is that the method of calculation set out did not take into account the 'interim' housing requirement introduced by Scottish Ministers when they approved the SDP. The letter goes on to say that the Development Planning Scotland Regulations require that:

'for a matter to be included in supplementary guidance that will form part of the development plan it must be expressly identified in a statement contained in the plan as matters which are to be dealt with in supplementary guidance. It is not considered that the inclusion of the 2nd sentence of paragraph 3.13 complies with this requirement'.

B.10 Scottish Ministers directed that SESplan's method for calculating the adequacy of the five year effective housing land supply be removed from the Supplementary Guidance on Housing Land to ensure consistency with the SDP. However, they offered no alternative calculation method in their approval letter.

Planning Advice Note 2/2010: Affordable Housing & Housing Land Audits

B.11 The current drafting of Scottish Government Planning Advice Note 2/2010: Affordable Housing & Housing Land Audits has led to established practice on how this calculation is normally carried out within East Lothian.

B.12 Based on this national advice, the approach to assessing whether the supply of effective housing land is adequate for the next five years is based on if enough housing land is programmed to be developed in the next five year period to meet the

remaining housing requirement set for the whole plan period once it is apportioned pro-rata (annualised) over the next five years.

B.13 The assessment is normally carried out by comparing the programme of dwelling completions for the next five years to the recalculated housing requirement for the same period. If insufficient land is programmed to be developed to meet the recalculated housing requirement for that period then there is perceived to be a shortfall of effective housing land. The recalculation method subtracts dwelling completions achieved since the base date of the SDP (2009), divides the remaining requirement over the number of years of the plan period remaining, and then multiplies that annualised figure by five.

B.14 However, as explained above, SDP1 sets an overall housing requirement to 2024 as well as an 'interim' one to 2019. This means when the recalculation takes place under SDP1, if less than five years of the first plan period remain (as is now the case) any shortfall from the first plan period should be added to the relevant sum of annualised requirement(s) for the second plan period (rather than spreading the shortfall up to 2019 over the remaining plan period overall to 2024). This is because SDP1 expects sufficient effective housing land to be available so the housing requirement up to 2019 can be met in full. The steps of this calculation are explained fully in Advice Box 1 of the Council's approved Draft Proposed Local Development Plan (as amended).

B.15 However, low levels of market demand / mortgage availability can significantly affect the 'marketability' of sites, and thus the number of house sales that can be achieved and thus the number of dwelling completions that can be programmed from the land supply in any five year period, even if the land is otherwise 'unconstrained'. Based on current Scottish Government planning advice PAN 2/2010, even if a whole site (or part of a site that is under construction) is programmed to start and / or be developed slower than it could under better economic conditions, only the houses from land which is programmed to be built in the next five years contributes to the five-year 'effective' land supply, even if the site (or balance of it) is 'unconstrained' and could be developed for housing faster.

B.16 Current national planning advice expects the method for assessing the adequacy of the five-year effective housing land supply to be based solely on quantitative assessment, even though fluctuations in wider economic conditions can significantly influence the amount of 'unconstrained' land that can be counted as 'effective'. This has been confirmed in the outcome of recent planning appeal decisions. Current Scottish Government advice allows very little weight, if any, to be placed on wider material considerations (such as qualitative economic factors) when assessing if there is enough effective housing land available for the next five-years. However, the Scottish Government's position on this is currently being considered in detail in a review of current national planning advice on the matter.

B.17 In terms of meeting the SDPs housing requirements, lower levels of dwelling completions have been achieved since 2009 and are programmed to be delivered up to 2019/20 when compared to the rate and volume of development that would be needed to meet the recalculated (compounded) SDPs housing requirement for the area. As such, the 'interim' housing requirement is particularly challenging to meet

because of the scale of the shortfall that now exists. This is the case despite the fact that the Council has had housing developments on land not allocated for that purpose by the East Lothian Local Plan 2008 allowed on appeal, that it has had in place since December 2013 and is operating Housing Land Supply: Interim Planning Guidance, and that it has used this to approve planning permission for residential development on sites not allocated for that purpose by the East Lothian Local Plan 2008.

B.18 Notwithstanding this, in the absence of an adopted Local Development Plan with up-to-date policies setting out where the Council wants new housing to be developed to meet the SDP housing requirements, it should continue to manage proposals for housing development on land not allocated for that purpose by the East Lothian Local Plan 2008 through the continued application of the Housing Land Supply: Interim Planning Guidance.

Assessment of East Lothian’s five-year effective housing land supply

B.19 The following table uses the current method for assessing the adequacy of the five-year effective housing land supply situation within East Lothian, taking into account the SDPs interim requirement up to 2019:

Table1: ELC Five-Year Effective Housing Land Supply 2015/16 to 2019/20

		Steps	Method
1	SESplan Supplementary Guidance Housing Requirement	6,250	
2	House completions 2009 to 31/3/2015 ³	2,043	
3	Balance to deliver in four years between 2015/16 -2018/19	4,207	1-2
4	Add 1 year annualised requirement to shortfall, based on SDP housing requirement 2019/20 – 2023/24	760	3,800/5 = 760
5	Recalculated 5-year Housing Requirement	4,967	3 + 4
6	Completions programmed between 2014/15 and 2019/20 ⁴	3,307	
	Shortfall of effective housing land needed to 2019/20 (in addition to 2015 audit programming)	1,660 units	5 - 6
	Number of Years Supply	3.3 Years	6/5 = 0.66 0.66*5 = 3.3

B.20 Importantly, some additional sites have also obtained planning permission since the 31st March 2015 – i.e. after the period covered by the 2015 Housing Land Audit. At this stage, these sites should be taken in to account and added to the effective land supply to provide the most up-to-date position.

³ Source – Based on the 2014/15 Housing Land Audit

⁴ Source – Based on the 2014/15 Housing Land Audit

B.21 These sites and the programming anticipated from them at this stage is set out in Table 2 below.

Table 2: Sites Not Included in Housing Land Audit 2015

Site Name	Total Dwellings	Remaining at 04/15	15/16	16/17	17/18	18/19	19/20	Total 15-20	Remaining post 19/20	20/21	21/22	Total 20/22
Beveridge Row Belhaven	90	90	0	0	25	50	15	90	0	0	0	0
Inglis Farm Avenue Road Cockenzie East Lothian	35	35	0	0	15	15	5	35	0	0	0	0
Mingulay Lydgait Haddington East Lothian	8	8	0	8	0	0	0	8	0	0	0	0
Land To South, East And West Wallyford East Lothian*	400 (1050 increase to 1450)	1450	0	0	0	0	0	0	0	0	0	0
Ferrygate Farm North Berwick	140	140	0	0	25	50	50	125	15	15	0	0
Seton East Steading	9	9	0	0	9	0	0	9	0	0	0	0
Total	582	582	0	8	74	115	70	267	15	15	0	0
Note: Table 2 does not include applications awaiting conclusion of Section 75 agreements (Land at Tantallon Road: 125 Units; Land at Dovecot 80 Units; Land at Dolphingstone 160 Units; 91 High Street Haddington 15 units = Total 380 Units). * No additional dwellings programmed from Wallyford intensification within 5-year period.												

B.22 The additional contribution from these sites to the five-year effective housing land supply would amount to land for a further **267 dwellings** in the period up to 2019/20. Based on the calculation set out at Table 1 above, the inclusion of these sites would reduce the **shortfall in the five year effective housing land supply to 1,393 homes in the period to 2019/20, resulting in 3.6 years supply**. As such, further land capable of delivering this amount of additional completions during that period would be needed if a five-year effective housing land supply is to be secured.

Monitoring & Review

B.23 The effective land supply will be monitored and reviewed periodically, including once the Proposed Local Development Plan is finalised, and once the 2016 Housing Land Audit has reported.

B.24 The contribution of land released under Housing Land Supply: Interim Planning Guidance will also be monitored to ensure that there is a control over the amount of land released. In that context the use of the Housing Land Supply: Interim Planning Guidance will also be reviewed, and if necessary the guidance may need to be revoked / its use suspended.

B.25 Any changes to national planning advice on the matter will also be monitored and taken in to account, particularly if this would review the basis for assessing the adequacy of the five-year effective housing land supply.



Scottish Planning Policy

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Scottish Planning Policy

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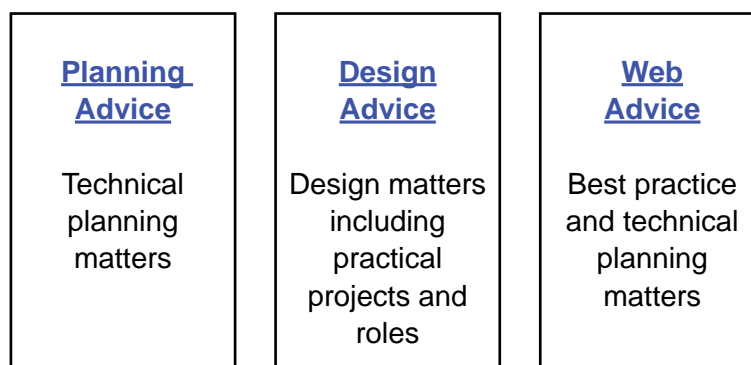
Planning Series

The Scottish Government series of Planning and Architecture documents are material considerations in the planning system.

Planning and Architecture Policy



Planning and Design Advice and Guidance



Further information is available at: www.scotland.gov.uk/planning

This SPP replaces SPP (2010) and Designing Places (2001)

statutory

non-statutory

Scottish Planning Policy (SPP)

Purpose

i. The purpose of the SPP is to set out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development¹ and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:

- the preparation of development plans;
- the design of development, from initial concept through to delivery; and
- the determination of planning applications and appeals.

Status

ii. The SPP is a statement of Scottish Government policy on how nationally important land use planning matters should be addressed across the country. It is non-statutory. However, Section 3D of the Town and Country Planning (Scotland) 1997 Act requires that functions relating to the preparation of the National Planning Framework by Scottish Ministers and development plans by planning authorities must be exercised with the objective of contributing to [sustainable development](#). Under the Act, Scottish Ministers are able to issue guidance on this requirement to which planning authorities must have regard. The Principal Policy on Sustainability is guidance under section 3E of the Act.

iii. The 1997 Act requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. As a statement of Ministers' priorities the content of the SPP is a material consideration that carries significant weight, though it is for the decision-maker to determine the appropriate weight in each case. Where development plans and proposals accord with this SPP, their progress through the planning system should be smoother.

¹ The Planning (Scotland) Act 2006 extends the definition of development to include marine fish farms out to 12 nautical miles.

iv. The SPP sits alongside the following Scottish Government planning policy documents:

- the [National Planning Framework](#) (NPF)², which provides a statutory framework for Scotland's long-term spatial development. The NPF sets out the Scottish Government's spatial development priorities for the next 20 to 30 years. The SPP sets out policy that will help to deliver the objectives of the NPF;
- [Creating Places](#)³, the policy statement on architecture and place, which contains policies and guidance on the importance of architecture and design;
- [Designing Streets](#)⁴, which is a policy statement putting street design at the centre of placemaking. It contains policies and guidance on the design of new or existing streets and their construction, adoption and maintenance; and
- [Circulars](#)⁵, which contain policy on the implementation of legislation or procedures.

v. The SPP should be read and applied as a whole. Where 'must' is used it reflects a legislative requirement to take action. Where 'should' is used it reflects Scottish Ministers' expectations of an efficient and effective planning system. The Principal Policies on Sustainability and Placemaking are overarching and should be applied to all development. The key documents referred to provide contextual background or more detailed advice and guidance. Unless otherwise stated, reference to Strategic Development Plans (SDP) covers Local Development Plans outwith SDP areas. The SPP does not restate policy and guidance set out elsewhere. A [glossary](#) of terms is included at the end of this document.

2 www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Framework

3 www.scotland.gov.uk/Publications/2013/06/9811/0

4 www.scotland.gov.uk/Publications/2010/03/22120652/0

5 www.scotland.gov.uk/Topics/Built-Environment/planning/publications/circulars

Introduction

The Planning System

1. The planning system has a vital role to play in delivering high-quality places for Scotland. Scottish Planning Policy (SPP) focuses plan making, planning decisions and development design on the Scottish Government's Purpose of creating a more successful country, with opportunities for all of Scotland to flourish, through increasing [sustainable economic growth](#).
2. Planning should take a positive approach to enabling high-quality development and making efficient use of land to deliver long-term benefits for the public while protecting and enhancing natural and cultural resources.
3. Further information and guidance on planning in Scotland is available at www.scotland.gov.uk/planning⁶. An explanation of the planning system can be found in [A Guide to the Planning System in Scotland](#)⁷.

Core Values of the Planning Service

4. Scottish Ministers expect the planning service to perform to a high standard and to pursue continuous improvement. The service should:
 - focus on outcomes, maximising benefits and balancing competing interests;
 - play a key role in facilitating sustainable economic growth, particularly the creation of new jobs and the strengthening of economic capacity and resilience within communities;
 - be plan-led, with plans being up-to-date and relevant;
 - make decisions in a timely, transparent and fair way to provide a supportive business environment and engender public confidence in the system;
 - be inclusive, engaging all interests as early and effectively as possible;
 - be proportionate, only imposing conditions and obligations where necessary; and
 - uphold the law and enforce the terms of decisions made.

People Make the System Work

5. The primary responsibility for the operation of the planning system lies with strategic development planning authorities, and local and national park authorities. However, all those involved with the system have a responsibility to engage and work together constructively and proportionately to achieve quality places for Scotland. This includes the Scottish Government and its agencies, public bodies, statutory consultees, elected members, communities, the general public, developers, applicants, agents, interest groups and representative organisations.

6 www.scotland.gov.uk/Topics/built-environment/planning

7 www.scotland.gov.uk/Publications/2009/08/11133705/0

6. Throughout the planning system, opportunities are available for everyone to engage in the development decisions which affect them. Such engagement between stakeholders should be early, meaningful and proportionate. Innovative approaches, tailored to the unique circumstances are encouraged, for example charrettes or mediation initiatives. Support or concern expressed on matters material to planning should be given careful consideration in developing plans and proposals and in determining planning applications. Effective engagement can lead to better plans, better decisions and more satisfactory outcomes and can help to avoid delays in the planning process.

7. Planning authorities and developers should ensure that appropriate and proportionate steps are taken to engage with communities during the preparation of development plans, when development proposals are being formed and when applications for planning permission are made. Individuals and **community** groups should ensure that they focus on planning issues and use available opportunities for engaging constructively with developers and planning authorities.

8. Further information can be found in the following:

- [Town and Country Planning \(Scotland\) Act 1997](#)⁸ as amended, plus associated legislation: sets out minimum requirements for consultation and engagement
- [Circular 6/2013: Development Planning](#)⁹
- [Circular 3/2013: Development Management Procedures](#)¹⁰
- [The Standards Commission for Scotland: Guidance on the Councillors' Code of Conduct](#)¹¹
- [Planning Advice Note 3/2010: Community Engagement](#)¹²
- [A Guide to the Use of Mediation in the Planning System in Scotland \(2009\)](#)¹³

Outcomes: How Planning Makes a Difference

9. The Scottish Government's Purpose of creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth is set out in the Government Economic Strategy. The aim is to ensure that the entire public sector is fully aligned to deliver the Purpose. The relationship of planning to the Purpose is shown on page 8.

10. The Scottish Government's [16 national outcomes](#)¹⁴ articulate in more detail how the Purpose is to be achieved. Planning is broad in scope and cross cutting in nature and therefore contributes to the achievement of all of the national outcomes. The pursuit of these outcomes provides the impetus for other national plans, policies and strategies and many of the principles and policies set out in them are reflected in both the SPP and NPF3.

8 www.legislation.gov.uk/ukpga/1997/8/contents

9 www.scotland.gov.uk/Publications/2013/12/9924/0

10 www.scotland.gov.uk/Publications/2013/12/9882/0

11 www.standardscommissionscotland.org.uk/webfm_send/279

12 www.scotland.gov.uk/Publications/2010/08/30094454/0

13 www.scotland.gov.uk/Publications/2009/03/10154116/0

14 www.scotland.gov.uk/About/Performance/scotPerforms/outcome

11. NPF3 and this SPP share a single vision for the planning system in Scotland:

We live in a Scotland with a growing, low-carbon economy with progressively narrowing disparities in well-being and opportunity. It is growth that can be achieved whilst reducing emissions and which respects the quality of environment, place and life which makes our country so special. It is growth which increases solidarity – reducing inequalities between our regions. We live in sustainable, well-designed places and homes which meet our needs. We enjoy excellent transport and digital connections, internally and with the rest of the world.

12. At the strategic and local level, planning can make a very important contribution to the delivery of [Single Outcome Agreements](#)¹⁵, through their shared focus on ‘place’. Effective integration between land use planning and community planning is crucial and development plans should reflect close working with [Community Planning Partnerships](#)¹⁶.

13. The following four planning outcomes explain how planning should support the vision. The outcomes are consistent across the NPF and SPP and focus on creating a successful sustainable place, a low carbon place, a natural, resilient place and a more connected place. For planning to make a positive difference, development plans and new development need to contribute to achieving these outcomes.

Outcome 1: A successful, sustainable place – supporting sustainable economic growth and regeneration, and the creation of well-designed, sustainable places.

14. NPF3 aims to strengthen the role of our city regions and towns, create more vibrant rural places, and realise the opportunities for sustainable growth and innovation in our coastal and island areas.

15. The SPP sets out how this should be delivered on the ground. By locating the right development in the right place, planning can provide opportunities for people to make sustainable choices and improve their quality of life. Well-planned places promote well-being, a sense of identity and pride, and greater opportunities for social interaction. Planning therefore has an important role in promoting strong, resilient and inclusive communities. Delivering high-quality buildings, infrastructure and spaces in the right locations helps provide choice over where to live and style of home, choice as to how to access amenities and services and choice to live more active, engaged, independent and healthy lifestyles.

16. Good planning creates opportunities for people to contribute to a growing, adaptable and productive economy. By allocating sites and creating places that are attractive to growing economic sectors, and enabling the delivery of necessary infrastructure, planning can help provide the confidence required to secure private sector investment, thus supporting innovation, creating employment and benefiting related businesses.

Outcome 2: A low carbon place – reducing our carbon emissions and adapting to climate change.

¹⁵ www.scotland.gov.uk/Topics/Government/PublicServiceReform/CP/SOA2012

¹⁶ www.scotland.gov.uk/Topics/Government/PublicServiceReform/CP

17. NPF3 will facilitate the transition to a low carbon economy, particularly by supporting diversification of the energy sector. The spatial strategy as a whole aims to reduce greenhouse gas emissions and facilitate **adaptation** to climate change.

18. The Climate Change (Scotland) Act 2009 sets a target of reducing greenhouse gas emissions by at least 80% by 2050, with an interim target of reducing emissions by at least 42% by 2020. Annual greenhouse gas emission targets are set in secondary legislation. Section 44 of the Act places a duty on every public body to act:

- in the way best calculated to contribute to the delivery of emissions targets in the Act;
- in the way best calculated to help deliver the Scottish Government's climate change adaptation programme; and
- in a way that it considers is most sustainable.

19. The SPP sets out how this should be delivered on the ground. By seizing opportunities to encourage mitigation and adaptation measures, planning can support the transformational change required to meet emission reduction targets and influence climate change. Planning can also influence people's choices to reduce the environmental impacts of consumption and production, particularly through energy efficiency and the reduction of waste.

Outcome 3: A natural, resilient place – helping to protect and enhance our natural and cultural assets, and facilitating their sustainable use.

20. NPF3 emphasises the importance of our environment as part of our cultural identity, an essential contributor to well-being and an economic opportunity. Our spatial strategy aims to build resilience and promotes protection and sustainable use of our world-class environmental assets.

21. The SPP sets out how this should be delivered on the ground. By protecting and making efficient use of Scotland's existing resources and environmental assets, planning can help us to live within our environmental limits and to pass on healthy ecosystems to future generations. Planning can help to manage and improve the condition of our assets, supporting communities in realising their aspirations for their environment and facilitating their access to enjoyment of it. By enhancing our surroundings, planning can help make Scotland a uniquely attractive place to work, visit and invest and therefore support the generation of jobs, income and wider economic benefits.

Outcome 4: A more connected place – supporting better transport and digital connectivity.

22. NPF3 reflects our continuing investment in infrastructure, to strengthen transport links within Scotland and to the rest of the world. Improved digital connections will also play a key role in helping to deliver our spatial strategy for sustainable growth.

23. The SPP sets out how this should be delivered on the ground. By aligning development more closely with transport and digital infrastructure, planning can improve sustainability and connectivity. Improved connections facilitate accessibility within and between places – within Scotland and beyond – and support economic growth and an inclusive society.

SG Purpose	To focus government and public services on creating a more successful country, with opportunities for all to flourish, through increasing sustainable economic growth.																																																																																	
SG National Outcomes	The planning system and service contribute to all 16 National Outcomes																																																																																	
SG National Plans, Policies & Strategies	<p style="text-align: center;">Government Economic Strategy</p> <p style="text-align: center;">Infrastructure Investment Plan</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 12.5%;">Scotland's Digital Future</td> <td style="width: 12.5%;">Electricity & Heat Generation Policy Statements</td> <td style="width: 12.5%;">2020 Challenge for Scotland's Biodiversity</td> <td style="width: 12.5%;">Scottish Historic Environment Strategy and Policy</td> <td style="width: 12.5%;">Housing Strategy</td> <td style="width: 12.5%;">National Planning Framework & Scottish Planning Policy</td> <td style="width: 12.5%;">Land Use Strategy</td> <td style="width: 12.5%;">Low Carbon Scotland: Report of Proposals and Policies</td> <td style="width: 12.5%;">National Marine Plan</td> <td style="width: 12.5%;">Regeneration Strategy</td> <td style="width: 12.5%;">National Transport Strategy</td> </tr> </table>										Scotland's Digital Future	Electricity & Heat Generation Policy Statements	2020 Challenge for Scotland's Biodiversity	Scottish Historic Environment Strategy and Policy	Housing Strategy	National Planning Framework & Scottish Planning Policy	Land Use Strategy	Low Carbon Scotland: Report of Proposals and Policies	National Marine Plan	Regeneration Strategy	National Transport Strategy																																																													
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Planning Vision	We live in a Scotland with a growing, low carbon economy with progressively narrowing disparities in well-being and opportunity. It is growth that can be achieved whilst reducing emissions and which respects the quality of environment, place and life which makes our country so special. It is growth which increases solidarity – reducing inequalities between our regions. We live in sustainable, well-designed places and homes which meet our needs. We enjoy excellent transport and digital connections, internally and with the rest of the world.																																																																																	
Planning Outcomes	<p style="background-color: #f4a460;">Planning makes Scotland a successful, sustainable place – supporting sustainable economic growth and regeneration, and the creation of well-designed places.</p>			<p style="background-color: #6aa84f;">Planning makes Scotland a low carbon place – reducing our carbon emissions and adapting to climate change.</p>			<p style="background-color: #6aa84f;">Planning makes Scotland a natural, resilient place – helping to protect and enhance our natural and cultural assets, and facilitating their sustainable use.</p>			<p style="background-color: #f4a460;">Planning makes Scotland a connected place – supporting better transport and digital connectivity.</p>																																																																								
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Principal Policies

Sustainability

NPF and wider policy context

24. The Scottish Government's central purpose is to focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing **sustainable economic growth**.

25. The Scottish Government's commitment to the concept of **sustainable development** is reflected in its Purpose. It is also reflected in the continued support for the five guiding principles set out in the UK's shared framework for sustainable development. Achieving a sustainable economy, promoting good governance and using sound science responsibly are essential to the creation and maintenance of a strong, healthy and just society capable of living within environmental limits.

26. The NPF is the spatial expression of the Government Economic Strategy (2011) and sustainable economic growth forms the foundations of its strategy. The NPF sits at the top of the development plan hierarchy and must be taken into account in the preparation of strategic and local development plans.

27. The Government Economic Strategy indicates that sustainable economic growth is the key to unlocking Scotland's potential and outlines the multiple benefits of delivering the Government's purpose, including creating a supportive business environment, achieving a low carbon economy, tackling health and social problems, maintaining a high-quality environment and passing on a sustainable legacy for future generations.

Policy Principles

This SPP introduces a presumption in favour of development that contributes to sustainable development.

28. The planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost.

29. This means that policies and decisions should be guided by the following principles:

- giving due weight to net economic benefit;
- responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
- supporting good design and the six qualities of successful places;
- making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;
- supporting delivery of accessible housing, business, retailing and leisure development;

- supporting delivery of infrastructure, for example transport, education, energy, digital and water;
- supporting [climate change mitigation](#) and [adaptation](#) including taking account of flood risk;
- improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;
- having regard to the principles for sustainable land use set out in the Land Use Strategy;
- protecting, enhancing and promoting access to cultural heritage, including the [historic environment](#);
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;
- reducing waste, facilitating its management and promoting resource recovery; and
- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

Key Documents

- [National Planning Framework](#)¹⁷
- [Government Economic Strategy](#)¹⁸
- [Planning Reform: Next Steps](#)¹⁹
- [Getting the Best from Our Land – A Land Use Strategy for Scotland](#)²⁰
- [UK's Shared Framework for Sustainable Development](#)²¹

Delivery

Development Planning

30. Development plans should:

- be consistent with the policies set out in this SPP, including the presumption in favour of development that contributes to sustainable development;
- positively seek opportunities to meet the development needs of the plan area in a way which is flexible enough to adapt to changing circumstances over time;
- support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area;
- be up-to-date, place-based and enabling with a spatial strategy that is implemented through policies and proposals; and
- set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achieved.

¹⁷ www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Framework

¹⁸ www.scotland.gov.uk/Publications/2011/09/13091128/0

¹⁹ www.scotland.gov.uk/Publications/2012/03/3467

²⁰ www.scotland.gov.uk/Publications/2011/03/17091927/0

²¹ <http://archive.defra.gov.uk/sustainable/government/documents/SDFramework.pdf>

31. Action programmes should be actively used to drive delivery of planned developments: to align stakeholders, phasing, financing and infrastructure investment over the long term.

Development Management

32. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising. For proposals that do not accord with up-to-date development plans, the primacy of the plan is maintained and this SPP and the presumption in favour of development that contributes to sustainable development will be material considerations.

33. Where relevant policies in a development plan are out-of-date²² or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration. Decision-makers should also take into account any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in this SPP. The same principle should be applied where a development plan is more than five years old.

34. Where a plan is under review, it may be appropriate in some circumstances to consider whether granting planning permission would prejudice the emerging plan. Such circumstances are only likely to apply where the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new developments that are central to the emerging plan. Prematurity will be more relevant as a consideration the closer the plan is to adoption or approval.

35. To support the efficient and transparent handling of planning applications by planning authorities and consultees, applicants should provide good quality and timely supporting information that describes the economic, environmental and social implications of the proposal. In the spirit of planning reform, this should be proportionate to the scale of the application and planning authorities should avoid asking for additional impact appraisals, unless necessary to enable a decision to be made. Clarity on the information needed and the timetable for determining proposals can be assisted by good communication and project management, for example, use of processing agreements setting out the information required and covering the whole process including planning obligations.

²² Development plans or their policies should not be considered out-of-date solely on the grounds that they were adopted prior to the publication of this SPP. However, the policies in the SPP will be a material consideration which should be taken into account when determining applications.

Placemaking

NPF and wider policy context

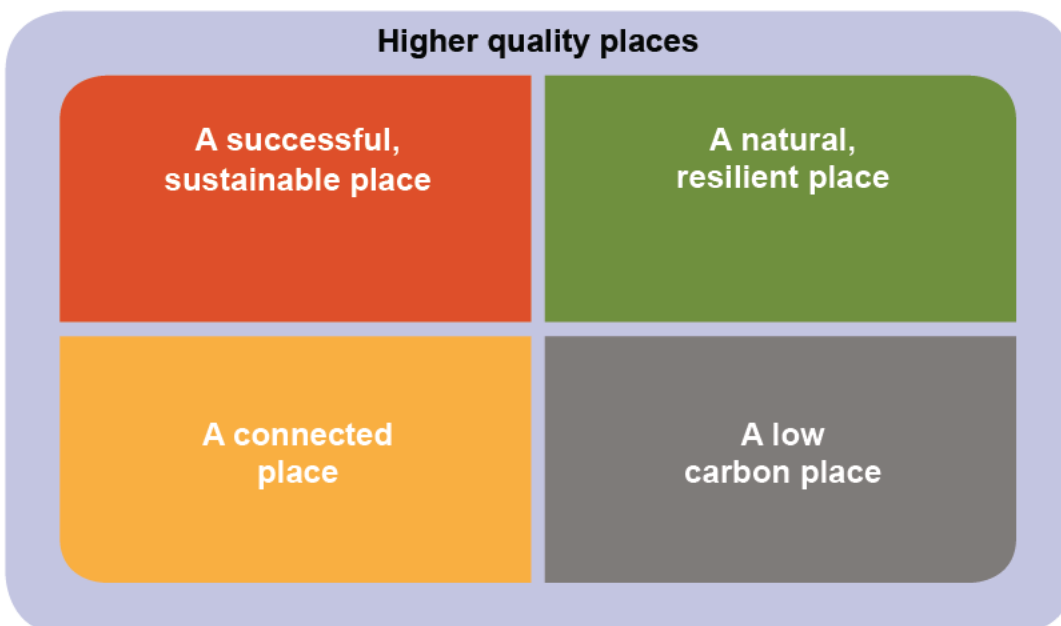
36. Planning's purpose is to create better places. Placemaking is a creative, collaborative process that includes design, development, renewal or regeneration of our urban or rural built environments. The outcome should be sustainable, well-designed places and homes which meet people's needs. The Government Economic Strategy supports an approach to place that recognises the unique contribution that every part of Scotland can make to achieving our shared outcomes. This means harnessing the distinct characteristics and strengths of each place to improve the overall quality of life for people. Reflecting this, NPF3 sets out an agenda for placemaking in our city regions, towns, rural areas, coast and islands.

37. The Government's policy statement on architecture and place for Scotland, Creating Places, emphasises that quality places are successful places. It sets out the value that high-quality design can deliver for Scotland's communities and the important role that good buildings and places play in promoting healthy, sustainable lifestyles; supporting the prevention agenda and efficiency in public services; promoting Scotland's distinctive identity all over the world; attracting visitors, talent and investment; delivering our environmental ambitions; and providing a sense of belonging, a sense of identity and a sense of community. It is clear that places which have enduring appeal and functionality are more likely to be valued by people and therefore retained for generations to come.

Policy Principles

Planning should take every opportunity to create high quality places by taking a design-led approach.

38. This means taking a holistic approach that responds to and enhances the existing place while balancing the costs and benefits of potential opportunities over the long term. This means considering the relationships between:



39. The design-led approach should be applied at all levels – at the national level in the NPF, at the regional level in strategic development plans, at the local level in local development plans and at site and individual building level within master plans that respond to how people use public spaces.

Planning should direct the right development to the right place.

40. This requires spatial strategies within development plans to promote a sustainable pattern of development appropriate to the area. To do this decisions should be guided by the following policy principles:

- optimising the use of existing resource capacities, particularly by co-ordinating housing and business development with infrastructure investment including transport, education facilities, water and drainage, energy, heat networks and digital infrastructure;
- using land within or adjacent to settlements for a mix of uses. This will also support the creation of more compact, higher density, accessible and more vibrant cores;
- considering the re-use or re-development of **brownfield land** before new development takes place on greenfield sites;
- considering whether the permanent, temporary or advanced greening of all or some of a site could make a valuable contribution to green and open space networks, particularly where it is unlikely to be developed for some time, or is unsuitable for development due to its location or viability issues; and
- locating development where investment in growth or improvement would have most benefit for the amenity of local people and the vitality of the local economy.

Planning should support development that is designed to a high-quality, which demonstrates the six qualities of successful place.

- ***Distinctive***

41. This is development that complements local features, for example landscapes, topography, ecology, skylines, spaces and scales, street and building forms, and materials to create places with a sense of identity.

- ***Safe and Pleasant***

42. This is development that is attractive to use because it provides a sense of security through encouraging activity. It does this by giving consideration to crime rates and providing a clear distinction between private and public space, by having doors that face onto the street creating active frontages, and by having windows that overlook well-lit streets, paths and open spaces to create natural surveillance. A pleasant, positive sense of place can be achieved by promoting visual quality, encouraging social and economic interaction and activity, and by considering the place before vehicle movement.

- **Welcoming**

43. This is development that helps people to find their way around. This can be by providing or accentuating landmarks to create or improve views, it can be locating a distinctive work of art to mark places such as gateways, and it can include appropriate signage and distinctive lighting to improve safety and show off attractive buildings.

- **Adaptable**

44. This is development that can accommodate future changes of use because there is a mix of building densities, tenures and typologies where diverse but compatible uses can be integrated. It takes into account how people use places differently, for example depending on age, gender and degree of personal mobility and providing versatile greenspace.

- **Resource Efficient**

45. This is development that re-uses or shares existing resources, maximises efficiency of the use of resources through natural or technological means and prevents future resource depletion, for example by mitigating and adapting to climate change. This can mean denser development that shares infrastructure and amenity with adjacent sites. It could include siting development to take shelter from the prevailing wind; or orientating it to maximise solar gain. It could also include ensuring development can withstand more extreme weather, including prolonged wet or dry periods, by working with natural environmental processes such as using landscaping and natural shading to cool spaces in built areas during hotter periods and using sustainable drainage systems to conserve and enhance natural features whilst reducing the risk of flooding. It can include using durable materials for building and landscaping as well as low carbon technologies that manage heat and waste efficiently.

- **Easy to Move Around and Beyond**

46. This is development that considers place and the needs of people before the movement of motor vehicles. It could include using higher densities and a mix of uses that enhance accessibility by reducing reliance on private cars and prioritising sustainable and active travel choices, such as walking, cycling and public transport. It would include paths and routes which connect places directly and which are well-connected with the wider environment beyond the site boundary. This may include providing facilities that link different means of travel.

Key Documents

- [National Planning Framework](#)²³
- [Getting the Best from Our Land – A Land Use Strategy for Scotland](#)²⁴
- [Creating Places –A Policy Statement on Architecture and Place for Scotland](#)²⁵
- [Designing Streets](#)²⁶
- [Planning Advice Note 77: Designing Safer Places](#)²⁷
- [Green Infrastructure: Design and Placemaking](#)²⁸

23 www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Framework

24 www.scotland.gov.uk/Publications/2011/03/17091927/0

25 www.scotland.gov.uk/Publications/2013/06/9811/0

26 www.scotland.gov.uk/Publications/2010/03/22120652/0

27 www.scotland.gov.uk/Publications/2006/03/08094923/0

28 www.scotland.gov.uk/Publications/2011/11/04140525/0

Delivery

47. Planning should adopt a consistent and relevant approach to the assessment of design and place quality such as that set out in the forthcoming Scottish Government Place Standard.

Development Planning

48. Strategic and local development plans should be based on spatial strategies that are deliverable, taking into account the scale and type of development pressure and the need for growth and regeneration. An urban capacity study, which assesses the scope for development within settlement boundaries, may usefully inform the spatial strategy, and local authorities should make use of land assembly, including the use of [compulsory purchase powers](#)²⁹ where appropriate. Early discussion should take place between local authorities, developers and relevant agencies to ensure that investment in necessary new infrastructure is addressed in a timely manner.

49. For most settlements, a green belt is not necessary as other policies can provide an appropriate basis for directing development to the right locations. However, where the planning authority considers it appropriate, the development plan may designate a green belt around a city or town to support the spatial strategy by:

- directing development to the most appropriate locations and supporting regeneration;
- protecting and enhancing the character, landscape setting and identity of the settlement; and
- protecting and providing access to open space.

50. In developing the spatial strategy, planning authorities should identify the most sustainable locations for longer-term development and, where necessary, review the boundaries of any green belt.

51. The spatial form of the green belt should be appropriate to the location. It may encircle a settlement or take the shape of a buffer, corridor, strip or wedge. Local development plans should show the detailed boundary of any green belt, giving consideration to:

- excluding existing settlements and major educational and research uses, major businesses and industrial operations, airports and Ministry of Defence establishments;
- the need for development in smaller settlements within the green belt, where appropriate leaving room for expansion;
- redirecting development pressure to more suitable locations; and
- establishing clearly identifiable visual boundary markers based on landscape features such as rivers, tree belts, railways or main roads³⁰. Hedges and field enclosures will rarely provide a sufficiently robust boundary.

52. Local development plans should describe the types and scales of development which would be appropriate within a green belt. These may include:

- development associated with agriculture, including the reuse of historic agricultural buildings;
- development associated with woodland and forestry, including community woodlands;
- horticulture, including market gardening and directly connected retailing;

29 www.scotland.gov.uk/Topics/archive/National-Planning-Policy/themes/ComPur

30 Note: where a main road forms a green belt boundary, any proposed new accesses would still require to meet the usual criteria.

- recreational uses that are compatible with an agricultural or natural setting;
- essential infrastructure such as digital communications infrastructure and electricity grid connections;
- development meeting a national requirement or established need, if no other suitable site is available; and
- intensification of established uses subject to the new development being of a suitable scale and form.

53. The creation of a new settlement may occasionally be a necessary part of a spatial strategy, where it is justified either by the scale and nature of the housing land requirement and the existence of major constraints to the further growth of existing settlements, or by its essential role in promoting regeneration or rural development.

54. Where a development plan spatial strategy indicates that a new settlement is appropriate, it should specify its scale and location, and supporting infrastructure requirements, particularly where these are integral to the viability and deliverability of the proposed development. Supplementary guidance can address more detailed issues such as design and delivery.

55. Local development plans should contribute to high-quality places by setting out how they will embed a design-led approach. This should include:

- reference to the six qualities of successful places which enable consideration of each place as distinctly different from other places and which should be evident in all development;
- using processes that harness and utilise the knowledge of communities and encourage active participation to deliver places with local integrity and relevance; and
- specifying when design tools, such as those at paragraph 57 should be used.

Development Management

56. Design is a material consideration in determining planning applications. Planning permission may be refused and the refusal defended at appeal or local review solely on design grounds.

Tools for Making Better Places

57. Design tools guide the quality of development in and across places to promote positive change. They can help to provide certainty for stakeholders as a contribution to sustainable economic growth. Whichever tools are appropriate to the task, they should focus on delivering the six qualities of successful places and could be adopted as supplementary guidance.

Subject Policies

A Successful, Sustainable Place

Promoting Town Centres

NPF and wider context

58. NPF3 reflects the importance of town centres as a key element of the economic and social fabric of Scotland. Much of Scotland's population lives and works in towns, within city regions, in our rural areas and on our coasts and islands. Town centres are at the heart of their communities and can be hubs for a range of activities. It is important that planning supports the role of town centres to thrive and meet the needs of their residents, businesses and visitors for the 21st century.

59. The town centre first principle, stemming from the Town Centre Action Plan, promotes an approach to wider decision-making that considers the health and vibrancy of town centres.

Policy Principles

60. Planning for town centres should be flexible and proactive, enabling a wide range of uses which bring people into town centres. The planning system should:

- apply a town centre first policy³³ when planning for uses which attract significant numbers of people, including retail and commercial leisure, offices, community and cultural facilities;
- encourage a mix of uses in town centres to support their vibrancy, vitality and viability throughout the day and into the evening;
- ensure development plans, decision-making and monitoring support successful town centres; and
- consider opportunities for promoting residential use within town centres where this fits with local need and demand.

Key Documents

- [National Review of Town Centres External Advisory Group Report: Community and Enterprise in Scotland's Town Centres](#)³⁴
- [Town Centre Action Plan – the Scottish Government response](#)³⁵
- [Planning Advice Note 59: Improving Town Centres](#)³⁶
- [Planning Advice Note 52: Planning and Small Towns](#)³⁷

33 A town centre first policy is intended to support town centres, where these exist, or new centres which are supported by the development plan. Where there are no town centres in the vicinity, for example in more remote rural and island areas, the expectation is that local centres will be supported. The town centre first policy is not intended to divert essential services and developments away from such rural areas. See section on Rural Development.

34 www.scotland.gov.uk/Resource/0042/00426972.pdf

35 www.scotland.gov.uk/Publications/2013/11/6415

36 www.scotland.gov.uk/Publications/1999/10/pan59-root/pan59

37 www.scotland.gov.uk/Publications/1997/04/pan52

- [Town Centres Masterplanning Toolkit](#)³⁸

Development Plans

61. Plans should identify a network of centres and explain how they can complement each other. The network is likely to include city centres, town centres, local centres and commercial centres and may be organised as a hierarchy. Emerging or new centres designated within key new developments or land releases should also be shown within the network of centres. In remoter rural and island areas, it may not be necessary to identify a network.

62. Plans should identify as town centres those centres which display:

- a diverse mix of uses, including shopping;
- a high level of accessibility;
- qualities of character and identity which create a sense of place and further the well-being of communities;
- wider economic and social activity during the day and in the evening; and
- integration with residential areas.

63. Plans should identify as commercial centres those centres which have a more specific focus on retailing and/or leisure uses, such as shopping centres, commercial leisure developments, mixed retail and leisure developments, retail parks and factory outlet centres. Where necessary to protect the role of town centres, plans should specify the function of commercial centres, for example where retail activity may be restricted to the sale of bulky goods.

64. Local authorities, working with community planning partners, businesses and community groups as appropriate, should prepare a town centre health check. Annex A sets out a range of indicators which may be relevant. The purpose of a health check is to assess a town centre's strengths, vitality and viability, weaknesses and resilience. It will be used to inform development plans and decisions on planning applications. Health checks should be regularly updated, to monitor town centre performance, preferably every two years.

65. Local authorities, working with partners, should use the findings of the health check to develop a strategy to deliver improvements to the town centre. Annex A contains guidance on key elements in their preparation.

66. The spatial elements of town centre strategies should be included in the development plan or supplementary guidance. Plans should address any significant changes in the roles and functions of centres over time, where change is supported by the results of a health check. Plans should assess how centres can accommodate development and identify opportunities.

67. There are concerns about the number and clustering of some non-retail uses, such as betting offices and high interest money lending premises, in some town and local centres. Plans should include policies to support an appropriate mix of uses in town centres, local centres and high streets. Where a town centre strategy indicates that further provision of particular activities would undermine the character and amenity of centres or the well-being of communities, plans should include policies to prevent such over-provision and clustering.

³⁸ <http://creatingplacescotland.org/people-communities/policy/town-centre-masterplanning-toolkit#overlay-context=people-communities/policy>

68. Development plans should adopt a sequential town centre first approach when planning for uses which generate significant footfall, including retail and commercial leisure uses, offices, community and cultural facilities and, where appropriate, other public buildings such as libraries, and education and healthcare facilities. This requires that locations are considered in the following order of preference:

- town centres (including city centres and local centres);
- edge of town centre;
- other commercial centres identified in the development plan; and
- out-of-centre locations that are, or can be, made easily accessible by a choice of transport modes.

69. Planning authorities, developers, owners and occupiers should be flexible and realistic in applying the sequential approach, to ensure that different uses are developed in the most appropriate locations. It is important that community, education and healthcare facilities are located where they are easily accessible to the communities that they are intended to serve.

Development Management

70. Decisions on development proposals should have regard to the context provided by the network of centres identified in the development plan and the sequential approach outlined above. New development in a town centre should contribute to providing a range of uses and should be of a scale which is appropriate to that centre. The impact of new development on the character and amenity of town centres, local centres and high streets will be a material consideration in decision-making. The aim is to recognise and prioritise the importance of town centres and encourage a mix of developments which support their vibrancy, vitality and viability. This aim should also be taken into account in decisions concerning proposals to expand or change the use of existing development.

71. Where development proposals in edge of town centre, commercial centre or out-of-town locations are contrary to the development plan, it is for applicants to demonstrate that more central options have been thoroughly assessed and that the impact on existing town centres is acceptable. Where a new public building or office with a gross floorspace over 2,500m² is proposed outwith a town centre, and is contrary to the development plan, an assessment of the impact on the town centre should be carried out. Where a retail and leisure development with a gross floorspace over 2,500m² is proposed outwith a town centre, contrary to the development plan, a retail impact analysis should be undertaken. For smaller retail and leisure proposals which may have a significant impact on vitality and viability, planning authorities should advise when retail impact analysis is necessary.

72. This analysis should consider the relationship of the proposed development with the network of centres identified in the development plan. Where possible, authorities and developers should agree the data required and present information on areas of dispute in a succinct and comparable form. Planning authorities should consider the potential economic impact of development and take into account any possible displacement effect.

73. Out-of-centre locations should only be considered for uses which generate significant footfall³⁹ where:

- all town centre, edge of town centre and other commercial centre options have been assessed and discounted as unsuitable or unavailable;

³⁹ As noted at paragraph 69, a flexible approach is required for community, education and healthcare facilities.

- the scale of development proposed is appropriate, and it has been shown that the proposal cannot reasonably be altered or reduced in scale to allow it to be accommodated at a sequentially preferable location;
- the proposal will help to meet qualitative or quantitative deficiencies; and
- there will be no significant adverse effect on the vitality and viability of existing town centres.

Promoting Rural Development

NPF Context

74. NPF3 sets out a vision for vibrant rural, coastal and island areas, with growing, sustainable communities supported by new opportunities for employment and education. The character of rural and island areas and the challenges they face vary greatly across the country, from pressurised areas of countryside around towns and cities to more remote and sparsely populated areas. Between these extremes are extensive intermediate areas under varying degrees of pressure and with different kinds of environmental assets meriting protection. Scotland's long coastline is an important resource both for development and for its particular environmental quality, especially in the areas of the three island councils.

Policy Principles

75. The planning system should:

- in all rural and island areas promote a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces;
- encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality; and
- support an integrated approach to coastal planning.

Key documents

- [Getting the Best from Our Land – A Land Use Strategy for Scotland](#)⁴⁰
- National Marine Plan

Delivery

76. In the pressurised areas easily accessible from Scotland's cities and main towns, where ongoing development pressures are likely to continue, it is important to protect against an unsustainable growth in car-based commuting and the suburbanisation of the countryside, particularly where there are environmental assets such as sensitive landscapes or good quality agricultural land. Plans should make provision for most new urban development to take place within, or in planned extensions to, existing settlements.

77. In remote and fragile areas and island areas outwith defined small towns, the emphasis should be on maintaining and growing communities by encouraging development that provides suitable sustainable economic activity, while preserving important environmental assets such as landscape and wildlife habitats that underpin continuing tourism visits and quality of place.

78. In the areas of intermediate accessibility and pressure for development, plans should be tailored to local circumstances, seeking to provide a sustainable network of settlements and a

40 www.scotland.gov.uk/Publications/2011/03/17091927/0

range of policies that provide for additional housing requirements, economic development, and the varying proposals that may come forward, while taking account of the overarching objectives and other elements of the plan.

79. Plans should set out a spatial strategy which:

- reflects the development pressures, environmental assets, and economic needs of the area, reflecting the overarching aim of supporting diversification and growth of the rural economy;
- promotes economic activity and diversification, including, where appropriate, sustainable development linked to tourism and leisure, forestry, farm and croft diversification and aquaculture, nature conservation, and renewable energy developments, while ensuring that the distinctive character of the area, the service function of small towns and natural and cultural heritage are protected and enhanced;
- makes provision for housing in rural areas in accordance with the spatial strategy, taking account of the different development needs of local communities;
- where appropriate, sets out policies and proposals for leisure accommodation, such as holiday units, caravans, and huts;
- addresses the resource implications of the proposed pattern of development, including facilitating access to local community services and support for public transport; and
- considers the services provided by the natural environment, safeguarding land which is highly suitable for particular uses such as food production or flood management.

80. Where it is necessary to use good quality land for development, the layout and design should minimise the amount of such land that is required. Development on [prime agricultural land](#), or land of lesser quality that is locally important should not be permitted except where it is essential:

- as a component of the settlement strategy or necessary to meet an established need, for example for essential infrastructure, where no other suitable site is available; or
- for small-scale development directly linked to a rural business; or
- for the generation of energy from a renewable source or the extraction of minerals where this accords with other policy objectives and there is secure provision for restoration to return the land to its former status.

81. In accessible or pressured rural areas, where there is a danger of unsustainable growth in long-distance car-based commuting or suburbanisation of the countryside, a more restrictive approach to new housing development is appropriate, and plans and decision-making should generally:

- guide most new development to locations within or adjacent to settlements; and
- set out the circumstances in which new housing outwith settlements may be appropriate, avoiding use of occupancy restrictions.

82. In some most pressured areas, the designation of green belts may be appropriate.

83. In remote rural areas, where new development can often help to sustain fragile communities, plans and decision-making should generally:

- encourage sustainable development that will provide employment;
- support and sustain fragile and dispersed communities through provision for appropriate development, especially housing and community-owned energy;

- include provision for small-scale housing⁴¹ and other development which supports sustainable economic growth in a range of locations, taking account of environmental protection policies and addressing issues of location, access, siting, design and environmental impact;
- where appropriate, allow the construction of single houses outwith settlements provided they are well sited and designed to fit with local landscape character, taking account of landscape protection and other plan policies;
- not impose occupancy restrictions on housing.

National Parks

84. National Parks are designated under the National Parks (Scotland) Act 2000 because they are areas of national importance for their natural and cultural heritage. The four aims of national parks are to:

- conserve and enhance the natural and cultural heritage of the area;
- promote sustainable use of the natural resources of the area;
- promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and
- promote sustainable economic and social development of the area's communities.

85. These aims are to be pursued collectively. However if there is a conflict between the first aim and any of the others then greater weight must be given to the first aim. Planning decisions should reflect this weighting. Paragraph 213 also applies to development outwith a National Park that affects the Park.

86. Development plans for National Parks are expected to be consistent with the National Park Plan, which sets out the management strategy for the Park. The authority preparing a development plan for a National Park, or which affects a National Park, is required to pay special attention to the desirability of consistency with the National Park Plan, having regard to the contents.

Coastal Planning

87. The planning system should support an integrated approach to coastal planning to ensure that development plans and regional marine plans are complementary. Terrestrial planning by planning authorities overlaps with marine planning in the intertidal zone. On the terrestrial side, mainland planning authorities should work closely with neighbouring authorities, taking account of the needs of port authorities and aquaculture, where appropriate. On the marine side, planning authorities will need to ensure integration with policies and activities arising from the National Marine Plan, Marine Planning Partnerships, Regional Marine Plans, and Integrated Coastal Zone Management, as well as aquaculture.

Development Plans

88. Plans should recognise that rising sea levels and more extreme weather events resulting from climate change will potentially have a significant impact on coastal and island areas, and that a precautionary approach to flood risk should be taken. They should confirm that new development requiring new defences against coastal erosion or coastal flooding will not be supported except where there is a clear justification for a departure from the general policy to

⁴¹ including clusters and groups; extensions to existing clusters and groups; replacement housing; plots for self build; holiday homes; new build or conversion linked to rural business.

avoid development in areas at risk. Where appropriate, development plans should identify areas at risk and areas where a managed realignment of the coast would be beneficial.

89. Plans should identify areas of largely developed coast that are a major focus of economic or recreational activity that are likely to be suitable for further development; areas subject to significant constraints; and largely unspoiled areas of the coast that are generally unsuitable for development. It should be explained that this broad division does not exclude important local variations, for example where there are areas of environmental importance within developed estuaries, or necessary developments within the largely unspoiled coast where there is a specific locational need, for example for defence purposes, tourism developments of special significance, or essential onshore developments connected with offshore energy projects or (where appropriate) aquaculture.

90. Plans should promote the developed coast as the focus of developments requiring a coastal location or which contribute to the economic regeneration or well-being of communities whose livelihood is dependent on marine or coastal activities. They should provide for the development requirements of uses requiring a coastal location, including ports and harbours, tourism and recreation, fish farming, land-based development associated with offshore energy projects and specific defence establishments.

91. Plans should safeguard unspoiled sections of coast which possess special environmental or cultural qualities, such as wild land. The economic value of these areas should be considered and maximised, provided that environmental impact issues can be satisfactorily addressed.

Supporting Business and Employment

NPF Context

92. NPF3 supports the many and varied opportunities for planning to support business and employment. These range from a focus on the role of cities as key drivers of our economy, to the continuing need for diversification of our rural economy to strengthen communities and retain young people in remote areas. Planning should address the development requirements of businesses and enable key opportunities for investment to be realised. It can support sustainable economic growth by providing a positive policy context for development that delivers economic benefits.

Policy Principles

93. The planning system should:

- promote business and industrial development that increases economic activity while safeguarding and enhancing the natural and built environments as national assets;
- allocate sites that meet the diverse needs of the different sectors and sizes of business which are important to the plan area in a way which is flexible enough to accommodate changing circumstances and allow the realisation of new opportunities; and
- give due weight to net economic benefit of proposed development.

Key Documents

- [Government Economic Strategy](#)⁴²

⁴² www.scotland.gov.uk/Topics/Economy/EconomicStrategy

- [Tourism Development Framework for Scotland](#)⁴³
- [A Guide to Development Viability](#)⁴⁴

Delivery

Development Planning

94. Plans should align with relevant local economic strategies. These will help planning authorities to meet the needs and opportunities of indigenous firms and inward investors, recognising the potential of key sectors for Scotland with particular opportunities for growth, including:

- energy;
- life sciences, universities and the creative industries;
- tourism and the food and drink sector;
- financial and business services.

95. Plans should encourage opportunities for home-working, live-work units, micro-businesses and community hubs.

96. Development plans should support opportunities for integrating efficient energy and waste innovations within business environments. Industry stakeholders should engage with planning authorities to help facilitate co-location, as set out in paragraph 179.

97. Strategic development plan policies should reflect a robust evidence base in relation to the existing principal economic characteristics of their areas, and any anticipated change in these.

98. Strategic development plans should identify an appropriate range of locations for significant business clusters. This could include sites identified in the [National Renewables Infrastructure Plan](#)⁴⁵, [Enterprise Areas](#)⁴⁶, business parks, science parks, large and medium-sized industrial sites and high amenity sites.

99. Strategic development plans and local development plans outwith SDP areas should identify any nationally important clusters of industries [handling hazardous substances](#) within their areas and safeguard them from development which, either on its own or in combination with other development, would compromise their continued operation or growth potential. This is in the context of the wider statutory requirements in the Town and Country Planning (Development Planning) (Scotland) Regulations 2009⁴⁷ to have regard to the need to maintain appropriate distances between sites with hazardous substances and areas where the public are likely to be present and areas of particular natural sensitivity or interest.

100. Development plans should be informed by the Tourism Development Framework for Scotland in order to maximise the sustainable growth of regional and local visitor economies. Strategic development plans should identify and safeguard any nationally or regionally important locations for tourism or recreation development within their areas.

43 www.visitscotland.org/pdf/Tourism%20Development%20Framework%20-%20FINAL.pdf

44 www.scotland.gov.uk/Resource/Doc/212607/0109620.pdf

45 www.scottish-enterprise.com/~media/SE/Resources/Documents/Sectors/Energy/energy-renewables-reports/National-renewables-infrastructure-plan.ashx

46 www.scotland.gov.uk/Topics/Economy/EconomicStrategy/Enterprise-Areas

47 These statutory requirements are due to be amended in 2015 as part of the implementation of Directive 2012/18/EU on the control of major-accident hazards involving dangerous substances.

101. Local development plans should allocate a range of sites for business, taking account of current market demand; location, size, quality and infrastructure requirements; whether sites are serviced or serviceable within five years; the potential for a mix of uses; their accessibility to transport networks by walking, cycling and public transport and their integration with and access to existing transport networks. The allocation of such sites should be informed by relevant economic strategies and business land audits in respect of land use classes 4, 5 and 6.

102. Business land audits should be undertaken regularly by local authorities to inform reviews of development plans, and updated more frequently if relevant. Business land audits should monitor the location, size, planning status, existing use, neighbouring land uses and any significant land use issues (e.g. underused, vacant, derelict) of sites within the existing business land supply.

103. New sites should be identified where existing sites no longer meet current needs and market expectations. Where existing business sites are underused, for example where there has been an increase in vacancy rates, reallocation to enable a wider range of viable business or alternative uses should be considered, taking careful account of the potential impacts on existing businesses on the site.

104. Local development plans should locate development which generates significant freight movements, such as manufacturing, processing, distribution and warehousing, on sites accessible to suitable railheads or harbours or the strategic road network. Through appraisal, care should be taken in locating such development to minimise any impact on congested, inner urban and residential areas.

105. Planning authorities should consider the potential to promote opportunities for tourism and recreation facilities in their development plans. This may include new developments or the enhancement of existing facilities.

Development Management

106. Efficient handling of planning applications should be a key priority, particularly where jobs and investment are involved. To assist with this, pre-application discussions are strongly encouraged to determine the information that should be submitted to support applications. Such information should be proportionate and relevant to the development and sufficient for the planning authority requirements on matters such as the number of jobs to be created, hours of working, transport requirements, environmental effects, noise levels and the layout and design of buildings. Decisions should be guided by the principles set out in paragraphs 28 to 35.

107. Proposals for development in the vicinity of [major-accident hazard sites](#) should take into account the potential impacts on the proposal and the major-accident hazard site of being located in proximity to one another. Decisions should be informed by the Health and Safety Executive's advice, based on the [PADHI](#) tool. Similar considerations apply in respect of development proposals near licensed explosive sites (including military explosive storage sites).

108. Proposals for business, industrial and service uses should take into account surrounding sensitive uses, areas of particular natural sensitivity or interest and local amenity, and make a positive contribution towards placemaking.

Enabling Delivery of New Homes

NPF Context

109. NPF3 aims to facilitate new housing development, particularly in areas within our cities network where there is continuing pressure for growth, and through innovative approaches to rural housing provision. House building makes an important contribution to the economy. Planning can help to address the challenges facing the housing sector by providing a positive and flexible approach to development. In particular, provision for new homes should be made in areas where economic investment is planned or there is a need for regeneration or to support population retention in rural and island areas.

Policy Principles

110. The planning system should:

- identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5-year supply of effective housing land at all times;
- enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places; and
- have a sharp focus on the delivery of allocated sites embedded in action programmes, informed by strong engagement with stakeholders.

Key Documents

- [The Housing \(Scotland\) Act 2001](#)⁴⁸ requires local authorities to prepare a local housing strategy supported by an assessment of housing need and demand
- [Planning Advice Note 2/2010: Affordable Housing and Housing Land Audits](#)⁴⁹

Delivery

111. Local authorities should identify functional housing market areas, i.e. geographical areas where the demand for housing is relatively self-contained. These areas may significantly overlap and will rarely coincide with local authority boundaries. They can be dynamic and complex, and can contain different tiers of sub-market area, overlain by mobile demand, particularly in city regions.

112. Planning for housing should be undertaken through joint working by housing market partnerships, involving both housing and planning officials within local authorities, and cooperation between authorities where strategic planning responsibilities and/or housing market areas are shared, including national park authorities. Registered social landlords, developers, other specialist interests, and local communities should also be encouraged to engage with housing market partnerships. In rural or island areas where there is no functional housing market area, the development plan should set out the most appropriate approach for the area.

48 www.legislation.gov.uk/asp/2001/10/contents

49 www.scotland.gov.uk/Publications/2010/08/31111624/0

Development Planning

113. Plans should be informed by a robust housing need and demand assessment (HNDA), prepared in line with the Scottish Government's HNDA Guidance⁵⁰. This assessment provides part of the evidence base to inform both local housing strategies and development plans (including the main issues report). It should produce results both at the level of the functional housing market area and at local authority level, and cover all tenures. Where the Scottish Government is satisfied that the HNDA is robust and credible, the approach used will not normally be considered further at a development plan examination.

114. The HNDA, development plan, and local housing strategy processes should be closely aligned, with joint working between housing and planning teams. Local authorities may wish to wait until the strategic development plan is approved in city regions, and the local development plan adopted elsewhere, before finalising the local housing strategy, to ensure that any modifications to the plans can be reflected in local housing strategies, and in local development plans in the city regions.

115. Plans should address the supply of land for all housing. They should set out the **housing supply target** (separated into affordable and market sector) for each functional housing market area, based on evidence from the HNDA. The housing supply target is a policy view of the number of homes the authority has agreed will be delivered in each housing market area over the periods of the development plan and local housing strategy, taking into account wider economic, social and environmental factors, issues of capacity, resource and deliverability, and other important requirements such as the aims of National Parks. The target should be reasonable, should properly reflect the HNDA estimate of housing demand in the market sector, and should be supported by compelling evidence. The authority's housing supply target should also be reflected in the local housing strategy.

116. Within the overall housing supply target⁵¹, plans should indicate the number of new homes to be built over the plan period. This figure should be increased by a margin of 10 to 20% to establish the housing land requirement, in order to ensure that a generous supply of land for housing is provided. The exact extent of the margin will depend on local circumstances, but a robust explanation for it should be provided in the plan.

117. The housing land requirement can be met from a number of sources, most notably sites from the established supply which are effective or expected to become effective in the plan period, sites with planning permission, proposed new land allocations, and in some cases a proportion of windfall development. Any assessment of the expected contribution to the housing land requirement from **windfall sites** must be realistic and based on clear evidence of past completions and sound assumptions about likely future trends. In urban areas this should be informed by an urban capacity study.

118. Strategic development plans should set out the **housing supply target** and the housing land requirement for the plan area, each local authority area, and each functional housing market area. They should also state the amount and broad locations of land which should be allocated in local development plans to meet the housing land requirement up to year 12 from the expected year of plan approval, making sure that the requirement for each housing market area is met in full. Beyond year 12 and up to year 20, the strategic development plan should provide an indication of the possible scale and location of housing land, including by local development plan area.

⁵⁰ www.scotland.gov.uk/Topics/Built-Environment/Housing/supply-demand/chma/hnda

⁵¹ Note: the housing supply target may in some cases include a contribution from other forms of delivery, for example a programme to bring empty properties back into use.

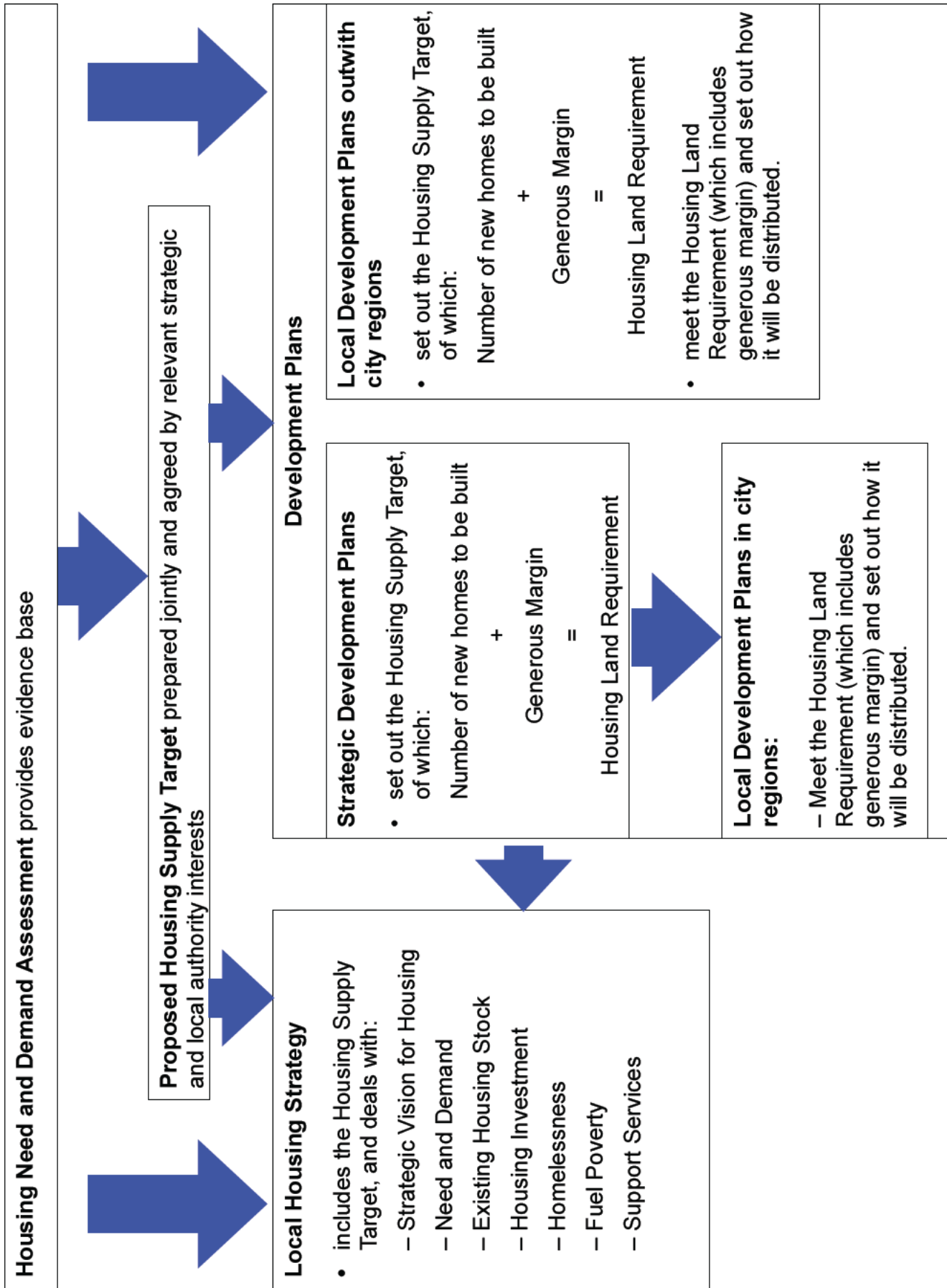
119. Local development plans in city regions should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement of the strategic development plan up to year 10 from the expected year of adoption. They should provide for a minimum of 5 years effective land supply at all times. In allocating sites, planning authorities should be confident that land can be brought forward for development within the plan period and that the range of sites allocated will enable the housing supply target to be met.

120. Outwith city regions, local development plans should set out the housing supply target (separated into affordable and market sector) and the housing land requirement for each housing market area in the plan area up to year 10 from the expected year of adoption. They should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement in full. They should provide a minimum of 5 years effective land supply at all times. Beyond year 10 and up to year 20, the local development plan should provide an indication of the possible scale and location of the housing land requirement.

121. In the National Parks, local development plans should draw on the evidence provided by the HNDAs of the constituent housing authorities. National Park authorities should aim to meet the housing land requirement in full in their area. However, they are not required to do so, and they should liaise closely with neighbouring planning authorities to ensure that any remaining part of the housing land requirement for the National Parks is met in immediately adjoining housing market areas, and that a 5-year supply of effective land is maintained.

122. Local development plans should allocate appropriate sites to support the creation of sustainable mixed communities and successful places and help to ensure the continued delivery of new housing.

Diagram 1: Housing Land, Development Planning and the Local Housing Strategy



Maintaining a 5-year Effective Land Supply

123. Planning authorities should actively manage the housing land supply. They should work with housing and infrastructure providers to prepare an annual housing land audit as a tool to critically review and monitor the availability of effective housing land, the progress of sites through the planning process, and housing completions, to ensure a generous supply of land for house building is maintained and there is always enough effective land for at least five years. A site is only considered effective where it can be demonstrated that within five years it will be free of constraints⁵² and can be developed for housing. In remoter rural areas and island communities, where the housing land requirement and market activity are of a more limited scale, the housing land audit process may be adapted to suit local circumstances.

124. The development plan action programme, prepared in tandem with the plan, should set out the key actions necessary to bring each site forward for housing development and identify the lead partner. It is a key tool, and should be used alongside the housing land audit to help planning authorities manage the land supply.

125. Planning authorities, developers, service providers and other partners in housing provision should work together to ensure a continuing supply of effective land and to deliver housing, taking a flexible and realistic approach. Where a shortfall in the 5-year effective housing land supply emerges, development plan policies for the supply of housing land will not be considered up-to-date, and paragraphs 32-35 will be relevant.

Affordable Housing

126. Affordable housing is defined broadly as housing of a reasonable quality that is affordable to people on modest incomes. Affordable housing may be provided in the form of social rented accommodation, mid-market rented accommodation, shared ownership housing, shared equity housing, housing sold at a discount (including plots for self-build), and low cost housing without subsidy.

127. Where the housing supply target requires provision for affordable housing, strategic development plans should state how much of the total housing land requirement this represents.

128. Local development plans should clearly set out the scale and distribution of the affordable housing requirement for their area. Where the HNDA and local housing strategy process identify a shortage of affordable housing, the plan should set out the role that planning will take in addressing this. Planning authorities should consider whether it is appropriate to allocate some small sites specifically for affordable housing. Advice on the range of possible options for provision of affordable housing is set out in PAN 2/2010.

129. Plans should identify any expected developer contributions towards delivery of affordable housing. Where a contribution is required, this should generally be for a specified proportion of the serviced land within a development site to be made available for affordable housing. Planning authorities should consider the level of affordable housing contribution which is likely to be deliverable in the current economic climate, as part of a viable housing development. The level of affordable housing required as a contribution within a market site should generally be no more than 25% of the total number of houses. Consideration should also be given to the nature of the affordable housing required and the extent to which this can be met by proposals capable of development with little or no public subsidy. Where permission is sought for specialist housing, as described in paragraphs 132-134, a contribution to affordable housing may not always be required.

⁵² Planning Advice Note 2/2010: Affordable Housing and Housing Land Audits sets out more fully the measure of effective sites www.scotland.gov.uk/Publications/2010/08/31111624/5

130. Plans should consider how affordable housing requirements will be met over the period of the plan. Planning and housing officials should work together closely to ensure that the phasing of land allocations and the operation of affordable housing policies combine to deliver housing across the range of tenures. In rural areas, where significant unmet local need for affordable housing has been shown, it may be appropriate to introduce a 'rural exceptions' policy which allows planning permission to be granted for affordable housing on small sites that would not normally be used for housing, for example because they lie outwith the adjacent built-up area and are subject to policies of restraint.

131. Any detailed policies on how the affordable housing requirement is expected to be delivered, including any differences in approach for urban and rural areas, should be set out in supplementary guidance. Where it is considered that housing built to meet an identified need for affordable housing should remain available to meet such needs in perpetuity, supplementary guidance should set out the measures to achieve this. Any specific requirements on design may also be addressed in supplementary guidance.

Specialist Housing Provision and Other Specific Needs

132. As part of the HNDA, local authorities are required to consider the need for specialist provision that covers accessible and adapted housing, wheelchair housing and supported accommodation, including care homes and sheltered housing. This supports independent living for elderly people and those with a disability. Where a need is identified, planning authorities should prepare policies to support the delivery of appropriate housing and consider allocating specific sites.

133. HNDAs will also evidence need for sites for Gypsy/Travellers and Travelling Showpeople. Development plans and local housing strategies should address any need identified, taking into account their mobile lifestyles. In city regions, the strategic development plan should have a role in addressing cross-boundary considerations. If there is a need, local development plans should identify suitable sites for these communities. They should also consider whether policies are required for small privately-owned sites for Gypsy/Travellers, and for handling applications for permanent sites for Travelling Showpeople (where account should be taken of the need for storage and maintenance of equipment as well as accommodation). These communities should be appropriately involved in identifying sites for their use.

134. Local development plans should address any need for houses in multiple occupation (HMO). More information is provided in Circular 2/2012 Houses in Multiple Occupation⁵³. Planning authorities should also consider the housing requirements of service personnel and sites for people seeking self-build plots. Where authorities believe it appropriate to allocate suitable sites for self-build plots, the sites may contribute to meeting the housing land requirement.

⁵³ www.scotland.gov.uk/Publications/2012/06/4191

Valuing the Historic Environment

NPF and wider policy context

135. NPF3 recognises the contribution made by our cultural heritage to our economy, cultural identity and quality of life. Planning has an important role to play in maintaining and enhancing the distinctive and high-quality, irreplaceable historic places which enrich our lives, contribute to our sense of identity and are an important resource for our tourism and leisure industry.

136. The [historic environment](#) is a key cultural and economic asset and a source of inspiration that should be seen as integral to creating successful places. Culture-led regeneration can have a profound impact on the well-being of a community in terms of the physical look and feel of a place and can also attract visitors, which in turn can bolster the local economy and sense of pride or ownership.

Policy Principles

137. The planning system should:

- promote the care and protection of the designated and non-designated historic environment (including individual assets, related [settings](#) and the wider cultural landscape) and its contribution to sense of place, cultural identity, social well-being, economic growth, civic participation and lifelong learning; and
- enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset, and ensure that its special characteristics are protected, conserved or enhanced.

Key Documents

- [Scottish Historic Environment Policy](#)⁵⁴
- [Historic Environment Strategy for Scotland](#)⁵⁵
- [Managing Change in the Historic Environment – Historic Scotland’s guidance note series](#)⁵⁶
- [Planning Advice Note 2/2011: Planning and Archaeology](#)⁵⁷
- [Planning Advice Note 71: Conservation Area Management](#)⁵⁸
- [Scottish Historic Environment Databases](#)⁵⁹

⁵⁴ www.historic-scotland.gov.uk/index/heritage/policy/shep.htm

⁵⁵ www.scotland.gov.uk/Publications/2014/03/8522

⁵⁶ www.historic-scotland.gov.uk/managingchange

⁵⁷ www.scotland.gov.uk/Publications/2011/08/04132003/0

⁵⁸ www.scotland.gov.uk/Publications/2004/12/20450/49052

⁵⁹ <http://smrforum-scotland.org.uk/wp-content/uploads/2014/03/SHED-Strategy-Final-April-2014.pdf>

Delivery

Development Planning

138. Strategic development plans should protect and promote their significant historic environment assets. They should take account of the capacity of settlements and surrounding areas to accommodate development without damage to their historic significance.

139. Local development plans and supplementary guidance should provide a framework for protecting and, where appropriate, enhancing all elements of the historic environment. Local planning authorities should designate and review existing and potential conservation areas and identify existing and proposed [Article 4 Directions](#). This should be supported by Conservation Area Appraisals and Management Plans.

Development Management

140. The siting and design of development should take account of all aspects of the historic environment. In support of this, planning authorities should have access to a Sites and Monuments Record (SMR) and/or a Historic Environment Record (HER) that contains necessary information about known historic environment features and finds in their area.

Listed Buildings

141. Change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Where planning permission and listed building consent are sought for development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting.

142. Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully to preserve or enhance the character and setting of the historic asset.

Conservation Areas

143. Proposals for development within conservation areas and proposals outwith which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area. Proposals that do not harm the character or appearance of the conservation area should be treated as preserving its character or appearance. Where the demolition of an unlisted building is proposed through Conservation Area Consent, consideration should be given to the contribution the building makes to the character and appearance of the conservation area. Where a building makes a positive contribution the presumption should be to retain it.

144. Proposed works to trees in conservation areas require prior notice to the planning authority and statutory Tree Preservation Orders⁶⁰ can increase the protection given to such trees. Conservation Area Appraisals should inform development management decisions.

⁶⁰ www.scotland.gov.uk/Publications/2011/01/28152314/0

Scheduled Monuments

145. Where there is potential for a proposed development to have an adverse effect on a [scheduled monument](#) or on the integrity of its setting, permission should only be granted where there are exceptional circumstances. Where a proposal would have a direct impact on a scheduled monument, the written consent of Scottish Ministers via a separate process is required in addition to any other consents required for the development.

Historic Marine Protected Areas

146. Where planning control extends offshore, planning authorities should ensure that development will not significantly hinder the preservation objectives of [Historic Marine Protected Areas](#).

World Heritage Sites

147. World Heritage Sites are of international importance. Where a development proposal has the potential to affect a World Heritage Site, or its setting, the planning authority must protect and preserve its [Outstanding Universal Value](#).

Gardens and Designed Landscapes

148. Planning authorities should protect and, where appropriate, seek to enhance gardens and designed landscapes included in the Inventory of Gardens and Designed Landscapes and designed landscapes of regional and local importance.

Battlefields

149. Planning authorities should seek to protect, conserve and, where appropriate, enhance the key landscape characteristics and special qualities of sites in the Inventory of Historic Battlefields.

Archaeology and Other Historic Environment Assets

150. Planning authorities should protect archaeological sites and monuments as an important, finite and non-renewable resource and preserve them in situ wherever possible. Where in situ preservation is not possible, planning authorities should, through the use of conditions or a legal obligation, ensure that developers undertake appropriate excavation, recording, analysis, publication and archiving before and/or during development. If archaeological discoveries are made, they should be reported to the planning authority to enable discussion on appropriate measures, such as inspection and recording.

151. There is also a range of non-designated historic assets and areas of historical interest, including historic landscapes, other gardens and designed landscapes, woodlands and routes such as drove roads which do not have statutory protection. These resources are, however, an important part of Scotland's heritage and planning authorities should protect and preserve significant resources as far as possible, in situ wherever feasible.

A Low Carbon Place

Delivering Heat and Electricity

NPF Context

152. NPF3 is clear that planning must facilitate the transition to a low carbon economy, and help to deliver the aims of the [Scottish Government's Report on Proposals and Policies](#)⁶¹. Our spatial strategy facilitates the development of generation technologies that will help to reduce greenhouse gas emissions from the energy sector. Scotland has significant renewable energy resources, both onshore and offshore. Spatial priorities range from extending heat networks in our cities and towns to realising the potential for renewable energy generation in our coastal and island areas.

153. Terrestrial and marine planning facilitate development of renewable energy technologies, link generation with consumers and guide new infrastructure to appropriate locations. Efficient supply of low carbon and low cost heat and generation of heat and electricity from renewable energy sources are vital to reducing greenhouse gas emissions and can create significant opportunities for communities. Renewable energy also presents a significant opportunity for associated development, investment and growth of the supply chain, particularly for ports and harbours identified in the [National Renewables Infrastructure Plan](#)⁶². Communities can also gain new opportunities from increased local ownership and associated benefits.

Policy Principles

154. The planning system should:

- support the transformational change to a low carbon economy, consistent with national objectives and targets⁶³, including deriving:
 - 30% of overall energy demand from renewable sources by 2020;
 - 11% of heat demand from renewable sources by 2020; and
 - the equivalent of 100% of electricity demand from renewable sources by 2020;
- support the development of a diverse range of electricity generation from renewable energy technologies – including the expansion of renewable energy generation capacity – and the development of heat networks;
- guide development to appropriate locations and advise on the issues that will be taken into account when specific proposals are being assessed;
- help to reduce emissions and energy use in new buildings and from new infrastructure by enabling development at appropriate locations that contributes to:
 - Energy efficiency;
 - Heat recovery;
 - Efficient energy supply and storage;

61 www.scotland.gov.uk/Topics/Environment/climatechange/scotlands-action/lowcarbon/meetingthetargets

62 www.scottish-enterprise.com/~media/SE/Resources/Documents/Sectors/Energy/energy-renewables-reports/National-renewables-infrastructure-plan.ashx

63 Further targets may be set in due course, for example district heating targets have been proposed.

- Electricity and heat from renewable sources; and
- Electricity and heat from non-renewable sources where greenhouse gas emissions can be significantly reduced.

Key Documents

- [Electricity Generation Policy Statement](#)⁶⁴
- [2020 Routemap for Renewable Energy in Scotland](#)⁶⁵
- [Towards Decarbonising Heat: Maximising the opportunities for Scotland, Draft Heat Generation Policy Statement](#)⁶⁶
- [Low Carbon Scotland: Meeting Our Emissions Reductions Targets 2013 - 2027](#)⁶⁷

Delivery

Development Planning

155. Development plans should seek to ensure an area's full potential for electricity and heat from renewable sources is achieved, in line with national climate change targets, giving due regard to relevant environmental, community and **cumulative impact** considerations.

156. Strategic development plans should support national priorities for the construction or improvement of strategic energy infrastructure, including generation, storage, transmission and distribution networks. They should address cross-boundary issues, promoting an approach to electricity and heat that supports the transition to a low carbon economy.

157. Local development plans should support new build developments, infrastructure or retrofit projects which deliver energy efficiency and the recovery of energy that would otherwise be wasted both in the specific development and surrounding area. They should set out the factors to be taken into account in considering proposals for energy developments. These will depend on the scale of the proposal and its relationship to the surrounding area and are likely to include the considerations set out at paragraph 169.

Heat

158. Local development plans should use heat mapping to identify the potential for co-locating developments with a high heat demand with sources of heat supply. Heat supply sources include harvestable woodlands, sawmills producing biomass, biogas production sites and developments producing unused excess heat, as well as geothermal systems, heat recoverable from mine waters, aquifers, other bodies of water and heat storage systems. Heat demand sites for particular consideration include high density developments, communities off the gas grid, fuel poor areas and **anchor developments** such as hospitals, schools, leisure centres and heat intensive industry.

159. Local development plans should support the development of heat networks in as many locations as possible, even where they are initially reliant on carbon-based fuels if there is potential to convert them to run on renewable or low carbon sources of heat in the future. Local development plans should identify where heat networks, heat storage and **energy centres** exist or would be appropriate and include policies to support their implementation. Policies should support

64 www.scotland.gov.uk/Topics/Business-Industry/Energy/EGPSMain

65 www.scotland.gov.uk/Publications/2011/08/04110353/0

66 www.scotland.gov.uk/Publications/2014/03/2778

67 www.scotland.gov.uk/Topics/Environment/climatechange/scotlands-action/lowcarbon/meetingthetargets

safeguarding of piperuns within developments for later connection and pipework to the curtilage of development. Policies should also give consideration to the provision of energy centres within new development. Where a district network exists, or is planned, or in areas identified as appropriate for district heating, policies may include a requirement for new development to include infrastructure for connection, providing the option to use heat from the network.

160. Where heat networks are not viable, microgeneration and heat recovery technologies associated with individual properties should be encouraged.

Onshore Wind

161. Planning authorities should set out in the development plan a spatial framework identifying those areas that are likely to be most appropriate for onshore wind farms as a guide for developers and communities, following the approach set out below in Table 1. Development plans should indicate the minimum scale⁶⁸ of onshore wind development that their spatial framework is intended to apply to. Development plans should also set out the criteria that will be considered in deciding all applications for wind farms of different scales – including extensions and re-powering – taking account of the considerations set out at paragraph 169.

162. Both strategic and local development planning authorities, working together where required, should identify where there is strategic capacity for wind farms, and areas with the greatest potential for wind development, considering cross-boundary constraints and opportunities. Strategic development planning authorities are expected to take the lead in dealing with cross-boundary constraints and opportunities and will coordinate activity with constituent planning authorities.

163. The approach to spatial framework preparation set out in the SPP should be followed in order to deliver consistency nationally and additional constraints should not be applied at this stage. The spatial framework is complemented by a more detailed and exacting development management process where the merits of an individual proposal will be carefully considered against the full range of environmental, community, and [cumulative impacts](#) (see paragraph 169).

164. Individual properties and those settlements not identified within the development plan will be protected by the safeguards set out in the local development plan policy criteria for determining wind farms and the development management considerations accounted for when determining individual applications.

165. Grid capacity should not be used as a reason to constrain the areas identified for wind farm development or decisions on individual applications for wind farms. It is for wind farm developers to discuss connections to the grid with the relevant transmission network operator. Consideration should be given to underground grid connections where possible.

166. Proposals for onshore wind turbine developments should continue to be determined while spatial frameworks and local policies are being prepared and updated. Moratoria on onshore wind development are not appropriate.

⁶⁸ For example, Loch Lomond and The Trossachs and Cairngorms National Parks refer to developments of more than one turbine and over 30 metres in height as large-scale commercial wind turbines.

Table 1: Spatial Frameworks

<p>Group 1: Areas where wind farms will not be acceptable:</p> <p>National Parks and National Scenic Areas.</p>		
<p>Group 2: Areas of significant protection:</p> <p>Recognising the need for significant protection, in these areas wind farms may be appropriate in some circumstances. Further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation.</p>		
<p>National and international designations:</p> <ul style="list-style-type: none"> • World Heritage Sites; • Natura 2000 and Ramsar sites; • Sites of Special Scientific Interest; • National Nature Reserves; • Sites identified in the Inventory of Gardens and Designed Landscapes; • Sites identified in the Inventory of Historic Battlefields. 	<p>Other nationally important mapped environmental interests:</p> <ul style="list-style-type: none"> • areas of wild land as shown on the 2014 SNH map of wild land areas; • carbon rich soils, deep peat and priority peatland habitat. 	<p>Community separation for consideration of visual impact:</p> <ul style="list-style-type: none"> • an area not exceeding 2km around cities, towns and villages identified on the local development plan with an identified settlement envelope or edge. The extent of the area will be determined by the planning authority based on landform and other features which restrict views out from the settlement.
<p>Group 3: Areas with potential for wind farm development:</p> <p>Beyond groups 1 and 2, wind farms are likely to be acceptable, subject to detailed consideration against identified policy criteria.</p>		

Other Renewable Electricity Generating Technologies and Storage

167. Development plans should identify areas capable of accommodating renewable electricity projects in addition to wind generation, including hydro-electricity generation related to river or tidal flows or energy storage projects of a range of scales.

168. Development plans should identify areas which are weakly connected or unconnected to the national electricity network and facilitate development of decentralised and mobile energy storage installations. Energy storage schemes help to support development of renewable energy and maintain stability of the electricity network in areas where reinforcement is needed to manage congestion. Strategic development planning authorities are expected to take the lead in dealing with cross-boundary constraints and opportunities and will coordinate activity between constituent planning authorities.

Development Management

169. Proposals for energy infrastructure developments should always take account of spatial frameworks for wind farms and heat maps where these are relevant. Considerations will vary relative to the scale of the proposal and area characteristics but are likely to include:

- net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities;
- the scale of contribution to renewable energy generation targets;
- effect on greenhouse gas emissions;
- **cumulative impacts** – planning authorities should be clear about likely cumulative impacts arising from all of the considerations below, recognising that in some areas the cumulative impact of existing and consented energy development may limit the capacity for further development;
- impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker;
- landscape and visual impacts, including effects on wild land;
- effects on the natural heritage, including birds;
- impacts on carbon rich soils, using the carbon calculator;
- public access, including impact on long distance walking and cycling routes and scenic routes identified in the NPF;
- impacts on the historic environment, including scheduled monuments, listed buildings and their settings;
- impacts on tourism and recreation;
- impacts on aviation and defence interests and seismological recording;
- impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;
- impacts on road traffic;
- impacts on adjacent trunk roads;
- effects on hydrology, the water environment and flood risk;
- the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration;

- opportunities for energy storage; and
- the need for a robust planning obligation to ensure that operators achieve site restoration.

170. Areas identified for wind farms should be suitable for use in perpetuity. Consents may be time-limited but wind farms should nevertheless be sited and designed to ensure impacts are minimised and to protect an acceptable level of amenity for adjacent communities.

171. Proposals for energy generation from non-renewable sources may be acceptable where carbon capture and storage or other emissions reduction infrastructure is either already in place or committed within the development's lifetime and proposals must ensure protection of good environmental standards.

172. Where new energy generation or storage proposals are being considered, the potential to connect those projects to off-grid areas should be considered.

Community Benefit

173. Where a proposal is acceptable in land use terms, and consent is being granted, local authorities may wish to engage in negotiations to secure community benefit in line with the [Scottish Government Good Practice Principles for Community Benefits from Onshore Renewable Energy Developments](#)⁶⁹.

Existing Wind Farm Sites

174. Proposals to repower existing wind farms which are already in suitable sites where environmental and other impacts have been shown to be capable of mitigation can help to maintain or enhance installed capacity, underpinning renewable energy generation targets. The current use of the site as a wind farm will be a material consideration in any such proposals.

Planning for Zero Waste

NPF and Wider Context

175. NPF3 recognises that waste is a resource and an opportunity, rather than a burden. Scotland has a Zero Waste Policy, which means wasting as little as possible and recognising that every item and material we use, either natural or manufactured, is a resource which has value for our economy. Planning plays a vital role in supporting the provision of facilities and infrastructure for future business development, investment and employment.

Policy Principles

176. The planning system should:

- promote developments that minimise the unnecessary use of primary materials and promote efficient use of secondary materials;
- support the emergence of a diverse range of new technologies and investment opportunities to secure economic value from secondary resources, including reuse, refurbishment, remanufacturing and reprocessing;
- support achievement of Scotland's zero waste targets: recycling 70% of household waste and sending no more than 5% of Scotland's annual waste arisings to landfill by 2025; and
- help deliver infrastructure at appropriate locations, prioritising development in line with the waste hierarchy: waste prevention, reuse, recycling, energy recovery and waste disposal.

69 www.scotland.gov.uk/Publications/2013/11/8279

Key Documents

- [EU revised Waste Framework Directive](#)⁷⁰ (2008/98/EC)
- [Waste \(Scotland\) Regulations 2012](#)⁷¹: a statutory framework to maximise the quantity and quality of materials available for recycling and minimise the need for residual waste infrastructure;
- [Zero Waste Plan](#)⁷² and accompanying regulations and supporting documents;
- Safeguarding Scotland's Resources: A blueprint for a more resource efficient and circular economy;
- [Circular 6/2013 Development Planning](#)⁷³;
- SEPA waste data sources: including [Waste Data Digests](#)⁷⁴ and [Waste Infrastructure Maps](#)⁷⁵;
- [SEPA Thermal Treatment of Waste Guidelines 2013](#)⁷⁶;
- [Waste capacity tables](#)⁷⁷ (formerly Zero Waste Plan Annex B capacity tables)

Delivery

177. Planning authorities and SEPA should work collaboratively to achieve zero waste objectives, having regard to the Zero Waste Plan, through development plans and development management. A revised version of PAN 63: Planning and Waste Management will be published in due course.

Development Planning

178. Plans should give effect to the aims of the Zero Waste Plan and promote the waste hierarchy.

179. For new developments, including industrial, commercial, and residential, plans should promote resource efficiency and the minimisation of waste during construction and operation.

180. Plans should enable investment opportunities in a range of technologies and industries to maximise the value of secondary resources and waste to the economy, including composting facilities, transfer stations, materials recycling facilities, anaerobic digestion, mechanical, biological and thermal treatment plants. In line with the waste hierarchy, particular attention should be given to encouraging opportunities for reuse, refurbishment, remanufacturing and reprocessing of high value materials and products. Industry and business should engage with planning authorities to help identify sites which would enable co-location with end users of outputs where appropriate.

181. Planning authorities should have regard to the annual update of required capacity for source segregated and unsorted waste, mindful of the need to achieve the all-Scotland operational capacity. However, this should not be regarded as a cap and planning authorities should generally facilitate growth in sustainable resource management.

70 <http://ec.europa.eu/environment/waste/framework/revision.htm>

71 www.legislation.gov.uk/sdsi/2012/9780111016657/contents

72 www.scotland.gov.uk/Topics/Environment/waste-and-pollution/Waste-1/wastestrategy

73 www.scotland.gov.uk/Publications/2013/12/9924/0

74 www.sepa.org.uk/waste/waste_data/waste_data_digest.aspx

75 www.sepa.org.uk/waste/waste_infrastructure_maps.aspx

76 www.sepa.org.uk/waste/waste_regulation/energy_from_waste.aspx

77 www.scotland.gov.uk/Topics/Environment/waste-and-pollution/Waste-1/wastestrategy/annexb

182. The planning system should support the provision of a network of infrastructure to allow Scotland's waste and secondary resources to be managed in one of the nearest appropriate installations, by means of the most appropriate methods and technologies, in order to protect the environment and public health. While a significant shortfall of waste management infrastructure exists, emphasis should be placed on need over proximity. The achievement of a sustainable strategy may involve waste crossing planning boundaries. However, as the national network of installations becomes more fully developed, there will be scope for giving greater weight to proximity in identifying suitable locations for new waste facilities.

183. Any sites identified specifically for energy from waste facilities should enable links to be made to potential users of renewable heat and energy. Such schemes are particularly suitable in locations where there are premises nearby with a long-term demand for heat. Paragraphs 158 to 160 set out policy on heat networks and mapping.

184. Plans should safeguard existing waste management installations and ensure that the allocation of land on adjacent sites does not compromise waste handling operations, which may operate 24 hours a day and partly outside buildings.

185. Strategic development plans and local development plans outwith city regions should set out spatial strategies which make provision for new infrastructure, indicating clearly that it can generally be accommodated on land designated for employment, industrial or storage and distribution uses.

186. Local development plans should identify appropriate locations for new infrastructure, allocating specific sites where possible, and should provide a policy framework which facilitates delivery. Suitable sites will include those which have been identified for employment, industry or storage and distribution. Updated Scottish Government planning advice on identifying sites and assessing their suitability will be provided in due course.

187. Local development plans should identify where masterplans or development briefs will be required to guide the development of waste installations for major sites.

Development Management

188. In determining applications for new installations, authorities should take full account of the policy set out at paragraph 176. Planning authorities should determine whether proposed developments would constitute appropriate uses of the land, leaving the regulation of permitted installations to SEPA.

189. SEPA's Thermal Treatment of Waste Guidelines 2013 and addendum sets out policy on thermal treatment plants.

190. All new development including residential, commercial and industrial properties should include provision for waste separation and collection to meet the requirements of the Waste (Scotland) Regulations.

191. Planning authorities should consider the need for buffer zones between dwellings or other **sensitive receptors** and some waste management facilities. As a guide, appropriate buffer distances may be:

- 100m between sensitive receptors and recycling facilities, small-scale thermal treatment or leachate treatment plant;
- 250m between sensitive receptors and operations such as outdoor composting, anaerobic digestion, mixed waste processing, thermal treatment or landfill gas plant; and
- greater between sensitive receptors and landfill sites.

192. Planning authorities should:

- consider requiring the preparation of site waste management plans for construction sites;
- secure decommissioning or restoration (including landfill) to agreed standards as a condition of planning permission for waste management facilities; and
- ensure that landfill consents are subject to an appropriate financial bond unless the operator can demonstrate that their programme of restoration, including the necessary financing, phasing and aftercare of sites, is sufficient.

A Natural, Resilient Place

Valuing the Natural Environment

NPF Context

193. The natural environment forms the foundation of the spatial strategy set out in NPF3. The environment is a valued national asset offering a wide range of opportunities for enjoyment, recreation and sustainable economic activity. Planning plays an important role in protecting, enhancing and promoting access to our key environmental resources, whilst supporting their sustainable use.

Policy Principles

194. The planning system should:

- facilitate positive change while maintaining and enhancing distinctive landscape character;
- conserve and enhance protected sites and species, taking account of the need to maintain healthy ecosystems and work with the natural processes which provide important services to communities;
- promote protection and improvement of the water environment, including rivers, lochs, estuaries, wetlands, coastal waters and groundwater, in a sustainable and co-ordinated way;
- seek to protect soils from damage such as erosion or compaction;
- protect and enhance ancient semi-natural woodland as an important and irreplaceable resource, together with other native or long-established woods, hedgerows and individual trees with high nature conservation or landscape value;
- seek benefits for **biodiversity** from new development where possible, including the restoration of degraded habitats and the avoidance of further fragmentation or isolation of habitats; and
- support opportunities for enjoying and learning about the natural environment.

Key Documents

- [Getting the Best from Our Land – A Land Use Strategy for Scotland](#)⁷⁸
- [The 2020 Challenge for Scotland's Biodiversity](#)⁷⁹
- [European Landscape Convention](#)⁸⁰
- [Nature Conservation \(Scotland\) Act 2004](#)⁸¹
- [The Conservation \(Natural Habitats etc\) Regulations](#)⁸²
- [The Wildlife and Countryside Act 1981](#)⁸³

78 www.scotland.gov.uk/Topics/Environment/Countryside/Landusestrategy

79 www.scotland.gov.uk/Publications/2013/06/5538

80 www.coe.int/t/dg4/cultureheritage/heritage/landscape/default_en.asp

81 www.legislation.gov.uk/asp/2004/6/contents

82 www.legislation.gov.uk/uksi/1994/2716/contents/made

83 www.legislation.gov.uk/ukpga/1981/69

- [EU Birds Directive – 2009/147/EC](#)⁸⁴
- [EU Habitats Directive – 92/43/EEC](#)⁸⁵
- [Ramsar Convention on Wetlands of International Importance](#)⁸⁶
- [National Parks \(Scotland\) Act 2000](#)⁸⁷
- [River Basin Management Plans](#)⁸⁸

Delivery

195. Planning authorities, and all public bodies, have a duty under the Nature Conservation (Scotland) Act 2004 to further the conservation of **biodiversity**. This duty must be reflected in development plans and development management decisions. They also have a duty under the Water Environment and Water Services (Scotland) Act 2003 to protect and improve Scotland's water environment. The Scottish Government expects public bodies to apply the Principles for Sustainable Land Use, as set out in the Land Use Strategy, when taking significant decisions affecting the use of land.

Development Plans

196. International, national and locally designated areas and sites should be identified and afforded the appropriate level of protection in development plans. Reasons for local designation should be clearly explained and their function and continuing relevance considered when preparing plans. Buffer zones should not be established around areas designated for their natural heritage importance. Plans should set out the factors which will be taken into account in development management. The level of protection given to local designations should not be as high as that given to international or national designations.

197. Planning authorities are encouraged to limit non-statutory local designations to areas designated for their local landscape or nature conservation value:

- the purpose of areas of local landscape value should be to:
 - safeguard and enhance the character and quality of a landscape which is important or particularly valued locally or regionally; or
 - promote understanding and awareness of the distinctive character and special qualities of local landscapes; or
 - safeguard and promote important local settings for outdoor recreation and tourism.
- local nature conservation sites should seek to accommodate the following factors:
 - species diversity, species or habitat rarity, naturalness and extent of habitat;
 - contribution to national and local **biodiversity** objectives;
 - potential contribution to the protection or enhancement of connectivity between habitats or the development of **green networks**; and
 - potential to facilitate enjoyment and understanding of natural heritage.

84 ec.europa.eu/environment/nature/legislation/birdsdirective/index_en.htm

85 ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm

86 www.ramsar.org/cda/en/ramsar-home/main/ramsar/1_4000_0

87 www.legislation.gov.uk/asp/2000/10/contents

88 www.sepa.org.uk/water/river_basin_planning.aspx

198. Local nature conservation sites designated for their geodiversity should be selected for their value for scientific study and education, their historical significance and cultural and aesthetic value, and for their potential to promote public awareness and enjoyment.

199. Plans should address the potential effects of development on the natural environment, including proposals for [major-accident hazard sites](#) and the cumulative effects of incremental changes. They should consider the natural and cultural components together, and promote opportunities for the enhancement of degraded landscapes, particularly where this helps to restore or strengthen the natural processes which underpin the well-being and resilience of communities.

200. Wild land character is displayed in some of Scotland's remoter upland, mountain and coastal areas, which are very sensitive to any form of intrusive human activity and have little or no capacity to accept new development. Plans should identify and safeguard the character of areas of wild land as identified on the 2014 SNH map of wild land areas.

201. Plans should identify woodlands of high nature conservation value and include policies for protecting them and enhancing their condition and resilience to climate change. Forestry Commission Scotland's [Native Woodland Survey of Scotland](#)⁸⁹ provides information and guidance. Planning authorities should consider preparing forestry and woodland strategies as supplementary guidance to inform the development of forestry and woodland in their area, including the expansion of woodland of a range of types to provide multiple benefits. Scottish Government advice on planning for forestry and woodlands is set out in [The Right Tree in the Right Place](#)⁹⁰.

Development Management

202. The siting and design of development should take account of local landscape character. Development management decisions should take account of potential effects on landscapes and the natural and water environment, including cumulative effects. Developers should seek to minimise adverse impacts through careful planning and design, considering the services that the natural environment is providing and maximising the potential for enhancement.

203. Planning permission should be refused where the nature or scale of proposed development would have an unacceptable impact on the natural environment. Direct or indirect effects on statutorily protected sites will be an important consideration, but designation does not impose an automatic prohibition on development.

204. Planning authorities should apply the precautionary principle where the impacts of a proposed development on nationally or internationally significant landscape or natural heritage resources are uncertain but there is sound evidence indicating that significant irreversible damage could occur. The precautionary principle should not be used to impede development without justification. If there is any likelihood that significant irreversible damage could occur, modifications to the proposal to eliminate the risk of such damage should be considered. If there is uncertainty, the potential for research, surveys or assessments to remove or reduce uncertainty should be considered.

205. Where peat and other carbon rich soils are present, applicants should assess the likely effects of development on carbon dioxide (CO₂) emissions. Where peatland is drained or otherwise disturbed, there is liable to be a release of CO₂ to the atmosphere. Developments should aim to minimise this release.

89 www.forestry.gov.uk/nwss

90 [www.forestry.gov.uk/pdf/fcfc129.pdf/\\$file/fcfc129.pdf](http://www.forestry.gov.uk/pdf/fcfc129.pdf/$file/fcfc129.pdf)

206. Where non-native species are present on site, or where planting is planned as part of a development, developers should take into account the provisions of the Wildlife and Countryside Act 1981 relating to non-native species.

International Designations

Natura 2000 Sites

207. Sites designated as Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) make up the Natura 2000 network of protected areas. Any development plan or proposal likely to have a significant effect on these sites which is not directly connected with or necessary to their conservation management must be subject to an “appropriate assessment” of the implications for the conservation objectives. Such plans or proposals may only be approved if the competent authority has ascertained by means of an “appropriate assessment” that there will be no adverse effect on the integrity of the site.

208. A derogation is available for authorities to approve plans or projects which could adversely affect the integrity of a Natura site if:

- there are no alternative solutions;
- there are imperative reasons of overriding public interest, including those of a social or economic nature; and
- compensatory measures are provided to ensure that the overall coherence of the Natura network is protected.

209. If an authority wishes to use this derogation, Scottish Ministers must be notified. For sites hosting a priority habitat or species (as defined in Article 1 of the Habitats Directive), prior consultation with the European Commission via Scottish Ministers is required unless either the proposal is necessary for public health or safety reasons or it will have beneficial consequences of primary importance to the environment.

210. Authorities should afford the same level of protection to proposed SACs and SPAs (i.e. sites which have been approved by Scottish Ministers for formal consultation but which have not yet been designated) as they do to sites which have been designated.

Ramsar Sites

211. All [Ramsar sites](#) are also Natura 2000 sites and/or Sites of Special Scientific Interest and are protected under the relevant statutory regimes.

National Designations

212. Development that affects a National Park, [National Scenic Area](#), [Site of Special Scientific Interest](#) or a [National Nature Reserve](#) should only be permitted where:

- the objectives of designation and the overall integrity of the area will not be compromised; or
- any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

213. Planning decisions for development within National Parks must be consistent with paragraphs 84-85.

Protected Species

214. The presence (or potential presence) of a legally protected species is an important consideration in decisions on planning applications. If there is evidence to suggest that a protected species is present on site or may be affected by a proposed development, steps must be taken to establish their presence. The level of protection afforded by legislation must be factored into the planning and design of the development and any impacts must be fully considered prior to the determination of the application. Certain activities – for example those involving European Protected Species as specified in the Conservation (Natural Habitats, &c.) Regulations 1994 and wild birds, protected animals and plants under the Wildlife and Countryside Act 1981 – may only be undertaken under licence. Following the introduction of the Wildlife and Natural Environment (Scotland) Act 2011, Scottish Natural Heritage is now responsible for the majority of wildlife licensing in Scotland.

Areas of Wild Land

215. In areas of wild land (see paragraph 200), development may be appropriate in some circumstances. Further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation.

Woodland

216. Ancient semi-natural woodland is an irreplaceable resource and, along with other woodlands, hedgerows and individual trees, especially veteran trees of high nature conservation and landscape value, should be protected from adverse impacts resulting from development. [Tree Preservation Orders](#)⁹¹ can be used to protect individual trees and groups of trees considered important for amenity or their cultural or historic interest.

217. Where appropriate, planning authorities should seek opportunities to create new woodland and plant native trees in association with development. If a development would result in the severing or impairment of connectivity between important woodland habitats, workable mitigation measures should be identified and implemented, preferably linked to a wider green network (see also the section on green infrastructure).

218. The Scottish Government's [Control of Woodland Removal Policy](#)⁹² includes a presumption in favour of protecting woodland. Removal should only be permitted where it would achieve significant and clearly defined additional public benefits. Where woodland is removed in association with development, developers will generally be expected to provide compensatory planting. The criteria for determining the acceptability of woodland removal and further information on the implementation of the policy is explained in the Control of Woodland Removal Policy, and this should be taken into account when preparing development plans and determining planning applications.

91 www.scotland.gov.uk/Publications/2011/01/28152314/0

92 www.forestry.gov.uk/pdf/fcfc125.pdf/%24FILE/fcfc125.pdf

Maximising the Benefits of Green Infrastructure

NPF Context

219. NPF3 aims to significantly enhance green infrastructure networks, particularly in and around our cities and towns. [Green infrastructure](#) and improved access to [open space](#) can help to build stronger, healthier communities. It is an essential part of our long-term environmental performance and climate resilience. Improving the quality of our places and spaces through integrated green infrastructure networks can also encourage investment and development.

Policy Principles

220. Planning should protect, enhance and promote green infrastructure, including open space and green networks, as an integral component of successful placemaking.

221. The planning system should:

- consider green infrastructure as an integral element of places from the outset of the planning process;
- assess current and future needs and opportunities for green infrastructure to provide multiple benefits;
- facilitate the provision and long-term, integrated management of green infrastructure and prevent fragmentation; and
- provide for easy and safe access to and within green infrastructure, including core paths and other important routes, within the context of statutory access rights under the Land Reform (Scotland) Act 2003.

Key Documents

- [Green Infrastructure: Design and Placemaking](#)⁹³
- [Getting the Best from Our Land – A Land Use Strategy for Scotland](#)⁹⁴
- [Planning Advice Note 65: Planning and Open Space](#)⁹⁵
- [Reaching Higher – Scotland’s National Strategy for Sport](#)⁹⁶
- [The Play Strategy for Scotland and Action Plan](#)⁹⁷
- [Let’s Get Scotland Walking: The National Walking Strategy](#)⁹⁸

Delivery

Development Planning

222. Development plans should be based on a holistic, integrated and cross-sectoral approach to green infrastructure. They should be informed by relevant, up-to-date audits, strategies and action plans covering green infrastructure’s multiple functions, for example open space, playing fields, pitches, outdoor access, core paths, active travel strategies, the historic environment, [biodiversity](#), forestry and woodland, river basins, flood management, coastal zones and the marine environment.

93 www.scotland.gov.uk/Publications/2011/11/04140525/0

94 www.scotland.gov.uk/Publications/2011/03/17091927/0

95 www.scotland.gov.uk/Publications/2008/05/30100623/0

96 www.scotland.gov.uk/Topics/ArtsCultureSport/Sport/NationalStrategies/Sport-21

97 www.scotland.gov.uk/Publications/2013/10/9424

98 www.scotland.gov.uk/Publications/2014/06/5743

Plans should promote consistency with these and reflect their priorities and spatial implications.

223. Strategic development plans should safeguard existing strategic or regionally important assets and identify strategic priorities for green infrastructure addressing cross-boundary needs and opportunities.

224. Local development plans should identify and protect open space identified in the open space audit and strategy as valued and functional or capable of being brought into use to meet local needs.

225. Local development plans should seek to enhance existing and promote the creation of new green infrastructure, which may include retrofitting. They should do this through a design-led approach, applying standards which facilitate appropriate provision, addressing deficits or surpluses within the local context. The standards delivered through a design-led approach should result in a proposal that is appropriate to place, including connections to other green infrastructure assets. Supplementary guidance or master plans may be used to achieve this.

226. Local development plans should identify sites for new indoor or outdoor sports, recreation or play facilities where a need has been identified in a local facility strategy, playing field strategy or similar document. They should provide for good quality, accessible facilities in sufficient quantity to satisfy current and likely future community demand. **Outdoor sports facilities** should be safeguarded from development except where:

- the proposed development is ancillary to the principal use of the site as an outdoor sports facility;
- the proposed development involves only a minor part of the outdoor sports facility and would not affect its use and potential for sport and training;
- the outdoor sports facility which would be lost would be replaced either by a new facility of comparable or greater benefit for sport in a location that is convenient for users, or by the upgrading of an existing outdoor sports facility to provide a facility of better quality on the same site or at another location that is convenient for users and maintains or improves the overall playing capacity in the area; or
- the relevant strategy (see paragraph 224) and consultation with **sportscotland** show that there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to the overall quality of provision.

227. Local development plans should safeguard existing and potential allotment sites to ensure that local authorities meet their statutory duty to provide allotments where there is proven demand. Plans should also encourage opportunities for a range of community growing spaces.

228. Local development plans should safeguard access rights and core paths, and encourage new and enhanced opportunities for access linked to wider networks.

229. Local development plans should encourage the temporary use of unused or underused land as green infrastructure while making clear that this will not prevent any future development potential which has been identified from being realised. This type of greening may provide the advance structure planting to create the landscape framework for any future development.

Development Management

230. Development of land allocated as green infrastructure for an unrelated purpose should have a strong justification. This should be based on evidence from relevant audits and strategies that the proposal will not result in a deficit of that type of provision within the local area and that alternative sites have been considered. Poor maintenance and neglect should not be used as a justification for development for other purposes.

231. Development proposals that would result in or exacerbate a deficit of green infrastructure should include provision to remedy that deficit with accessible infrastructure of an appropriate type, quantity and quality.

232. In the design of green infrastructure, consideration should be given to the qualities of successful places. Green infrastructure should be treated as an integral element in how the proposal responds to local circumstances, including being well-integrated into the overall design layout and multi-functional. Arrangements for the long-term management and maintenance of green infrastructure, and associated water features, including common facilities, should be incorporated into any planning permission.

233. Proposals that affect regional and country parks must have regard to their statutory purpose of providing recreational access to the countryside close to centres of population, and should take account of their wider objectives as set out in their management plans and strategies.

Promoting Responsible Extraction of Resources

NPF Context

234. Minerals make an important contribution to the economy, providing materials for construction, energy supply and other uses, and supporting employment. NPF3 notes that minerals will be required as construction materials to support our ambition for diversification of the energy mix. Planning should safeguard mineral resources and facilitate their responsible use. Our spatial strategy underlines the need to address restoration of past minerals extraction sites in and around the Central Belt.

Policy Principles

235. The planning system should:

- recognise the national benefit of indigenous coal, oil and gas production in maintaining a diverse energy mix and improving energy security;
- safeguard workable resources and ensure that an adequate and steady supply is available to meet the needs of the construction, energy and other sectors;
- minimise the impacts of extraction on local communities, the environment and the built and natural heritage; and
- secure the sustainable restoration of sites to beneficial afteruse after working has ceased.

Key Documents

- [Electricity Generation Policy Statement](#)⁹⁹
- [Management of Extractive Waste \(Scotland\) Regulations 2010](#)¹⁰⁰
- [PAN 50: Controlling the Environmental Effects of Surface Mineral Workings](#)¹⁰¹
- [Planning Advice Note 64: Reclamation of Surface Mineral Workings](#)¹⁰²
- [Circular 2/2003: Safeguarding of Aerodromes, Technical Sites and Military Explosive Storage Areas](#)¹⁰³
- [Circular 34/1996: Environment Act 1995 Section 96](#)¹⁰⁴

Delivery

Development Planning

236. Strategic development plans should ensure that adequate supplies of construction aggregates can be made available from within the plan area to meet the likely development needs of the city region over the plan period.

237. Local development plans should safeguard all workable mineral resources which are of economic or conservation value and ensure that these are not sterilised by other development. Plans should set out the factors that specific proposals will need to address, including:

- disturbance, disruption and noise, blasting and vibration, and potential pollution of land, air and water;
- impacts on local communities, individual houses, [sensitive receptors](#) and economic sectors important to the local economy;
- benefits to the local and national economy;
- [cumulative impact](#) with other mineral and landfill sites in the area;
- effects on natural heritage, habitats and the historic environment;
- landscape and visual impacts, including cumulative effects;
- transport impacts; and
- restoration and aftercare (including any benefits in terms of the remediation of existing areas of dereliction or instability).

238. Plans should support the maintenance of a landbank of permitted reserves for construction aggregates of at least 10 years at all times in all market areas through the identification of areas of search. Such areas can be promoted by developers or landowners as part of the plan preparation process or by planning authorities where they wish to guide development to particular areas. As an alternative, a criteria-based approach may be taken, particularly where a sufficient landbank already exists or substantial unconstrained deposits are available.

99 www.scotland.gov.uk/Publications/2013/06/5757

100 www.legislation.gov.uk/ssi/2010/60/contents/made

101 www.scotland.gov.uk/Publications/1996/10/17729/23424

102 www.scotland.gov.uk/Publications/2003/01/16122/16256

103 www.scotland.gov.uk/Publications/2003/01/16204/17030

104 www.scotland.gov.uk/Publications/1996/11/circular-34-1996-root/circular-34-1996-guidance

239. Local development plans should identify areas of search where surface coal extraction is most likely to be acceptable during the plan period and set out the preferred programme for the development of other safeguarded areas beyond the plan period, with particular emphasis on protecting local communities from significant cumulative impacts. Where possible, plans should secure extraction prior to permanent development above workable coal reserves.

240. For areas covered by a Petroleum Exploration and Development Licence (PEDL), local development plans should also:

- identify licence areas;
- encourage operators to be as clear as possible about the minimum and maximum extent of operations (e.g. number of wells and duration) at the exploration phase whilst recognising that the factors to be addressed by applications should be relevant and proportionate to the appropriate exploration, appraisal and production phases of operations;
- confirm that applicants should engage with local communities, residents and other stakeholders at each stage of operations, beginning in advance of any application for planning permission and in advance of any operations;
- ensure that when developing proposals, applicants should consider, where possible, transport of the end product by pipeline, rail or water rather than road; and
- provide a consistent approach to extraction where licences extend across local authority boundaries.

241. Policies should protect areas of peatland and only permit commercial extraction in areas suffering historic, significant damage through human activity and where the conservation value is low and restoration is impossible.

Development Management

242. Operators should provide sufficient information to enable a full assessment to be made of the likely effects of development together with appropriate control, mitigation and monitoring measures. This should include the provision of an adequate buffer zone between sites and settlements, taking account of the specific circumstances of individual proposals, including size, duration, location, method of working, topography, the characteristics of the various environmental effects likely to arise and the mitigation that can be provided.

243. Borrow pits should only be permitted if there are significant environmental or economic benefits compared to obtaining material from local quarries; they are time-limited; tied to a particular project and appropriate reclamation measures are in place.

244. Consent should only be granted for surface coal extraction proposals which are either environmentally acceptable (or can be made so by planning conditions) or provide local or community benefits which clearly outweigh the likely impacts of extraction. Site boundaries within 500 metres of the edge of settlements will only be environmentally acceptable where local circumstances, such as the removal of dereliction, small-scale prior extraction or the stabilisation of mining legacy, justify a lesser distance. Non-engineering works and mitigation measures within 500 metres may be acceptable.

245. To assist planning authorities with their consideration of impacts on local communities, neighbouring uses and the environment, applicants should undertake a risk assessment for all proposals for shale gas and coal bed methane extraction. The assessment can, where appropriate, be undertaken as part of any environmental impact assessment and should also be developed in consultation with statutory consultees and local communities so that it informs the design of the proposal. The assessment should clearly identify those onsite activities (i.e. emission of pollutants, the creation and disposal of waste) that pose a potential risk using a source–pathway–receptor model and explain how measures, including those under environmental and other legislation, will be used to monitor, manage and mitigate any identified risks to health, amenity and the environment. The evidence from, and outcome of, the assessment should lead to buffer zones being proposed in the application which will protect all **sensitive receptors** from unacceptable risks. When considering applications, planning authorities and statutory consultees must assess the distances proposed by the applicant. Where proposed distances are considered inadequate the Scottish Government expects planning permission to be refused.

246. Conditions should be drafted in a way which ensures that hydraulic fracturing does not take place where permission for such operations is not sought and that any subsequent application to do so is subject to appropriate consultation. If such operations are subsequently proposed, they should, as a matter of planning policy, be regarded as a substantial change in the description of the development for which planning permission is sought or a material variation to the existing planning permission. Where PEDL and Underground Coal licences are granted for the same or overlapping areas, consideration should be given to the most efficient sequencing of extraction.

247. The Scottish Government is currently exploring a range of options relating to the effective regulation of surface coal mining. This is likely to result in further guidance on effective restoration measures in due course. In the meantime, planning authorities should, through planning conditions and legal agreements, continue to ensure that a high standard of restoration and aftercare is managed effectively and that such work is undertaken at the earliest opportunity. A range of financial guarantee options is currently available and planning authorities should consider the most effective solution on a site-by-site basis. All solutions should provide assurance and clarity over the amount and period of the guarantee and in particular, where it is a bond, the risks covered (including operator failure) and the triggers for calling in a bond, including payment terms. In the aggregates sector, an operator may be able to demonstrate adequate provision under an industry-funded guarantee scheme.

248. Planning authorities should ensure that rigorous procedures are in place to monitor consents, including restoration arrangements, at appropriate intervals, and ensure that appropriate action is taken when necessary. The review of mineral permissions every 15 years should be used to apply up-to-date operating and environmental standards although requests from operators to postpone reviews should be considered favourably if existing conditions are already achieving acceptable standards. Conditions should not impose undue restrictions on consents at quarries for building or roofing stone to reflect the likely intermittent or low rate of working at such sites.

Supporting Aquaculture

NPF Context

249. Aquaculture makes a significant contribution to the Scottish economy, particularly for coastal and island communities. Planning can help facilitate sustainable aquaculture whilst protecting and maintaining the ecosystem upon which it depends. Planning can play a role in supporting the sectoral growth targets to grow marine finfish (including farmed Atlantic salmon) production sustainably to 210,000 tonnes; and shellfish, particularly mussels, sustainably to 13,000 tonnes with due regard to the marine environment by 2020.

Policy Principles

250. The planning system should:

- play a supporting role in the sustainable growth of the finfish and shellfish sectors to ensure that the aquaculture industry is diverse, competitive and economically viable;
- guide development to coastal locations that best suit industry needs with due regard to the marine environment;
- maintain a presumption against further marine finfish farm developments on the north and east coasts to safeguard migratory fish species.

Key Documents

- National Marine Plan

Delivery

Development Planning

251. Local development plans should make positive provision for aquaculture developments. Plans, or supplementary guidance, should take account of Marine Scotland's locational policies when identifying areas potentially suitable for new development and sensitive areas which are unlikely to be appropriate for such development. They should also set out the issues that will be considered when assessing specific proposals, which could include:

- impacts on, and benefits for, local communities;
- economic benefits of the sustainable development of the aquaculture industry;
- landscape, seascape and visual impact;
- biological carrying capacity;
- effects on coastal and marine species (including wild salmonids) and habitats;
- impacts on the historic environment and the sea or loch bed;
- interaction with other users of the marine environment (including commercial fisheries, Ministry of Defence, navigational routes, ports and harbours, anchorages, tourism, recreational and leisure activities); and
- cumulative effects on all of the above factors.

Development Management

252. Applications should be supported, where necessary, by sufficient information to demonstrate:

- operational arrangements (including noise, light, access, waste and odour) are satisfactory and sufficient mitigation plans are in place; and
- the siting and design of cages, lines and associated facilities are appropriate for the location. This should be done through the provision of information on the extent of the site; the type, number and physical scale of structures; the distribution of the structures across the planning area; on-shore facilities; and ancillary equipment.

253. Any land-based facilities required for the proposal should, where possible, be considered at the same time. The planning system should not duplicate other control regimes such as controlled activities regulation licences from SEPA or fish health, sea lice and containment regulation by Marine Scotland.

Managing Flood Risk and Drainage

NPF Context

254. NPF3 supports a catchment-scale approach to sustainable flood risk management. The spatial strategy aims to build the resilience of our cities and towns, encourage sustainable land management in our rural areas, and to address the long-term vulnerability of parts of our coasts and islands. Flooding can impact on people and businesses. Climate change will increase the risk of flooding in some parts of the country. Planning can play an important part in reducing the vulnerability of existing and future development to flooding.

Policy Principles

255. The planning system should promote:

- a precautionary approach to **flood risk** from all sources, including coastal, water course (fluvial), surface water (**pluvial**), groundwater, reservoirs and drainage systems (sewers and culverts), taking account of the predicted effects of climate change;
- **flood** avoidance: by safeguarding flood storage and conveying capacity, and locating development away from **functional flood plains** and medium to high risk areas;
- flood reduction: assessing flood risk and, where appropriate, undertaking natural and structural flood management measures, including flood protection, restoring natural features and characteristics, enhancing flood storage capacity, avoiding the construction of new culverts and opening existing culverts where possible; and
- avoidance of increased surface water flooding through requirements for Sustainable Drainage Systems (SuDS) and minimising the area of impermeable surface.

256. To achieve this the planning system should prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere. Piecemeal reduction of the functional floodplain should be avoided given the cumulative effects of reducing storage capacity.

257. Alterations and small-scale extensions to existing buildings are outwith the scope of this policy, provided that they would not have a significant effect on the storage capacity of the functional floodplain or local flooding problems.

Key Documents

- [Flood Risk Management \(Scotland\) Act 2009](#)¹⁰⁵
- Updated Planning Advice Note on Flooding
- [Delivering Sustainable Flood Risk Management](#)¹⁰⁶ (Scottish Government, 2011).
- [Surface Water Management Planning Guidance](#)¹⁰⁷ (Scottish Government, 2013).

Delivery

258. Planning authorities should have regard to the probability of flooding from all sources and take flood risk into account when preparing development plans and determining planning applications. The calculated probability of flooding should be regarded as a best estimate and not a precise forecast. Authorities should avoid giving any indication that a grant of planning permission implies the absence of flood risk.

259. Developers should take into account flood risk and the ability of future occupiers to insure development before committing themselves to a site or project, as applicants and occupiers have ultimate responsibility for safeguarding their property.

Development Planning

260. Plans should use [strategic flood risk assessment](#) (SFRA) to inform choices about the location of development and policies for flood risk management. They should have regard to the flood maps prepared by Scottish Environment Protection Agency (SEPA), and take account of finalised and approved Flood Risk Management Strategies and Plans and River Basin Management Plans.

261. Strategic and local development plans should address any significant cross boundary flooding issues. This may include identifying major areas of the [flood plain](#) and storage capacity which should be protected from inappropriate development, major flood protection scheme requirements or proposals, and relevant drainage capacity issues.

262. Local development plans should protect land with the potential to contribute to managing flood risk, for instance through natural flood management, managed coastal realignment, [washland](#) or green infrastructure creation, or as part of a scheme to manage flood risk.

263. Local development plans should use the following flood risk framework to guide development. This sets out three categories of coastal and watercourse flood risk, together with guidance on surface water flooding, and the appropriate planning approach for each (the annual probabilities referred to in the framework relate to the land at the time a plan is being prepared or a planning application is made):

- **Little or No Risk** – annual probability of coastal or [watercourse](#) flooding is less than 0.1% (1:1000 years)
 - No constraints due to coastal or watercourse flooding.

¹⁰⁵ www.legislation.gov.uk/asp/2009/6/contents

¹⁰⁶ www.scotland.gov.uk/Publications/2011/06/15150211/0

¹⁰⁷ <http://www.scotland.gov.uk/Publications/2013/02/7909/0>

- **Low to Medium Risk** – annual probability of coastal or watercourse flooding is between 0.1% and 0.5% (1:1000 to 1:200 years)
 - Suitable for most development. A flood risk assessment may be required at the upper end of the probability range (i.e. close to 0.5%), and for **essential infrastructure** and the **most vulnerable uses**. Water resistant materials and construction may be required.
 - Generally not suitable for **civil infrastructure**. Where civil infrastructure must be located in these areas or is being substantially extended, it should be designed to be capable of remaining operational and accessible during extreme flood events.
- **Medium to High Risk** – annual probability of coastal or watercourse flooding is greater than 0.5% (1:200 years)
 - May be suitable for:
 - residential, institutional, commercial and industrial development within built-up areas provided flood protection measures to the appropriate standard already exist and are maintained, are under construction, or are a planned measure in a current flood risk management plan;
 - essential infrastructure within built-up areas, designed and constructed to remain operational during floods and not impede water flow;
 - some recreational, sport, amenity and nature conservation uses, provided appropriate evacuation procedures are in place; and
 - job-related accommodation, e.g. for caretakers or operational staff.
 - Generally not suitable for:
 - civil infrastructure and the most vulnerable uses;
 - additional development in undeveloped and sparsely developed areas, unless a location is essential for operational reasons, e.g. for navigation and water-based recreation, agriculture, transport or utilities infrastructure (which should be designed and constructed to be operational during floods and not impede water flow), and an alternative, lower risk location is not available; and
 - new caravan and camping sites.
 - Where built development is permitted, measures to protect against or manage flood risk will be required and any loss of flood storage capacity mitigated to achieve a neutral or better outcome.
 - Water-resistant materials and construction should be used where appropriate. Elevated buildings on structures such as stilts are unlikely to be acceptable.

Surface Water Flooding

- Infrastructure and buildings should generally be designed to be free from surface water flooding in rainfall events where the annual probability of occurrence is greater than 0.5% (1:200 years).
- Surface water drainage measures should have a neutral or better effect on the risk of flooding both on and off the site, taking account of rain falling on the site and run-off from adjacent areas.

Development Management

264. It is not possible to plan for development solely according to the calculated probability of flooding. In applying the risk framework to proposed development, the following should therefore be taken into account:

- the characteristics of the site;
- the design and use of the proposed development;
- the size of the area likely to flood;
- depth of flood water, likely flow rate and path, and rate of rise and duration;
- the vulnerability and risk of wave action for coastal sites;
- committed and existing flood protection methods: extent, standard and maintenance regime;
- the effects of climate change, including an [allowance for freeboard](#);
- surface water run-off from adjoining land;
- culverted watercourses, drains and field drainage;
- cumulative effects, especially the loss of storage capacity;
- cross-boundary effects and the need for consultation with adjacent authorities;
- effects of flood on access including by emergency services; and
- effects of flood on proposed open spaces including gardens.

265. Land raising should only be considered in exceptional circumstances, where it is shown to have a neutral or better impact on flood risk outside the raised area. Compensatory storage may be required.

266. The flood risk framework set out above should be applied to development management decisions. Flood Risk Assessments (FRA) should be required for development in the medium to high category of flood risk, and may be required in the low to medium category in the circumstances described in the framework above, or where other factors indicate heightened risk. FRA will generally be required for applications within areas identified at high or medium likelihood of flooding/flood risk in SEPA's flood maps.

267. Drainage Assessments, proportionate to the development proposal and covering both surface and foul water, will be required for areas where drainage is already constrained or otherwise problematic, or if there would be off-site effects.

268. Proposed arrangements for SuDS should be adequate for the development and appropriate long-term maintenance arrangements should be put in place.

A Connected Place

Promoting Sustainable Transport and Active Travel

NPF Context

269. The spatial strategy set out in NPF3 is complemented by an ongoing programme of investment in transport infrastructure. The economy relies on efficient transport connections, within Scotland and to international markets. Planning can play an important role in improving connectivity and promoting more sustainable patterns of transport and travel as part of the transition to a low carbon economy.

Policy Principles

270. The planning system should support patterns of development which:

- optimise the use of existing infrastructure;
- reduce the need to travel;
- provide safe and convenient opportunities for walking and cycling for both active travel and recreation, and facilitate travel by public transport;
- enable the integration of transport modes; and
- facilitate freight movement by rail or water.

271. Development plans and development management decisions should take account of the implications of development proposals on traffic, patterns of travel and road safety.

Key Documents

- [National Transport Strategy](#)¹⁰⁸
- [Climate Change \(Scotland\) Act 2009](#)¹⁰⁹
- [Low Carbon Scotland: Meeting the Emissions Reduction Targets 2013-2027](#)¹¹⁰
- [Infrastructure Investment Plan](#)¹¹¹
- [Strategic Transport Projects Review](#)¹¹²
- [Transport Assessment Guidance](#)¹¹³
- [Development Planning and Management Transport Appraisal Guidance \(DPMTAG\)](#)¹¹⁴
- [PAN 66: Best Practice in Handling Applications Affecting Trunk Roads](#)¹¹⁵

108 www.scotland.gov.uk/Publications/2006/12/04104414/0

109 www.legislation.gov.uk/asp/2009/12/contents

110 www.scotland.gov.uk/Topics/Environment/climatechange/scotlands-action/lowcarbon/meetingthetargets

111 www.scotland.gov.uk/Publications/2011/12/05141922/0

112 www.transportscotland.gov.uk/strategic-transport-projects-review

113 www.transportscotland.gov.uk/system/files/documents/tsc-basic-pages/Planning_Reform_-_DPMTAG_-_Development_Management_DPMTAG_Ref_17_-_Transport_Assessment_Guidance_FINAL_-_June_2012.pdf

114 www.transportscotland.gov.uk/development-planning-and-management-transport-appraisal-guidance-dpmtag

115 www.scotland.gov.uk/Resource/Doc/47021/0026434.pdf

- [Design Manual for Roads and Bridges](#)¹¹⁶
- [Designing Streets](#)¹¹⁷
- [Roads for All](#)¹¹⁸
- [Cycling Action Plan in Scotland](#)¹¹⁹ (CAPS)
- [Let's Get Scotland Walking: The National Walking Strategy](#)¹²⁰
- [A More Active Scotland – Building a Legacy from the Commonwealth Games](#)¹²¹
- [Switched On Scotland: A Roadmap to Widespread Adoption of Plug-in Vehicles](#)¹²²
- [Tourism Development Framework for Scotland](#)¹²³

Delivery

Development Planning

272. Development plans should take account of the relationship between land use and transport and particularly the capacity of the existing transport network, environmental and operational constraints, and proposed or committed transport projects.

273. The spatial strategies set out in plans should support development in locations that allow walkable access to local amenities and are also accessible by cycling and public transport. Plans should identify active travel networks and promote opportunities for travel by more sustainable modes in the following order of priority: walking, cycling, public transport, cars. The aim is to promote development which maximises the extent to which its travel demands are met first through walking, then cycling, then public transport and finally through use of private cars. Plans should facilitate integration between transport modes.

274. In preparing development plans, planning authorities are expected to appraise the impact of the spatial strategy and its reasonable alternatives on the transport network, in line with Transport Scotland's DPMTAG guidance. This should include consideration of previously allocated sites, transport opportunities and constraints, current capacity and committed improvements to the transport network. Planning authorities should ensure that a transport appraisal is undertaken at a scale and level of detail proportionate to the nature of the issues and proposals being considered, including funding requirements. Appraisals should be carried out in time to inform the spatial strategy and the strategic environmental assessment. Where there are potential issues for the [strategic transport network](#), the appraisal should be discussed with Transport Scotland at the earliest opportunity.

116 www.dft.gov.uk/ha/standards/dmr/index.htm

117 www.scotland.gov.uk/Publications/2010/03/22120652/0

118 <http://www.transportscotland.gov.uk/guides/j256264-00.htm>

116 www.transportscotland.gov.uk/strategy-and-research/publications-and-consultations/cycling-action-plan-2013

120 www.scotland.gov.uk/Publications/2014/06/5743

121 www.scotland.gov.uk/Publications/2014/02/8239/0

122 www.transportscotland.gov.uk/report/j272736-00.htm

123 www.visitscotland.org/pdf/Tourism%20Development%20Framework%20-%20FINAL.pdf

275. Development plans should identify any required new transport infrastructure or public transport services, including cycle and pedestrian routes, trunk road and rail infrastructure. The deliverability of this infrastructure, and by whom it will be delivered, should be key considerations in identifying the preferred and alternative land use strategies. Plans and associated documents, such as supplementary guidance and the action programme, should indicate how new infrastructure or services are to be delivered and phased, and how and by whom any developer contributions will be made. These should be prepared in consultation with all of the parties responsible for approving and delivering the infrastructure. Development plans should support the provision of infrastructure necessary to support positive changes in transport technologies, such as charging points for electric vehicles.

276. Where public transport services required to serve a new development cannot be provided commercially, a contribution from the developer towards an agreed level of service may be appropriate. The development plan action programme should set out how this will be delivered, and the planning authority should coordinate discussions with the public transport provider, developer, Transport Scotland where appropriate, and relevant regional transport partnerships at an early stage in the process. In rural areas the plan should be realistic about the likely viability of public transport services and innovative solutions such as demand-responsive public transport and small-scale park and ride facilities at nodes on rural bus corridors should be considered.

277. Disused railway lines with a reasonable prospect of being reused as rail, tram, bus rapid transit or active travel routes should be safeguarded in development plans. The strategic case for a new station should emerge from a complete and robust multimodal transport appraisal in line with Scottish Transport Appraisal Guidance. Any appraisal should include consideration of making best use of current rail services; and should demonstrate that the needs of local communities, workers or visitors are sufficient to generate a high level of demand, and that there would be no adverse impact on the operation of the rail service franchise. Funding partners must be identified. Agreement should be reached with Transport Scotland and Network Rail before rail proposals are included in a development plan or planning application and it should be noted that further technical assessment and design work will be required before any proposed new station can be confirmed as viable.

278. While new junctions on trunk roads are not normally acceptable, the case for a new junction will be considered where the planning authority considers that significant economic growth or regeneration benefits can be demonstrated. New junctions will only be considered if they are designed in accordance with DMRB and where there would be no adverse impact on road safety or operational performance.

279. Significant travel-generating uses should be sited at locations which are well served by public transport, subject to parking restraint policies, and supported by measures to promote the availability of high-quality public transport services. New development areas should be served by public transport providing access to a range of destinations. Development plans should indicate when a travel plan will be required to accompany a proposal for a development which will generate significant travel.

280. Along with sound choices on the location of new development, appropriate street layout and design are key to achieving the policy principles at paragraph 270. The design of all new development should follow the placemaking approach set out in this SPP and the principles of Designing Streets, to ensure the creation of places which are distinctive, welcoming, adaptable, resource efficient, safe and pleasant and easy to move around and beyond.

281. National maximum parking standards for certain types and scales of development have been set to promote consistency (see [Annex B: Parking Policies and Standards](#)). Where an area is well served by sustainable transport modes, planning authorities may set more restrictive standards, and where public transport provision is limited, planning authorities may set less restrictive standards. Local authorities should also take account of relevant town centre strategies when considering appropriate parking provision (see paragraphs 64-65 and [Annex A: Town Centre Health Checks and Strategies](#)).

282. When preparing development plans, planning authorities should consider the need for improved and additional freight transfer facilities. Strategic freight sites should be safeguarded in development plans. Existing roadside facilities and provision for lorry parking should be safeguarded and, where required, development plans should make additional provision for the overnight parking of lorries at appropriate locations on routes with a high volume of lorry traffic. Where appropriate, development plans should also identify suitable locations for new or expanded rail freight interchanges to support increased movement of freight by rail. Facilities allowing the transfer of freight from road to rail or water should also be considered.

283. Planning authorities and port operators should work together to address the planning and transport needs of ports and opportunities for rail access should be safeguarded in development plans. Planning authorities should ensure that there is appropriate road access to ferry terminals for cars and freight, and support the provision of bus and train interchange facilities.

284. Planning authorities, airport operators and other stakeholders should work together to prepare airport masterplans and address other planning and transport issues relating to airports. Relevant issues include public safety zone safeguarding, surface transport access for supplies, air freight, staff and passengers, related on- and off-site development such as transport interchanges, offices, hotels, car parks, warehousing and distribution services, and other development benefiting from good access to the airport.

285. Canals, which are scheduled monuments, should be safeguarded as assets which can contribute to sustainable economic growth through sensitive development and regeneration. Consideration should be given to planning for new uses for canals, where appropriate.

Development Management

286. Where a new development or a change of use is likely to generate a significant increase in the number of trips, a transport assessment should be carried out. This should identify any potential [cumulative effects](#) which need to be addressed.

287. Planning permission should not be granted for significant travel-generating uses at locations which would increase reliance on the car and where:

- direct links to local facilities via walking and cycling networks are not available or cannot be made available;
- access to local facilities via public transport networks would involve walking more than 400m; or
- the transport assessment does not identify satisfactory ways of meeting sustainable transport requirements.

Guidance is available in [Transport Assessment and Implementation: A Guide](#)¹²⁴

¹²⁴ www.scotland.gov.uk/Publications/2005/08/1792325/23264

288. Buildings and facilities should be accessible by foot and bicycle and have appropriate operational and servicing access for large vehicles. Cycle routes, cycle parking and storage should be safeguarded and enhanced wherever possible.

289. Consideration should be given to how proposed development will contribute to fulfilling the objectives of Switched On Scotland – A Roadmap to Widespread Adoption of Plug-in Vehicles. Electric vehicle charge points should always be considered as part of any new development and provided where appropriate.

290. Development proposals that have the potential to affect the performance or safety of the strategic transport network need to be fully assessed to determine their impact. Where existing infrastructure has the capacity to accommodate a development without adverse impacts on safety or unacceptable impacts on operational performance, further investment in the network is not likely to be required. Where such investment is required, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network will have to be met by the developer.

291. Consideration should be given to appropriate planning restrictions on construction and operation related transport modes when granting planning permission, especially where bulk material movements are expected, for example freight from extraction operations.

Supporting Digital Connectivity

NPF Context

292. NPF3 highlights the importance of our digital infrastructure, across towns and cities, and in particular our more remote rural and island areas. Our economy and social networks depend heavily on high-quality digital infrastructure. To facilitate investment across Scotland, planning has an important role to play in strengthening digital communications capacity and coverage across Scotland.

Policy Principles

293. The planning system should support:

- development which helps deliver the Scottish Government’s commitment to world-class digital connectivity;
- the need for networks to evolve and respond to technology improvements and new services;
- inclusion of digital infrastructure in new homes and business premises; and
- infrastructure provision which is sited and designed to keep environmental impacts to a minimum.

Key Documents

- [Scotland’s Digital Future](#)¹²⁵ and associated [Infrastructure Action Plan](#)¹²⁶
- [Scotland’s Cities: Delivering for Scotland](#)¹²⁷
- [A National Telehealth and Telecare Delivery Plan for Scotland to 2015](#)¹²⁸

¹²⁵ www.scotland.gov.uk/Resource/Doc/981/0114237.pdf

¹²⁶ www.scotland.gov.uk/Publications/2012/01/1487

¹²⁷ www.scotland.gov.uk/Publications/2012/01/05104741/0

¹²⁸ www.scotland.gov.uk/Resource/0041/00411586.pdf

- [Planning Advice Note 62, Radio Telecommunications provides advice on siting and design](#)¹²⁹
- [Circular 2/2003: Safeguarding of Aerodromes, Technical Sites and Military Explosives Storage Areas](#)¹³⁰

Delivery

Development Planning

294. Local development plans should reflect the infrastructure roll-out plans of digital communications operators, community groups and others, such as the Scottish Government, the UK Government and local authorities.

295. Local development plans should provide a consistent basis for decision-making by setting out the criteria which will be applied when determining planning applications for communications equipment. They should ensure that the following options are considered when selecting sites and designing base stations:

- mast or site sharing;
- installation on buildings or other existing structures;
- installing the smallest suitable equipment, commensurate with technological requirements;
- concealing or disguising masts, antennas, equipment housing and cable runs using design and camouflage techniques where appropriate; and
- installation of ground-based masts.

296. Local development plans should set out the matters to be addressed in planning applications for specific developments, including:

- an explanation of how the proposed equipment fits into the wider network;
- a description of the siting options (primarily for new sites) and design options which satisfy operational requirements, alternatives considered, and the reasons for the chosen solution;
- details of the design, including height, materials and all components of the proposal;
- details of any proposed landscaping and screen planting, where appropriate;
- an assessment of the cumulative effects of the proposed development in combination with existing equipment in the area;
- a declaration that the equipment and installation is designed to be in full compliance with the appropriate ICNIRP guidelines for public exposure to radiofrequency radiation¹³¹; and
- an assessment of visual impact, if relevant.

297. Policies should encourage developers to explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development. This should be done in consultation with service providers so that appropriate, universal and future-proofed infrastructure is installed and utilised.

¹²⁹ www.scotland.gov.uk/Publications/2001/09/pan62/pan62-

¹³⁰ www.scotland.gov.uk/Publications/2003/01/16204/17030

¹³¹ The radiofrequency public exposure guidelines of the International Commission on Non-Ionising Radiation Protection, as expressed in EU Council recommendation 1999/519/ EC on the limitation of exposure of the general public to electromagnetic fields.

Development Management

298. Consideration should be given to how proposals for infrastructure to deliver new services or infrastructure to improve existing services will contribute to fulfilling the objectives for digital connectivity set out in the Scottish Government's World Class 2020 document. For developments that will deliver entirely new connectivity – for example, mobile connectivity in a “not spot” – consideration should be given to the benefits of this connectivity for communities and the local economy.

299. All components of equipment should be considered together and designed and positioned as sensitively as possible, though technical requirements and constraints may limit the possibilities. Developments should not physically obstruct aerodrome operations, technical sites or existing transmitter/receiver facilities. The cumulative visual effects of equipment should be taken into account.

300. Planning authorities should not question the need for the service to be provided nor seek to prevent competition between operators. The planning system should not be used to secure objectives that are more properly achieved under other legislation. Emissions of radiofrequency radiation are controlled and regulated under other legislation and it is therefore not necessary for planning authorities to treat radiofrequency radiation as a material consideration.

Annex A – Town Centre Health Checks and Strategies

Town centre health checks should cover a range of indicators, such as:

Activities

- retailer representation and intentions (multiples and independents);
- employment;
- cultural and social activity;
- community activity;
- leisure and tourism facilities;
- resident population; and
- evening/night-time economy.

Physical environment

- space in use for the range of town centre functions and how it has changed;
- physical structure of the centre, condition and appearance including constraints and opportunities and assets;
- historic environment; and
- public realm and green infrastructure.

Property

- vacancy rates, particularly at street level in prime retail areas;
- vacant sites;
- committed developments;
- commercial yield; and
- prime rental values.

Accessibility

- pedestrian footfall;
- accessibility;
- cycling facilities and ease of movement;
- public transport infrastructure and facilities;
- parking offer; and
- signage and ease of navigation.

Community

- attitudes, perceptions and aspirations.

Town centre strategies should:

- be prepared collaboratively with community planning partners, businesses and the local community;
- recognise the changing roles of town centres and networks, and the effect of trends in consumer activity;
- establish an agreed long-term vision for the town centre;
- seek to maintain and improve accessibility to and within the town centre;
- seek to reduce the centre's environmental footprint, through, for example, the development or extension of sustainable urban drainage or district heating networks;
- identify how green infrastructure can enhance air quality, open space, landscape/settings, reduce urban heat island effects, increase capacity of drainage systems, and attenuate noise;
- indicate the potential for change through redevelopment, renewal, alternative uses and diversification based on an analysis of the role and function of the centre;
- promote opportunities for new development, using master planning and design, while seeking to safeguard and enhance built and natural heritage;
- consider constraints such as fragmented site ownership, unit size and funding availability, and recognise the rapidly changing nature of retail formats;
- identify actions, tools and delivery mechanisms to overcome these constraints, for example improved management, Town Teams, Business Improvement Districts or the use of [compulsory purchase powers](#)¹³²; and
- include monitoring against the baseline provided by the health check to assess the extent to which it has delivered improvements.

More detailed advice on town centre health checks and strategies can be found in the Town Centre Masterplanning Toolkit.

¹³² www.scotland.gov.uk/Topics/archive/National-Planning-Policy/themes/ComPur

Annex B – Parking Policies and Standards

Parking Restraint Policy – National Maximum Parking Standards for New Development

In order to achieve consistency in the levels of parking provision for specific types and scales of development, the following national standards have been set:

- retail (food) (Use Class 1) 1000m² and above – up to 1 space per 14m²;
- retail (non-food) (Use Class 1) 1000m² and above – up to 1 space per 20m²;
- business (Use Class 4) 2500m² and above – up to 1 space per 30m²;
- cinemas (Use Class 11a) 1000m² and above – up to 1 space per 5 seats;
- conference facilities 1000m² and above – up to 1 space per 5 seats;
- stadia 1500 seats and above – up to 1 space per 15 seats;
- leisure (other than cinemas and stadia) 1000m² and above – up to 1 space per 22m²; and
- higher and further education (non-residential elements) 2500m² and above – up to 1 space per 2 staff plus 1 space per 15 students.

Local standards should support the viability of town centres. Developers of individual sites within town centres may be required to contribute to the overall parking requirement for the centre in lieu of individual parking provision.

Parking for Disabled People – Minimum Provision Standards for New Development

Specific provision should be made for parking for disabled people in addition to general provision. In retail, recreation and leisure developments, the minimum number of car parking spaces for disabled people should be:

- 3 spaces or 6% (whichever is greater) in car parks with up to 200 spaces; or
- 4 spaces plus 4% in car parks with more than 200 spaces.

Employers have a duty under employment law to consider the disabilities of their employees and visitors to their premises. The minimum number of car parking spaces for disabled people at places of employment should be:

- 1 space per disabled employee plus 2 spaces or 5% (whichever is greater) in car parks with up to 200 spaces; or
- 6 spaces plus 2% in car parks with more than 200 spaces.

Glossary

Affordable housing	Housing of a reasonable quality that is affordable to people on modest incomes.
Anchor development (in the context of heat demand)	A large scale development which has a constant high demand for heat.
Article 4 Direction	Article 4 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 gives the Scottish Government and planning authorities the power to remove permitted development rights by issuing a direction.
Biodiversity	The variability in living organisms and the ecological complexes of which they are part. This includes diversity within species, between species and of ecosystems (UN Convention on Biological Diversity, 1992).
Brownfield land	Land which has previously been developed. The term may cover vacant or derelict land, land occupied by redundant or unused building and developed land within the settlement boundary where further intensification of use is considered acceptable.
Civil infrastructure (in the context of flood risk)	Hospitals, fire stations, emergency depots, schools, care homes, ground-based electrical and telecommunications equipment.
Climate change adaptation	The adjustment in economic, social or natural systems in response to actual or expected climatic change, to limit harmful consequences and exploit beneficial opportunities.
Climate change mitigation	Reducing the amount of greenhouse gases in the atmosphere and reducing activities which emit greenhouse gases to help slow down or make less severe the impacts of future climate change.
Community	A body of people. A community can be based on location (for example people who live or work in or use an area) or common interest (for example the business community, sports or heritage groups).
Cumulative impact	Impact in combination with other development. That includes existing developments of the kind proposed, those which have permission, and valid applications which have not been determined. The weight attached to undetermined applications should reflect their position in the application process.
Cumulative effects (in the context of the strategic transport network)	The effect on the operational performance of transport networks of a number of developments in combination, recognising that the effects of a group of sites, or development over an area may need different mitigation when considered together than when considered individually.

Ecosystems services	The benefits people obtain from ecosystems; these include provisioning services such as food, water, timber and fibre; regulating services that affect climate, floods, disease, waste and water quality; cultural services with recreational, aesthetic, and spiritual benefits; and supporting services such as soil formation, photosynthesis and nutrient cycling.
Effective housing land supply	The part of the established housing land supply which is free or expected to be free of development constraints in the period under consideration and will therefore be available for the construction of housing.
Energy Centre	A stand alone building or part of an existing or proposed building where heat or combined heat and electricity generating plant can be installed to service a district network.
Essential infrastructure (in a flood risk area for operational reasons)	Defined in SEPA guidance on vulnerability as ‘essential transport infrastructure and essential utility infrastructure which may have to be located in a flood risk area for operational reasons. This includes electricity generating stations, power stations and grid and primary sub stations, water treatments works and sewage treatment works and wind turbines’.
Flood	The temporary covering by water from any source of land not normally covered by water, but not including the overflow of a sewage system.
Flood plain	The generally flat areas adjacent to a watercourse or the sea where water flows in time of flood or would flow but for the presence of flood prevention measures. The limits of a flood plain are defined by the peak water level of an appropriate return period event. See also ‘Functional flood plain’.
Flood risk	The combination of the probability of a flood and the potential adverse consequences associated with a flood, for human health, the environment, cultural heritage and economic activity.
Freeboard allowance	A height added to the predicted level of a flood to take account of the height of waves or turbulence and uncertainty in estimating the probability of the flooding.
Functional flood plain	The areas of land where water flows in times of flood which should be safeguarded from further development because of their function as flood water storage areas. For planning purposes the functional floodplain will generally have a greater than 0.5% (1:200) probability of flooding in any year. See also ‘Washland’.
Green infrastructure	<p>Includes the ‘green’ and ‘blue’ (water environment) features of the natural and built environments that can provide benefits without being connected.</p> <p>Green features include parks, woodlands, trees, play spaces, allotments, community growing spaces, outdoor sports facilities, churchyards and cemeteries, swales, hedges, verges and gardens.</p> <p>Blue features include rivers, lochs, wetlands, canals, other water courses, ponds, coastal and marine areas including beaches, porous paving and sustainable urban drainage systems.</p>

Green networks	Connected areas of green infrastructure and open space that together form an integrated and multi-functional network.
Hazardous substances	Substances and quantities as currently specified in and requiring consent under the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993 as amended (due to be replaced in 2015 as part of the implementation of Directive 2012/18/EU).
Historic environment	Scotland's historic environment is the physical evidence for human activity that connects people with place, linked with the associations we can see, feel and understand.
Historic Marine Protected Areas	Areas designated in Scottish territorial waters (0-12 miles) under the Marine (Scotland) Act 2010 for the purpose of preserving marine historic assets of national importance.
Housing supply target	The total number of homes that will be delivered.
Hut	A simple building used intermittently as recreational accommodation (ie. not a principal residence); having an internal floor area of no more than 30m ² ; constructed from low impact materials; generally not connected to mains water, electricity or sewerage; and built in such a way that it is removable with little or no trace at the end of its life. Huts may be built singly or in groups.
Major-accident hazard site	Site with or requiring hazardous substances consent.
Most vulnerable uses (in the context of flood risk and drainage)	Basement dwellings, isolated dwellings in sparsely populated areas, dwelling houses behind informal embankments, residential institutions such as residential care homes/prisons, nurseries, children's homes and educational establishments, caravans, mobile homes and park homes intended for permanent residential use, sites used for holiday or short-let caravans and camping, installations requiring hazardous substance consent.
National Nature Reserve (NNR)	An area considered to be of national importance for its nature conservation interests.
National Scenic Area (NSA)	An area which is nationally important for its scenic quality.
Open space	Space within and on the edge of settlements comprising green infrastructure and/or civic areas such as squares, market places and other paved or hard landscaped areas with a civic function. Detailed typologies of open space are included in PAN65.

<p>Outdoor sports facilities</p>	<p>Uses where sportscotland is a statutory consultee under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, which establishes ‘outdoor sports facilities’ as land used as:</p> <p>(a) an outdoor playing field extending to not less than 0.2ha used for any sport played on a pitch;</p> <p>(b) an outdoor athletics track;</p> <p>(c) a golf course;</p> <p>(d) an outdoor tennis court, other than those within a private dwelling, hotel or other tourist accommodation; and</p> <p>(e) an outdoor bowling green.</p>
<p>Outstanding Universal Value (OUV)</p>	<p>The Operational Guidelines for the Implementation of the World Heritage Convention, provided by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) states that OUV means cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity. The Statement of OUV is the key reference for the future effective protection and management of the World Heritage Site.</p>
<p>PADHI</p>	<p>Planning Advice for Development near Hazardous Installations, issued by the Health and Safety Executive.</p>
<p>Prime agricultural land</p>	<p>Agricultural land identified as being Class 1, 2 or 3.1 in the land capability classification for agriculture developed by Macaulay Land Use Research Institute (now the James Hutton Institute).</p>
<p>Place</p>	<p>The environment in which we live; the people that inhabit these spaces; and the quality of life that comes from the interaction of people and their surroundings. Architecture, public space and landscape are central to this.</p>
<p>Pluvial flooding</p>	<p>Flooding as a result of rainfall runoff flowing or ponding over the ground before it enters a natural (e.g. watercourse) or artificial (e.g. sewer) drainage system or when it cannot enter a drainage system (e.g. because the system is already full to capacity or the drainage inlets have a limited capacity).</p>
<p>Ramsar sites</p>	<p>Wetlands designated under the Ramsar Convention on Wetlands of International Importance.</p>
<p>Scheduled monument</p>	<p>Archaeological sites, buildings or structures of national or international importance. The purpose of scheduling is to secure the long-term legal protection of the monument in the national interest, in situ and as far as possible in its existing state and within an appropriate setting.</p>
<p>Sensitive receptor</p>	<p>Aspect of the environment likely to be significantly affected by a development, which may include for example, population, fauna, flora, soil, water, air, climatic factors, material assets, landscape and the inter-relationship between these factors.</p> <p>In the context of planning for Zero Waste, sensitive receptors may include aerodromes and military air weapon ranges.</p>

Setting	Is more than the immediate surroundings of a site or building, and may be related to the function or use of a place, or how it was intended to fit into the landscape of townscape, the view from it or how it is seen from areas round about, or areas that are important to the protection of the place, site or building.
Site of Special Scientific Interest (SSSI)	An area which is designated for the special interest of its flora, fauna, geology or geomorphological features.
Strategic Flood Risk Assessment	Provides an overview of flood risk in the area proposed for development. An assessment involves the collection, analysis and presentation of all existing available and readily derivable information on flood risk from all sources. SFRA applies a risk-based approach to identifying land for development and can help inform development plan flood risk policy and supplementary guidance.
Strategic Transport Network	Includes the trunk road and rail networks. Its primary purpose is to provide the safe and efficient movement of strategic long-distance traffic between major centres, although in rural areas it also performs important local functions.
Sustainable Development	Development that meets the needs of the present without compromising the ability of future generations to meet their own needs. The Brundtland Definition. Our Common Future, The World Commission on Environment and Development, 1987.
Sustainable Economic Growth	Building a dynamic and growing economy that will provide prosperity and opportunities for all, while ensuring that future generations can enjoy a better quality of life too.
Washland	An alternative term for the functional flood plain which carries the connotation that it floods very frequently.
Watercourse	All means of conveying water except a water main or sewer.
Windfall Sites	Sites which become available for development unexpectedly during the life of the development plan and so are not identified individually in the plan.



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Scottish Natural Heritage Dualchas Nàdair na h-Alba

All of nature for all of Scotland
Nàdar air fad airson Alba air fad

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09 February 2015
Our ref: CPP134139 / A1502341

Dear Sir/Madam,

East Lothian Local Development Plan – Main Issues Report

Thank you for consulting us on the Main Issues Report (MIR) for your Local Development Plan (LDP) and its accompanying Strategic Environmental Assessment (SEA). We have previously provided comments on the SEA and the initial screening of allocations for Habitats Regulations Appraisal (HRA) in our response of 15 October 2014 via the Scottish Government SEA Gateway.

We recognise that your preferred means of comment is via your Consultation website. However, the formatting of the website would not allow us to comment in the detail we feel is required at this stage. Our detailed comments on MIR questions relevant to our remit are therefore appended in Annexes to this letter.

General

The MIR sets out a level of change that will need to be carefully managed if East Lothian's special qualities and assets are to be retained and enhanced. The best way to achieve this is to set out in the Plan a clear vision and some detailed requirements for each of the areas of change as well as a strong approach to the protection, enhancement and integration of the natural heritage. This would more clearly demonstrate East Lothian's contribution to Scottish Government's National Outcomes:

- We live in well-designed, sustainable places where we are able to access the amenities and services we need.
- We value and enjoy our built and natural environment and protect it and enhance it for future generations.

The policy principles in paragraph 194 of Scottish Planning Policy (SPP) set out how the planning system should safeguard the natural heritage as a foundation of spatial strategies for successful, sustainable places. Our response to the MIR questions and our advice on what is required for allocations identified in the MIR is based on this principle.



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Place-making and natural heritage

We welcome the objective that the Plan will ensure that new development “*reflects the sense of place and identity of the local area, and is properly integrated with its surroundings in terms of movement as well as form and appearance, while contributing to wider sustainability and place making objectives*” (page 31, MIR). However, there is considerable potential for both preferred and alternative strategies to lead to:

- **Coalescence**, where proposals to extend existing settlements may impact on their character and result in loss of their landscape setting;
- **Cumulative impact**, where the landscape setting of individual settlements may be affected by a number of challenging sites and the extent of development may impact on the natural heritage, including areas used by qualifying interests of the adjacent Firth of Forth Special Protection Area (SPA); and,
- Ability to **access and enjoy the natural heritage** may not reach full potential if proposed allocations relate poorly to each other and offer poor connectivity to their surroundings. Well considered development briefs may help deliver positive solutions.

Allocations

Without changes to allocation boundaries, selection of alternatives and the delivery of development frameworks and briefs, it may be difficult to achieve the place-making and natural heritage objective which is quoted above. In this regard we advise that the proposed plan should set out a clear format to address these matters and to demonstrate how it will address the policy principles for the planning system as set out in Scottish Planning Policy.

Allocations which present the most significant challenges for protection and enhancement of the natural heritage in relation to the above issues are listed below:

- **PREF-M11 – Dolphinstone, Wallyford**, particularly with regards impacts on landscape character and regionally important views;
- **Part of PREF-P1 – Cockenzie**, particularly with regards issues presented by the north-west area of the allocation, and the potential for loss of an important area of public open space;
- **PREF-D5 – Newtonlees North, Dunbar**, particularly with regards impacts on the distinctive and well-defined landscape setting of the town;
- **PREF-N2 – Tantallon Road, North Berwick**, particularly with regards the upper areas of this allocation and the potential impacts on the wider landscape setting of North Berwick Law; and
- **PREF-H5 – Harperdean, Haddington**, particularly with regards the upper areas of this allocation and the impacts on views and the well-defined landscape setting of Haddington.

As “reasonable alternatives” within the MIR we consider that the following sites, if appropriately defined by site development briefs, could be allocated in place of the above sites and developed without significant adverse effect on the natural heritage:

- ALT-M5 – Whitecraig;
- OTH-M14 – Pinkie Mains
- ALT-P2 – Longniddry South;
- OTH-D8 – East Linton Expansion Area of Search
- OTH-N11 – Drem Expansion Area of Search;
- ALT-N3 – Dirleton; and
- ALT-N6 and N7 – Gullane.

The two Expansion Areas of Search at Drem and East Linton, along with Blindwells, should be subject to further study to devise parameters for development at these significant sites. We would welcome involvement in this process.

We have provided more detailed comments on these requirements in relation to individual allocations in Annex 2.

Strategic implications for natural heritage and successful place-making

We believe there is **the potential for poorly co-ordinated development to occur in the South East Edinburgh Strategic Development Area**. We would advise that further detailed planning is needed to set clear spatial layout and design principles to establish how multiple allocations in this Strategic Development Area will function together. We would suggest that collaboration is needed with adjacent planning authorities in order to set out a clear, area wide framework, for development and to maximise the public benefits that could arise from well planned green networks.

In the absence of such an approach, and given the scale of site allocations put forward for this area in the East Lothian MIR and the juxtaposition of preferred sites with existing and proposed allocations within City of Edinburgh and Midlothian area, we consider the proposal PREF-M1 (Craighall) could lead to significant coalescence and adverse effects on the wider landscape setting of Musselburgh and the City of Edinburgh. PREF-M1 could also lead to fragmentation of existing green infrastructure assets and poorly planned access and active travel provision.

Opportunities for delivery of strategic active travel routes

While there are clear strategic implications for the natural heritage, as outlined above, the proposals for settlement growth also represent opportunities to deliver strategic active travel routes associated with the green network.

It is clear from our work with your officers on East Lothian's green network that there is a vision and a need for a 'cycle superhighway' which would connect between your main existing and proposed settlements and Edinburgh. Planning for strategic segregated active travel routes would support the objectives that new development *"contributes to climate change and regeneration objectives"* and *"that reduce the need to travel and that are well served by a range of transport modes, particularly public transport and active travel opportunities"* (ref page 30, MIR). In addition to the Plan's own objectives and outcomes, a clear direction on strategic active travel would also meet the requirement that development plans should identify any required *new transport infrastructure, including cycle and pedestrian routes* set out in paragraph 275 of SPP. Recognising that paragraph

275 also directs strategies to consider deliverability and who will deliver, it should be made clear in site briefs for proposals on or nearby to strategic active travel routes, where contributions to on- and off-site delivery will be required.

Design frameworks, development briefs and site requirements

We agree with the statement in Paragraph 2.44 of the MIR which describes East Lothian as having a “*wide variety of high quality built and natural environmental capital*”.

Given the brevity of the site information provided at this stage, we suggest that one role for the Plan will be to clearly set out what this ‘capital’ looks like for each settlement and, in association, what will be required of developers to ensure that their proposals secure and build on this capital. This could help align the plan with the objectives of Scottish Planning Policy and could be achieved by including strategic design frameworks for areas of large scale change, settlement profiles and vision statements for existing settlements, and site development briefs for each of the allocations. We hope that the joint work we have undertaken on green networks will help to inform this work and look forward to further opportunities to help shape these requirements.

Conclusion

The emerging development plan presents some clear issues of potential impact on the natural heritage. However, the early identification of these impacts and the use of more refined spatial approaches through site development briefs, and some revised allocations, would help retain and enhance East Lothian’s natural heritage assets and deliver the vision of East Lothian as an outstanding area to live and work in.

If you would like to discuss any of the matters raised in this response, please contact our planning advisor Vivienne Gray (viv.gray@snh.gov.uk; 0131 316 2644) in the first instance.

Yours sincerely

[by email]

Iain Rennick
Unit Manager
Forth

Annex 1 – Consultation questions

We have provided our response to the consultation questions set out in the MIR below. Please note that we have only answered those questions which are relevant to our remit and, for the sake of legibility, have omitted questions we do not wish to answer. Where relevant our response to questions also provides our advice on preferred, alternative and other sites as set out in the MIR.

Q1: Aims, Objectives and Outcomes
Do you have any comments on the aims and objectives for the LDP?

Aims

The first aim underplays the importance of the natural heritage in the current and future success of East Lothian and the wider city region. At present the emphasis is on economic, population and household growth without reference to the receiving environment, other than to note that growth must be achieved *“in a sustainable way”*.

The policy principles in paragraph 194 of Scottish Planning Policy (SPP) set out how the planning system should safeguard the natural heritage as a foundation of spatial strategies for successful, sustainable places. In reference to paragraph 4.7 of NPF3, we suggest that East Lothian’s role in accommodating and providing for growth must be framed in the context of *“safeguarding assets which are irreplaceable, and facilitating change in a sustainable way”*.

Objectives and outcomes

We generally agree with the outcomes identified under the *Promote Sustainable Development* objective and expect that the detail of these outcomes, such as *“integrate land use and transport”*, will be supported by green infrastructure and the wider green network. A clearer position on the role of multi-functional green networks in achieving the Plans objectives and outcomes should therefore be set out in the Proposed Plan. This would also assist with making clearer links between the spatial plan and community planning, for example Outcome 3 of the Single Outcome Agreement which seeks to *“deliver a more attractive and safer environment for pedestrians and cyclists”* is strongly related to East Lothian’s green network.

The first outcome under *Protect and enhance the area’s high quality environment and its special identity* could be undermined by several preferred allocations (PREF-M11, PREF-P1 (part), PREF-D5, PREF-N2 and PREF-H5). We have provided comments on these allocations in Annex 2, and set out initial thoughts on how issues may be overcome in some cases.

We welcome the commitment to place and place-making set out in the fourth bullet point of the environment objective (ref page 31, MIR). This integration of form, appearance and movement also links strongly with the green network.

Q2: Sustainability & Climate Change
In terms of the approach to sustainability and climate change mitigation and adaptation, section 3E of the Town and Country Planning (Scotland) Act 1997 (as amended) as well as SPP and the SDP require for the LDP to follow the preferred approach.
Are there any other matters related to sustainability and climate change mitigation and adaptation that you think the LDP should seek to address?

Our understanding of the presumption in favour of sustainable development as set out in

SPP is that it is framed by the principles set out in paragraph 29 of SPP, which include:

- Supporting good design and the six qualities of successful places;
- Having regard to the principles for sustainable land use set out in the Land Use Strategy; and
- Protecting, enhancing and promoting access to the natural heritage, including green infrastructure, landscape and the wider environment.

While we agree that the preferred approach sets out to achieve these principles, the means of securing them are less clear at this point. To re-iterate our earlier comments, we consider that clearly expressed requirements set out in strategic design frameworks and site briefs will be essential if the Plan is to deliver on the Vision, Aims and Objectives set out in the MIR.

Q3: Development Locations

Of the two spatial strategy options, do you support the preferred (compact growth), alternative (dispersed growth), or neither?

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

Both of the spatial strategy options conform to the direction for East Lothian set out in SESplan. In both cases there will be a range of constraints and opportunities related to the natural environment.

While environmental constraints are discussed in this section of the MIR, the emphasis is on the economic outlook and landowner ability/willingness as the main issue for delivery of development in the medium to long-term. In this context we would suggest that an important aspect of planning for medium to long-term growth will be identifying what safeguarding and enhancements of the natural environment will be needed to support and enable delivery. This is particularly true of the Blindwells site where a number of constraints related to its previous use affect deliverability of the western-most part of the site.

The preferred approach set out on page 42 of the MIR omits impacts on nature and landscape as a reason for preferring compact versus dispersed growth. This is somewhat surprising as the accompanying interim Environmental Report (ER) presents specific reasons for expecting either positive or negative outcomes from pursuing this approach. We would expect the outcome of the assessment to be presented more explicitly in the proposed plan, namely that:

- If the approach is to be adopted it should communicate the opportunities for positive outcomes through green networks, active travel networks and open space provision. However, it should be clear that this outcome is dependent on clear expression of requirements for individual allocations in site briefs.
- The preferred approach as set out in the MIR, underplays the negative effects on landscape which are predicted in the interim ER, including how those impacts may be mitigated. Project level EIA and other specialist studies, as set out in the interim ER, are not the only requirements needed to address predicted effects on landscape. As set out in our response to the associated question in the interim ER consultation, mitigation would also include design tools for making better places, as set out in paragraph 57 of SPP.

Q4: Town Centres

Subject to the ability to expand Blindwells, do you support the introduction there of a new town centre (preferred approach)?

If so, should it:

- a) Serve only the new settlement; or
- b) Serve the new settlement and a wider area?

Do you support retention of the current network and hierarchy of existing centres (preferred approach and reasonable alternative)?

Please explain your answers. If you support neither the preferred approach nor the reasonable alternative, what alternatives do you suggest?

The intention is to prepare strategies for each town centre, what ideas do you have for improving your town centre (please specify the town centre you are referring to in your answer)?

We are not able to comment on some of the specifics of this question. However, whether a) or b) is supported, connectivity which supports walking and cycling to and through the town centre(s) will be a key element of planning Blindwells as a place which delivers the six qualities of successful places (paragraphs 41 to 46, SPP).

While it is not specifically mentioned in this section, there is clearly a strong relationship between the approach to town centres and the preferred strategy of promoting sustainable development through appropriate location of development and integrated land use and transport set out in paragraph 5.2 of the MIR.

Picking up on the vision set out in NPF3 (ref paragraph 4.14, NPF3), we would also highlight the potential benefits of retrofitting green infrastructure elements in existing town centres as also helping to improve future resilience and quality of place.

Q5: Planning for Employment

Do you think that the review of the employment land supply should be as set out under the preferred approach, alternative approach, or neither?

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

We do not believe we have the relevant range of expertise to comment on the broader range of uses proposed but note that a flexible approach must nevertheless seek to work with existing resources on site and enhance/restore these as far as possible.

Q6: Planning for Housing

Should the LDP plan for a longer-term settlement strategy to meet the SDPs housing requirements as well as help contribute to signposted need and demand for housing post 2024 (preferred approach), or should it plan only to meet the SDPs confirmed housing requirements to 2019 and 2024 (alternative approach), or neither?

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

While we appreciate the opportunity to comment, our area of expertise is more relevant to other stages of plan preparation outwith technical assessment of the housing market, when we expect to work collaboratively on the details and issues of 'where' and 'how' housing should be delivered in the Plan area rather than how the amount of housing that

is required is calculated. We will provide advice on these points under the relevant MIR questions.

Regardless of which strategy is pursued, it is clear that the amount of development to be delivered in East Lothian is significant and has the potential to change the natural heritage of the area. This is reflected in the assessment of the preferred and alternative strategies in the interim Environmental Report (pages 115 to 121), which identifies negative impacts on soil, climate and landscape topics. While biodiversity is assessed as being likely to benefit from development through delivery of strategic green network, active travel routes and habitat connectivity, this outcome will only be realised if the Plan includes clearly expressed requirements for individual allocations. To this end, the strategy should be based on:

- emphasising a design-led approach to development that protects and enhances existing natural heritage assets;
- incorporating well designed and multi-functional green infrastructure; and
- strategically planned frameworks of inter-connected active travel routes and open spaces.

Given the brevity of the outline information on many of the preferred, alternative and other site allocations within the MIR, we consider that the Proposed Plan will need to more clearly demonstrate how these aspects of sustainable place-making are being applied. Please refer to our response to Questions 2 and 3 for our advice on requirements for settlement statements, site briefs and maps. Further detail on individual sites is provided in Annex 2.

Q7: Green Belt

In terms of the approach to Green Belt, do you support the preferred approach, the reasonable alternative, or neither?

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

The preferred approach, informed by the allocation of East Lothian's Strategic Development Area (SDA) and the South East Edinburgh SDA, will lead to substantial changes in green belt function and its future boundary. The preferred allocations in areas currently designated as green belt do however also represent an opportunity to deliver development in more sustainable locations, particularly in terms of transport. This is largely due to the proximity of these sites to existing railway stations and opportunities for development to link into the existing active travel network (ref paragraph 50, SPP).

However, if the stated objective of protecting and enhancing the area's high quality environment and its special identity (ref page 31, MIR) is to be achieved, protection of the natural assets in the area will be required. In areas of proposed green belt loss and concentrated future development we consider the principles of green belt policy could still help guide this change in a positive manner. For example by planning strategically with careful consideration of landscape setting and open space, the character, setting and identity of existing and expanded settlements could be secured. Opportunities for strategic green network connections and longer term landscape safeguards should however also be realised as a supporting mechanism for delivering these objectives.

Strategically positioned potential allocations within the green belt, such as Goshen Farm (PREF-M9), have strong landscape assets which should be retained and incorporated into development in order to provide wider setting and separation between nearby settlements.

While this is not a substitute for removal of the site from the green belt, retention of existing features along with well-planned green infrastructure that connects settlements will help such sites continue with their contribution towards protecting landscape setting and identity and providing access to active travel and open space (ref paragraph 49, SPP). We have provided further advice on requirements for allocations which are currently within the green belt in Annex 2 of this response.

In progressing from the MIR to the Proposed Plan we strongly suggest that you review the detail of the preferred approach, specifically that “*Where land is released from the green belt every effort must be made in the subsequent masterplanning process...*” (ref page 62, MIR – emphasis added). We do not believe that this approach is appropriately ‘plan led’ or is robust enough and we recommend that further requirements are set out in the Proposed Plan, including through area design frameworks and site briefs.

Q8: Countryside Around Towns

In terms of the potential to introduce Countryside Around Town designations as a new policy approach, do you support the preferred approach, the reasonable alternative, or neither?

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

The proposed scale of development in East Lothian demonstrates the need for the emerging Plan to look ahead and establish areas outwith the green belt where a greater degree of policy control is required if landscape setting and identity of settlements are to be maintained. We welcome the intentions of the policy and broadly agree with the purpose set out in the preferred approach but suggest that it should be broadened to include encouraging opportunities for recreation and active travel. This would bring the emerging policy into alignment with other LDPs which have adopted this policy approach.

While we broadly support the approach proposed, it is not clear from the MIR or the interim ER how the potential CAT areas have been selected, nor whether the approach fully complies with SPP paragraph 197 relating to the use of local designations. It is clear that the policy is based on settlement setting, landscape character and issues of coalescence but the criteria which informed the location and extent of the CAT areas are not clear. To robustly establish and defend these areas in the longer term we suggest that a statement of importance or citation is proposed for these areas setting out the criteria and relevant baseline information used in their selection. It may also be worth considering whether these areas are more appropriately defined as areas of local landscape value or special landscape areas.

We would be happy to discuss these matters and the scope and content of the individual proposed CAT areas in further detail with you.

Q9: Central Scotland Green Network

In terms of approach to the Central Scotland Green Network in East Lothian, do you support the preferred approach, the reasonable alternative, or neither? Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

What do you think the priorities are for the green network for East Lothian or for your local area?

We welcome the commitment to the Central Scotland Green Network. Based on our ongoing work with you, on the green network, we suggest that the preferred approach

would benefit from updating and refinement.

The preferred approach sets out a general strategy supported by Supplementary Guidance. We support the preparation of Supplementary Guidance and have set out below, the key areas that we consider should be covered either within the SG or within the Proposed Plan itself. The general strategy discussed in the preferred approach is based on CSGN objectives. While East Lothian's position within CSGN means that these are relevant, it is clear from our work with your officers that a nuanced approach is required to better reflect the differing objectives for green networks in East Lothian. Given the scale of growth proposed by the LDP, we consider that Supplementary Guidance should cover the following main sections:

- Identify the existing green network assets which should be safeguarded – with a focus on the settlement-level green networks, but also recognising important connections within the wider East Lothian context.
- Identify local green network priorities and opportunities for green network and green infrastructure delivery at site level as part of clearly stated site requirements in sites briefs.
- Set out design standards for green infrastructure in new developments.

We look forward to further opportunities to work with you in developing this Supplementary Guidance and would welcome formalisation of this joint working in the Action Programme for the LDP.

Q10: Development in the Countryside and on the Coast

In terms of the approach to managing development in the East Lothian countryside and on the coast, do you support the preferred approach, the reasonable alternative, or neither?

If you support the alternative approach do you think a) or b), or a) and b) should be incorporated into policy?

If you support neither of the above options, what alternatives do you suggest?

Please explain your answer.

As set out in paragraph 76 of SPP, areas which are easily accessible from cities and main towns may see development which leads to suburbanisation of the countryside and adverse effects on assets such as sensitive landscapes and good quality agricultural land. However, this is balanced by the need to support diversification and growth of the rural economy.

A strict approach to achieving siting and design which is in accordance with existing development patterns and local landscape character will be needed. In common with the issues raised in earlier questions, we believe that appropriate development guidance, strategic design frameworks and site briefs would help to address potential issues that may arise through development in the countryside and on the coast.

In relation to the coast, there is a need to define how 'unspoiled' areas will be identified. The MIR refers to the Forth Islands and Bass Rock as examples of such areas; however, it is much more likely that mainland sections of coast will come under pressure for development than the islands. We recommend that background papers supporting the Proposed Plan consultation clearly establish the criteria for identifying unspoiled coast areas and that consideration of vulnerability to coastal erosion and coastal flooding is included for East Lothian's entire coast.

Q11: Musselburgh Cluster

Do you support the preferred approach to new economic development and housing opportunities in the Musselburgh cluster?

Taking in to account the prospect of other strategic development opportunities in adjoining local authority areas, do you think that all of the preferred housing sites in this cluster could be delivered in the anticipated timeframe? Please explain your answer.

Potential options have been identified for how education capacity might be increased in the cluster. How do you think those options could be funded and delivered?

Where might any new education facilities be located if required?

Please indicate if you support or oppose particular preferred sites, reasonable alternative sites, or other site options, and explain why?

If you do not support the preferred sites, please indicate what alternative sites you would suggest?

Do you have any other comments on the Musselburgh cluster area?

The volume of development directed to this cluster represents significant change. The choice of preferred sites and the cumulative impact of these raises a number of significant natural heritage concerns, in particular:

- Issues of coalescence and loss of landscape setting between Edinburgh, Midlothian and East Lothian; and within East Lothian at Musselburgh and Wallyford.
- Issues relating to the intrusion of built development into regionally important views towards the coast and towards key landscape features within the area.
- The potential for piecemeal development that fragments and does not maximise the benefits arising from an integrated approach to delivery of new green infrastructure.

Please refer to Annex 2 for detailed comments on sites.

PREF-M11 – seek reasonable alternative (Dolphingstone)

We highlight the adverse landscape and visual impacts that would arise from development of PREF-M11. Within this cluster area, we consider ALT-M5 and OTH-M4 both represent suitable alternatives from a natural heritage perspective.

If ALT-M5 and PREF-5 are both allocated we advise that, as a large area of significant change, Whitecraig should be subject to a design framework.

South East Edinburgh, Musselburgh and Wallyford – landscape setting and strategic green network requirements

To address natural heritage concerns and achieve the stated aims, objectives and outcomes of the Plan, we advise that a well co-ordinated, plan-led approach is required in this cluster area. The following issues should be considered and individual requirements captured in site briefs and strategic design frameworks as appropriate:

- The relationship of the sites to the remaining green belt and the need to deliver a high quality landscape setting and defensible green belt boundary for Edinburgh and Musselburgh. We suggest a strategic approach to green networks and wider co-ordination of landscape framework/treatment of landscape edges is essential for this area.

- The need for wider co-ordination on place-making and infrastructure with neighbouring authorities within the South East Edinburgh SDA. We recommend that a strategic design framework is set out for this area to ensure delivery of well planned and connected green infrastructure.
- The need to define the landscape setting and relationship of multiple sites along the East Coast Mainline and to Wallyford train station and connections between Musselburgh, Wallyford, and Prestonpans. In particular for this area we highlight the need to define an effective active travel network, which might require delivery off-site routes, such as the East Lothian active travel super-highway which we have previously mentioned.

We set out detailed advice on all of the allocations in this cluster area in Annex 2.

Q12: Prestonpans/Cockenzie/Port Seton/Longniddry Cluster

Do you support the preferred approach to new economic development and housing opportunities in the Prestonpans/Cockenzie/Port Seton/Longniddry cluster?

Please indicate if you support or oppose particular preferred sites, reasonable alternative sites, or other site options, and explain why?

Potential options have been identified for how education capacity might be increased in the cluster. How do you think those options could be funded and delivered?

Where might any new education facilities be located if required?

If you do not support the preferred sites, please indicate what alternative sites you would suggest?

Do you have any other comments on the Prestonpans/Cockenzie/Port Seton/Longniddry cluster area?

The amount of development directed to Cockenzie and the potential scale, nature and location of that development represents significant change. The choice of preferred site and the cumulative impact of this site with those in the adjacent Tranent and Musselburgh cluster areas raises a number of significant natural heritage concerns, in particular:

- Issues of coalescence and loss of landscape setting between Prestonpans, Cockenzie, Port Seton, Tranent and potentially with Wallyford and the emerging new settlement at Blindwells.

There is a risk that by continuing to split and consider sites by cluster area, the emerging picture and inter-relationship between settlements will not be fully understood and communicated. This presents the possibility that the complexities of potential impacts on the natural heritage will not be appropriately assessed and addressed within the Plan.

Prestonpans/Cockenzie/Port Seton, Blindwells and Tranent – landscape setting and strategic green network requirements

We advise that to address the natural issues, the following should be considered at a strategic level, with individual requirements captured in site briefs and strategic design frameworks as appropriate:

- The need to define an effective and interlinking active travel network, which might require delivery off-site to connect between Prestonpans, Cockenzie, Port Seton, Tranent and Blindwells and Blindwells to Longniddry, including connections to Prestonpans and Longniddry train stations. Again we highlight the potential to plan for and develop an East Lothian ‘active travel superhighway’.

- The need for a strategic approach to green networks and wider co-ordination of individual site briefs to address green infrastructure requirements and / treatment of landscape edges of proposed allocations.

PREF-P1 – modification sought in part

The open space immediately south of the B1348 road is included in the allocation boundary. This open space has an important role in maintaining sense of settlement identity, providing wider setting of the John Muir Way and is also a recreational asset for the local area.

Longniddry

Within this cluster area, we consider ALT-P2 has merit as a reasonable alternative. If taken forward in the proposed plan, the landscape setting and overall relationship of this site with Blindwells should be further considered.

We set out detailed advice on all of the allocations in this cluster area in Annex 2.

Q13: Tranent Cluster

Do you support the preferred approach to new economic development and housing opportunities in the Tranent cluster?

Do you think that all of the preferred housing sites can be delivered in the anticipated timeframe? Please explain why.

Potential options have been identified for how education capacity might be increased in the cluster. How do you think those options could be funded and delivered?

Where might any new education facilities be located if required?

Please indicate if you support or oppose particular preferred sites, reasonable alternative sites, or other site options, and explain why?

If you do not support the preferred sites, please indicate what alternative sites you would suggest?

Do you have any other comments on the Tranent cluster area?

As highlighted in response to Question 12, careful consideration should be given to issues of coalescence and loss of landscape setting between Prestonpans, Cockenzie, Port Seton, Tranent and the emerging new settlement at Blindwells. There is a risk that by continuing to split and consider sites by cluster area, the emerging picture will not be fully understood and that the complexities of potential impacts on the natural heritage will not be appropriately assessed and addressed.

We advise that to address potential natural heritage issues presented across both clusters (particularly if ALT-T7 and ALT-T5 are allocated), the following should be considered at a strategic level, with individual requirements captured in site briefs and strategic design frameworks as appropriate:

- The need to define an effective active travel network, which might require delivery off-site to connect between Tranent, Blindwells, Prestonpans, Cockenzie, Port Seton, including connections to Prestonpans train station. Again we highlight the potential for an East Lothian 'active travel super-highway' to connect sites and existing places within this cluster area.
- The need for a strategic approach to green networks and wider co-ordination of individual site briefs to address green infrastructure requirements and / treatment of

landscape edges of proposed allocations.

Please refer to Question 11 for our comments on PREF-M11.

We set out detailed advice on all of the allocations in this cluster area in Annex 2.

Q14: Haddington Cluster

Do you support the preferred approach to new economic development and housing opportunities in the Haddington cluster?

Do you think that all of the preferred housing sites can be delivered in the anticipated timeframe? Please explain why.

Potential options have been identified for how education capacity might be increased in the cluster. How do you think those options could be funded and delivered?

Where might any new education facilities be located if required?

Please indicate if you support or oppose particular preferred sites, reasonable alternative sites, or other site options, and explain why?

If you do not support the preferred sites, please indicate what alternative sites you would suggest?

Do you have any other comments on the Haddington cluster area?

We set out detailed advice on all of the allocations in this cluster area in Annex 2.

Q15: Dunbar Cluster

Do you support the preferred approach to new economic development and housing opportunities in the Dunbar cluster?

Do you think that all of the preferred housing sites can be delivered in the anticipated timeframe? Please explain why.

Potential options have been identified for how education capacity might be increased in the cluster. How do you think those options could be funded and delivered?

Where might any new education facilities be located if required?

Please indicate if you support or oppose particular preferred sites, reasonable alternative sites, or other site options, and explain why?

If you do not support the preferred sites, please indicate what alternative sites you would suggest?

Do you have any other comments on the Dunbar cluster area?

PREF-D5 and PREF-D6 (Newtonlees North and South) – seek reasonable alternative.

We have set out in our covering letter the reasonable alternative sites which we consider would offer less impact on natural heritage interests.

We set out detailed advice on all of the allocations in this cluster area in Annex 2.

Q16: North Berwick Cluster

Do you support the preferred approach to new economic development and housing opportunities in the North Berwick cluster?

Do you think that all of the preferred housing sites can be delivered in the anticipated timeframe? Please explain why.

Potential options have been identified for how education capacity might be increased in the cluster. How do you think those options could be funded and delivered?

Where might any new education facilities be located if required?

Please indicate if you support or oppose particular preferred sites, reasonable alternative sites, or other site options, and explain why?

If you do not support the preferred sites, please indicate what alternative sites you would suggest?

Do you have any other comments on the North Berwick cluster area?

We set out detailed advice on all of the allocations in this cluster area in Annex 2.

Q17: Blindwells New Settlement

Do you support the preferred approach promoted in relation to the current allocation for Blindwells new settlement (1,600 houses and 10ha of employment land)? If you do not support it please indicate what alternative you would suggest and explain why?

Do you support the preferred approach promoted in relation to a potential expansion of Blindwells new settlement (beyond the current allocation)? If you do not support it please indicate what alternative you would suggest and explain why?

Potential options have been identified for how education capacity might be provided for the new settlement through time. How do you think those options could be funded and delivered, and where should the facilities be located?

Delivery mechanisms will be required to enable the development of the new settlement. What do you think the options for this are?

Do you have any other comments in relation to the proposals for Blindwells new settlement?

This section of the MIR includes discussion of Supplementary Guidance, in the context of 'could be' and 'if and when adopted', for example at paragraph 6.108. Regardless of the approach taken at Blindwells, whether that is a comprehensive solution within the LDP, outwith LDP, etc. preparation of Supplementary Guidance 'should' be a requirement for this site.

Options for the sequential development of the site (MIR pages 162 to 168) are not numbered, which is not particularly helpful for responding. However, in reference to page numbers in this section, the proposal for either end of the site on page 166 seems unlikely to be the best way to take this allocation forward. In this scenario the easternmost end would feel disconnected and active travel/green network opportunities appear much less likely to be pursued at the appropriate time. On that basis, we agree with the final point on page 168 that the preferred approach of a comprehensive solution for the whole site should be found.

Given the scale and extent of the allocation proposed for the Blindwells area we would need to develop a clearer understanding of the development principles and the likely natural heritage issues and opportunities presented by long term growth in this area before offering further advice on this proposed allocation. We highlight that there is potential for poorly planned development on this site to have adverse impacts on a range of our interests, including in terms of impacts on landscape character and visual amenity.

Strategic design frameworks and other parameters set by outline masterplans or design codes could usefully communicate, safeguard or enhance natural heritage interests on this site. Therefore, if this site is to be deemed suitable for inclusion in the proposed plan we

would advise that considerably more information will be needed to inform the development approach for this allocation, in terms of its natural heritage interests and its overall compliance with the planning objectives set by the MIR and national planning policy.

Q19: Developer Contributions

In terms of approach to infrastructure and developer contributions do you support the preferred approach, the reasonable alternative, or neither?

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

Mitigation identified for each of the cluster areas includes *“Delivery of the green network opportunities, including woodland planting, active travel routes and habitat networks”*, noting that *“It is expected that developer contributions will have a significant role to play in securing mitigation as appropriate”*.

We recognise that the detail of infrastructure requirements has yet to emerge (ref paragraph 7.6, MIR) and that the preferred and alternative approaches are therefore very general in setting out what may be required of applications. However, in reference to our response to earlier questions which sets out our view of requirements in the context of the degree of change that will occur in East Lothian, we recommend that green infrastructure is included as infrastructure for which contributions will be required.

Q22: Energy, including Renewable Energy

In terms of approach to energy proposals, including renewable energy proposals, do you support the preferred approach, the reasonable alternative, or neither?

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

The alternative approach to energy proposals includes *“in relation to the spatial framework for wind energy proposals, continue to use existing guidance for larger scale wind farm development as regards cumulative issues instead of reviewing this.”* (ref page 192, MIR). As preparation of spatial frameworks is a requirement of SPP (paragraph 161) it appears unlikely that the alternative is a viable approach.

We would welcome the opportunity to discuss the preparation of policy and Supplementary Guidance for renewable energy as set out in the preferred approach.

Q24: Minerals, including Aggregates and Coal

In terms of the approach to minerals, do you support the preferred approach, the reasonable alternative, or neither?

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

We note that paragraph 7.49 of the MIR states that *“In terms of cultural and natural heritage, international designations such as Special Protection Areas, Special Areas of Conservation and RAMSAR sites have been sieved out of the study area.”* In the case of these European designated sites, the potential for connectivity between the site and the area being worked for minerals should be included in your Habitats Regulations Appraisal (HRA). We will provide further advice on screening minerals sites in the HRA once work on the appraisal is underway.

Given the potential natural heritage impacts of unconventional gas exploration, we support the proposal that a clear policy framework is established in the LDP, should developer

interest become more firmly established in the area at a future date.

Our understanding of the methodologies involved in unconventional gas exploration suggest that any new or future onshore gas policy should address the following issues:

- Landscape and visual impacts, including cumulative and night-time assessment; and
- Ecological impacts, particularly groundwater dependent terrestrial ecosystems (GWDTE).

Q26: Minor Policy Review & New Policies to be introduced

The Monitoring Statement indicates where and how it is intended to promote for the LDP a minor review of existing local plan policies and the introduction of new policies, either in the LDP itself or in Supplementary Guidance. Do you have any comments on these proposals? Please indicate which policies you are referring to.

Did you have any other comments to make?

Policy

We note that a number of existing policies relevant to our interests are to be reviewed and amended. This includes amalgamation of some related policy topics, such as NH1b and NH2 which would be consistent with the approach to policies to protect the natural heritage in adopted and proposed plans in other planning authority areas.

We would be happy to assist with review and re-drafting of policies which relate to landscape and the natural heritage.

Supplementary Guidance

Paragraph 286 of the Monitoring Statement identifies Central Scotland Green Network as a potential topic area for Supplementary Guidance. We suggest the focus for the Supplementary Guidance should be on East Lothian's green network and requirements for its successful delivery.

We would be happy to work with you to develop this Supplementary Guidance and suggest that we are identified as a partner in the Action Programme.

Annex 2 – advice on allocations

Our comments on the preferred, alternative and other allocations set out below are provided in the context of our remit and ‘maximising green infrastructure’ as set out in paragraphs 222 to 225 of SPP.

As noted below, we have not commented on all sites. However, in all cases, we strongly recommend that site development briefs are prepared, in support of the overall aim that East Lothian’s LDP will lead to development which *“reflects the sense of place and identity of the local area, and is properly integrated with its surroundings in terms of movement as well as form and appearance, while contributing to wider sustainability and place making objectives”*.

Our advice on the preferred, alternative and other allocations is based on the following advice scenarios:

- **Seek reasonable alternative**

The site is likely to present significant and/ or adverse impacts on the natural heritage. We advise that the reasonable alternative sites listed in our covering letter may present less significant impacts and therefore as reasonable alternative options they should be considered in advance of these sites.

- **Modification**

We advise that modification to proposed extent of the allocation may avoid or reduce likely natural heritage impacts.

- **Strategic design framework**

We advise that the proposed allocation raises issues of a strategic nature which if properly identified and set out in an area wide development framework could lead to protection or enhancement of the natural heritage. Strategic design frameworks should also set out the requirements for detailed design and consideration of natural heritage issues through individual site briefs and masterplans.

- **Site brief**

We advise that the natural heritage impacts should be mitigated and key opportunities for natural heritage enhancement identified in the plan. We recommend that a site brief is produced to identify the key natural heritage assets of the site and the key opportunities for the integration of green infrastructure within future development.

- **Further information required**

We advise that there is not enough information on the nature, scale or siting of the proposed allocation. Further assessment and establishment of parameters for development would be needed before we could advise on the natural heritage implications of a development in this location.

- **No comment**

We have no comment on the proposed allocation. However, this does not mean that there are no natural heritage issues or opportunities for mitigation or enhancement raised by the particular site.

Site ref	Natural heritage impacts and key natural heritage issues	Advice on allocation
Musselburgh cluster		
PREF-M1 Craighall	<p>This is a large and prominent site spanning both sides of the A1 and therefore defining the landscape setting and approach to the city of Edinburgh. The allocation is set within a changing landscape context with potentially strong influence from the Edinburgh Energy from Waste project (PPP granted) and nearby allocations proposed for City of Edinburgh and Midlothian. The development of this site could have significant and adverse impacts on the landscape setting of Edinburgh and Musselburgh if inappropriately developed. Equally, it could fragment existing green infrastructure assets and lead to poorly planned access and active travel provision.</p> <p>We consider that the landscape and visual impacts could in part be mitigated if suitably addressed through strategic assessment of the landscape issues and a well-considered design led approach to place-making for this site. Given the extent of the site and its key location within the South East Edinburgh Area, we advise that adoption and implementation of a strategic design framework (as set out in SPP) would be necessary for successful development. We consider such a framework, or strategic masterplan, should consider the landscape relationship and green infrastructure connections between this site and other neighbouring proposals, including those sites nearby in Midlothian and Edinburgh. In this regard we consider the content of SPP, paras 219-229 is highly pertinent for this area and we would highlight the need to</p>	<p>Strategic Design Framework</p> <p>Further assessment work is needed to assess and define in greater detail the range of important issues presented by this site. We would advise that this should be considered an integral part of the development plan process. Key issues for a strategic design framework to address would include:</p> <ul style="list-style-type: none"> • Landscape impacts and the need to define a new landscape setting or 'gateway' for the city edge/ remaining green belt. • Safeguarding and connection of existing and proposed communities by active travel routes and wider green networks. • Integration of existing natural heritage assets and the creation of strategically planned open space/ SUDS etc. • The landscape relationship of proposed land uses with the Edinburgh Energy from Waste scheme.

Site ref	Natural heritage impacts and key natural heritage issues	Advice on allocation
	<p>plan new green infrastructure in a strategic and integrated manner across multiple proposed allocations (including considering and linking to neighbouring authority areas). A clear and implementable strategic design framework is needed to guide mitigation and define a new landscape setting and connection of green infrastructure in this location.</p>	
<p>PREF-M2 Old Craighall Junction</p>	<p>This is a relatively discrete site in landscape terms. Consideration should be given to how these sites should connect into wider green networks.</p>	<p>Site brief</p> <p>This site could serve to provide some wider green network connectivity when considered strategically within the context of South East Edinburgh. For example, perimeter paths and planting could be incorporated along boundaries with the trunk road network and linking to existing access routes and other nearby or neighbouring allocations.</p>
<p>PREF-M3a Old Craighall East</p> <p>and</p> <p>PREF-M3b Newtown Farm</p>	<p>These are relatively discrete sites in landscape terms. Consideration should be given to how these sites should connect into wider green networks and how in combination with other sites they can help establish a new sense of place for the Old Craighall area.</p>	<p>Site brief</p> <p>These sites could serve to provide some wider green network connectivity when considered strategically within the context of South East Edinburgh SDA. For example, perimeter paths and planting could be incorporated along boundaries with the trunk road network and linking to existing access routes and other nearby or neighbouring allocations.</p>

Site ref	Natural heritage impacts and key natural heritage issues	Advice on allocation
<p>PREF-M4 Whitecraig South</p>	<p>This site could provide a natural extension to the existing settlement if appropriately taken forward with site briefs and masterplanning.</p>	<p>Site brief</p> <p>Measures to consider include:</p> <ul style="list-style-type: none"> • Providing a well-defined and multi-functional landscaped edge to the settlement and the green belt. • How development can link into and support the existing provision of active travel routes to nearby communities. • Relationship with ALT- M5 (if taken forward) and need for wider place-making measures.
<p>PREF-M6 Edenhall</p>	<p>The existing trees and vegetation cover of the site has some degree of importance as a designed landscape and as existing habitat for local wildlife. These values could be compromised if the site is over developed or if development is poorly laid out in relation to existing features.</p>	<p>Site brief</p> <p>We would advise that a careful approach to development of this site will be needed. Considerations for site briefing include:-</p> <ul style="list-style-type: none"> • Detailed study of landscape capacity and existing habitats. • Tree surveys should be required, with the requirement to safeguard existing trees and woodland of importance. • Consideration should be given to the removal of fences and access barriers on the perimeter of the site • Potential to form connections to local path networks that lie outwith the allocation

Site ref	Natural heritage impacts and key natural heritage issues	Advice on allocation
<p>PREF-M7 Pinkie Mains</p>	<p>We understand this site is an existing allocation.</p>	<p>Site brief</p> <ul style="list-style-type: none"> • Need to define a new landscape edge, open space and active travel corridor.
<p>PREF-M8 Levenhall</p>	<p>This site is of some strategic landscape importance when considered cumulatively with PREF-M9 and PREF- M10. As mitigation, inter-linked proposals for landscape enhancement and green network connectivity should be considered for all of these sites.</p>	<p>Site brief</p> <p>We consider that requirements for this site should be set out in association with requirements for PREF-M9 and PREF- M10 (should they be taken forward).</p>
<p>PREF-M9 Goshen</p>	<p>This proposed allocation could have adverse landscape and visual impacts and promote a strong sense of settlement coalescence in the local area, by extending Musselburgh eastwards and further up the slope of Pinkie Braes towards Wallyford and Prestonpans. We consider this site is of locally strategic landscape importance. The existing stone walls are a somewhat unusual or locally distinctive feature, while the Ravenshaugh Burn and existing trees within the allocation provide natural heritage features of note.</p>	<p>Site brief or Strategic Design Framework</p> <p>Given the locally strategic landscape importance of this site and the neighbouring PREF-M8 and PREF-M10 sites, we would strongly advise that a site brief or strategic design framework should be produced for this area. Key issues for the brief to address should include:</p> <ul style="list-style-type: none"> • Definition of landscape design measures and separation to be retained between Musselburgh, Wallyford and Prestonpans. • Details of the nature of green network connectivity, including provision of cycling and walking routes, between these 3 settlements as related to the proposed allocations. • Identification of safeguards to existing natural heritage features of note (trees and water courses) including measures to incorporate these into multi-functional green networks. • Retention and re-use of locally characteristic

Site ref	Natural heritage impacts and key natural heritage issues	Advice on allocation
		stone walls.
PREF M10 Drummohr	This site is of some strategic landscape importance when considered cumulatively with PREF-M8 and PREF-M9. As mitigation, inter-linked proposals for landscape enhancement and green network connectivity should be considered jointly for all three allocations.	<p>Site brief</p> <p>We consider the requirements for this site should be set out in association with requirements for PREF-M8 and PREF-M9 should they be taken forward.</p>
PREF-M11 Dolphingstone	<p>Development of this site would have significant and adverse impacts on local landscape character and regionally distinctive key views towards Edinburgh and Arthur's Seat and the sea.</p> <p>We also consider that development of this site would likely require substantial noise mitigation. This could exacerbate the appearance of development within the wider landscape and in relation to the proposed new landscape setting for Wallyford as set out in existing development proposals. We do not think that these impacts could be mitigated appropriately through detailed siting or design mitigation and would strongly advise that other reasonable alternative sites should be considered in advance of this site.</p>	<p>Seek reasonable alternative</p> <p>We have set out in our covering letter the reasonable alternative sites which we consider would offer less impact on natural heritage interests.</p>
PREF-M12 Barbachlaw	We have no comments to make as the site is noted as consented.	
PREF- M13 Wallyford	We understand this site is within the existing Wallyford allocation. This is a reasonably prominent site and serves to remove the open fields that will help define the setting of Wallyford. Providing new landscape setting and carefully considered layouts for the edge of the settlement could help reduce landscape impacts and lead to longer term integration of this site. The relationship with OTH-	<p>Site brief.</p> <p>Key issues to consider:</p> <ul style="list-style-type: none"> • Continuation of perimeter paths and landscape treatments to connect this allocation to existing proposed development at Wallyford.

Site ref	Natural heritage impacts and key natural heritage issues	Advice on allocation
	M14 as a reasonable alternative should be considered and if all sites were to be proposed, an integrated green network solution for this side of Wallyford should be sought.	<ul style="list-style-type: none"> • Appropriate provision of green infrastructure along A6094 as a key gateway and approach to the village.
ALT-M5 Whitecraig North	This site has an open landscape context within the green belt. We consider in natural heritage terms it has merit as a reasonable alternative if a strong development brief, which sought a landscape framework to provide suitable settlement edge and connect with nearby green network assets, was secured.	<p>Site Brief</p> <p>Key issues to consider:</p> <ul style="list-style-type: none"> • High quality edge treatment/ new paths. • Green network/ habitat connectivity to River Esk. • Relationship with PREF-M4 and need for wider place-making measures.
OTH-M14 Howe Mire	This is a reasonably prominent site and would serve to reduce the open fields that help define the landscape setting for Wallyford. Providing new landscape planting and carefully considered development layouts for the edge of the settlement could help reduce landscape impacts and lead to longer term integration of this site. We consider that the landscape and visual impacts of this site could be appropriately mitigated and therefore we consider that in natural heritage terms this site has merit as a reasonable alternative.	<p>Site Brief</p> <p>Key issues to consider:</p> <ul style="list-style-type: none"> • Establishing appropriate open space and green network connectivity to wider assets, including paths to Musselburgh and new Wallyford development sites. • High quality landscape edge needed.
Prestonpans / Port Seton / Cockenzie / Longniddry cluster		
PREF-P1 Cockenzie Power Station	Relationship to Blindwells, loss of settlement identities, loss of open space and potential severance of active travel and recreation routes	<p>Modification (part)</p> <ul style="list-style-type: none"> • Remove public open space from north-west part of the allocation. <p>Strategic design framework</p> <p>Further assessment work would be needed to assess</p>

Site ref	Natural heritage impacts and key natural heritage issues	Advice on allocation
		<p>and define in further detail the range of important issues presented by this site. We would advise that this should be considered an integral part of the development plan process. Key issues for a strategic design framework to address would include:</p> <ul style="list-style-type: none"> • Landscape impacts and the need to maintain the distinctiveness of Prestonpans, Cockenzie and Port Seton. • Safeguarding and connection of existing and proposed communities by active travel routes and wider green networks. • Integration of existing natural heritage assets and the creation of strategically planned open space/ SUDS etc.
ALT-P2 Longniddry	We consider that in natural heritage terms this site has merit as a reasonable alternative. Landscape capacity should be explored further.	<p>Site brief</p> <p>Key points to consider:</p> <ul style="list-style-type: none"> • High quality landscape edge needed. • Identification of safeguards to existing natural heritage features of note (water courses and specimen trees) including measures to incorporate these into multi-functional green networks. • Details of the nature of green network connectivity, including provision of cycling and walking routes between this site and Blindwells and connections to the station and the Longniddry- Haddington path. •

Site ref	Natural heritage impacts and key natural heritage issues	Advice on allocation
Tranent cluster		
PREF-T1 Bankpark Grove	No comment.	
PREF-T2 Lammermoor Terrace	No comment.	
PREF-T4 Windygoul South and PREF-T3	These two allocations represent further outer growth of Tranent into more elevated areas of farmland. Landscape setting and relationship of allocation boundary / design of landscape edge to landform are issues to consider if these sites are to be taken forward.	<p>Site briefs</p> <p>If PREF-T3 and PREF-T4 are to be allocated, we suggested site briefs for these sites and their relationship to one another should be prepared.</p> <p>Key points to consider:</p> <ul style="list-style-type: none"> • Providing a well-defined and multi-functional landscaped edge to the settlement which retains open space on the higher points of the ridgeline along the southern boundary. • Connections to existing paths and open spaces
PREF-T8 Macmerry North	This is a reasonably prominent site which helps define the current landscape setting to Macmerry.	<p>Site brief</p> <p>Measures to consider include:</p> <ul style="list-style-type: none"> • Providing a high quality edge to the settlement. • Providing appropriate landscape design and path provision along the A199.
PREF-T9 Macmerry Industrial Estate	<p>This is a prominent site which helps define the current landscape setting and approach to Macmerry along the A199. It's open and agricultural character allows wide views to be gained from surrounding public roads.</p> <p>The southern and western boundaries do not relate to</p>	<p>Site Brief</p> <p>If this site was to be considered appropriate ,key points to consider would be:</p> <ul style="list-style-type: none"> • The need to define landscape setting with

Site ref	Natural heritage impacts and key natural heritage issues	Advice on allocation
	any landscape feature and this allocation could have a sense of detachment which may appear incongruous for this specific landscape context.	<p>regards key views and to provide a well designed landscape context for development.</p> <ul style="list-style-type: none"> Measures to retain existing landscape edge with A199, with scope to integrate a segregated active travel route.
<p>PREF-T10 Elphinstone West</p>	<p>This site is on rising ground and development of it could compromise the landscape setting of the existing village. A carefully considered approach to siting and design of housing, coupled with the provision of open space and woodland planting would be necessary if adverse landscape impacts are to be avoided.</p>	<p>Site brief</p> <p>Modification of the extent of this allocation could also reduce likely impacts.</p> <p>Measures to consider include:</p> <ul style="list-style-type: none"> Relationship of open space, planting and built development to topography. Providing a well-defined and multi-functional landscaped edge to the settlement. How development can link into adjoining communities and open space.
<p>PREF-T11 Tynemount West</p>	No comment.	
<p>PREF-T12 Tynemount East</p>	No comment.	
<p>PREF-T13 Woodhall Road</p>	No comment.	
<p>PREF-T14 Lempockwells Road</p>		<p>Site brief</p> <p>Key points to consider:</p> <ul style="list-style-type: none"> Providing a multi-functional landscaped edge to the

Site ref	Natural heritage impacts and key natural heritage issues	Advice on allocation
		settlement. <ul style="list-style-type: none"> • How development can link into the Pencaitland Railway Walk. • Identification of safeguards to existing natural heritage features of note (trees and hedgerows) including measures to incorporate these into multi-functional green networks.
ALT-T5 Tranent East	ALT-T7 and ALT-T5 are prominent sites which help define the current landscape setting of Tranent. Poorly defined proposals in these areas could have adverse landscape and visual impacts of strategic importance, including when considered cumulatively with Blindwells proposals. <p>Views to coast and Fife from ALT-T7 and upper part of ALT-T5 are distinctive and should be considered within any modified proposal or site brief.</p> <p>We note that the preference is to retain the existing allocation of ALT-T6 as it is, we therefore have no comment to make on this site.</p>	Modification (part), Site Brief (remaining areas) If these sites are considered appropriate we suggest that the allocations should be modified and informed by independent landscape impact assessment and measures to protect open space and key views. <p>Alternatively, site briefs that seek to establish the nature of the settlement edge and its relationship with the surrounding landscape should be produced for both ALT-T7 and ALT-T5. Consideration should be given to the sense of arrival into Tranent and the provision of connections to existing paths and active travel networks.</p>
ALT-T6 Kingslaw, Tranent		
ALT-T7 Tranent Mains		
Haddington cluster		
PREF-H1 Dovecot	We have no comments to make as the site is noted as consented.	
PREF-H2 Letham Mains	The site is bounded to the north by the Letham Burn which hosts a population of water voles. Design and layout of development should include an appropriate standoff to maintain this important population. <p>Providing new landscape setting and carefully considered</p>	Site brief. Key issues to consider: <ul style="list-style-type: none"> • Continuation of paths and landscape treatments (incorporating measures to protect the water vole population) to connect this allocation to

Site ref	Natural heritage impacts and key natural heritage issues	Advice on allocation
	layouts for the edge of the settlement will reduce landscape impacts and lead to longer-term integration of this site: an integrated green network solution for this side of Haddington should be sought.	<p>proposed development at Letham Mains, including green network provision along the Letham Burn.</p> <ul style="list-style-type: none"> • Appropriate provision of green infrastructure along A6093 as a key gateway and approach to the town, with scope to deliver a segregated active travel route.
<p>PREF-H3 Gateside East</p>	<p>We have no comments to make as the site is noted as consented.</p>	
<p>PREF-H4 Alderston</p>	<p>We have no comments to make as the site is noted as consented.</p>	
<p>PREF-H5 Harperdean</p>	<p>The majority of this site is very prominent and elevated, helping to define the landscape setting of and approach to Haddington. Views to Lammermuirs from the A1 are seen over this site and inappropriately scaled or poorly sited development could compromise these interests. Impacts from business uses are likely to be challenging to mitigate, particularly for the more elevated western half of the site. Appropriately detailed siting and design might mitigate impacts for the eastern section, which is lower lying. We would strongly advise that other reasonable alternatives should be considered in place of the western half of the site.</p>	<p>Modification (part)</p> <p>We have set out in our covering letter the reasonable alternative sites which we consider would offer less impact on natural heritage interests. At this stage in our understanding of the proposals we would suggest that elevated parts in the western half of this site should remain unallocated or retained as large areas of open space in any wider proposal. Further landscape capacity study and impact assessment should inform any proposals to help address the sensitivities presented by this site.</p> <p>Any area of this site proposed for allocation should be supported by a clear development brief setting out the scale and form of development appropriate, as well as addressing landscape design and placemaking issues.</p>
<p>OTH-H6 Amisfield</p>	<p>This is a visually open site and would represent substantial eastward expansion of Haddington beyond</p>	<p>Modification or Site Brief</p> <p>We note this site is defined as an “other” option. If it</p>

Site ref	Natural heritage impacts and key natural heritage issues	Advice on allocation
	current settlement boundary. Key views to the Lammermuir Hills are gained across the site from the A1, A199 and surrounding areas.	<p>was to be taken forward as part of the proposed plan we would advise that further work would be needed to establish the landscape capacity for development and to set the key aspects of a development framework which could protect, mitigate and enhance the natural heritage interests of the site.</p> <p>Modification to the scale and form of the potential allocation may be beneficial in landscape terms.</p>
OTH-H7 Dovecot	This proposed site is currently ill-defined in scope or form but it could represent a significant south western extension to Haddington. The area is somewhat secluded, wooded and diverse in character and these qualities could be compromised depending on the quantity and form of development.	<p>Modification or Site Brief</p> <p>We note this site is defined as an “other” option. If it was to be taken forward as part of the proposed plan we would advise that further work would be needed to establish the landscape capacity for development and to set the key aspects of a development framework which could protect, mitigate and enhance the natural heritage interests of the site.</p> <p>Clear consideration to the scale and form of any potential allocation would be needed, along with measures to ensure adequate integration of the proposal with PREF-H1 and PREF-H2.</p>
OTH-H8 West Letham	This site represents a large westwards extension of Haddington that would substantially extend the settlement away from lower lying land that currently defines its landscape setting.	<p>Modification or Site Brief</p> <p>We note this site is defined as an “other” option. If it was to be taken forward as part of the proposed plan we would advise that further work would be needed to establish the landscape capacity for development and to set the key aspects of a development framework which could protect, mitigate and enhance the natural</p>

Site ref	Natural heritage impacts and key natural heritage issues	Advice on allocation
		<p>heritage interests of the site.</p> <p>Modification to the scale and form of the potential allocation may be beneficial in landscape terms.</p>
Dunbar cluster		
PREF-D2 Beveridge Row	We have no comments to make as the site is noted as consented.	
PREF-D3 Hallhill North		<p>Site brief</p> <p>Measures to consider include:</p> <ul style="list-style-type: none"> • Providing a high quality edge to the settlement. • Providing appropriate landscape design and path provision, linking the site to adjacent development and the town centre.
PREF-D4 Brodie Road	No comment.	
PREF-D5 Newtonlees North and PREF-D6 Newtonlees South	PREF-D5 is an open, prominent site which defines the landscape setting of Dunbar. Development of this site and the adjoining PREF-D6 would have significant and adverse impacts on local landscape character. We do not think that this change could be mitigated appropriately through detailed siting or design mitigation and would strongly advise that other reasonable alternative sites should be considered in advance of these.	<p>Seek reasonable alternative</p> <p>We have set out in our covering letter the reasonable alternative sites which we consider would offer less impact on natural heritage interests.</p>
PREF-D9 The Crofts (Stenton)	No comment.	
PREF-D10	No comment.	

Site ref	Natural heritage impacts and key natural heritage issues	Advice on allocation
St John Street (Spott)		
PREF-D12 Innerwick East		No comment.
ALT-D1 Eweford	This is an open, prominent site which would represent a significant westward expansion of Dunbar, which would serve to bring development out of the relatively contained setting which the town currently occupies. Development of this site and the adjoining PREF-D6 would have significant and adverse impacts on local landscape character.	<p>Further information required</p> <p>If this alternative site was to be taken forward as part of the proposed plan we advise that further work would be needed to establish the landscape capacity for development and to set the key aspects of a development framework which could protect, mitigate and enhance the natural heritage interests of the site.</p>
ALT-D11 Innerwick West		No comment.
OTH-D8 East Linton Expansion Area of Search	This proposed site is currently ill-defined in scope or form but it could represent major and differentially located extensions to East Linton. The area is diverse in character and the existing settlement has a well defined but complex relationship with its surrounding landscape and the River Tyne. These important qualities could easily be compromised depending on the quantity, location and form of proposed development.	<p>Further information required</p> <p>We consider there are important natural heritage interests in the area of this proposal. Further study of landscape and development capacity would be needed.</p> <p>If a site or sites were to be taken forward in this broad area, a strategic design framework or site briefs would be needed to address a range of natural heritage and place-making issues and to ensure appropriate landscape setting for new development.</p>
North Berwick cluster		
PREF-N2 Tantallon Road	This site lies in a key gateway location on a prominent north facing slope which provides the landscape setting for North Berwick Law, and for North Berwick. We consider that the upper margins of this allocation would	<p>Seek reasonable alternative</p> <p>We have set out in our covering letter the reasonable alternative sites which we consider would offer less</p>

Site ref	Natural heritage impacts and key natural heritage issues	Advice on allocation
	intrude significantly on the setting of the Law.	impact on natural heritage interests.
PREF-N4 Castlemains	No comment.	
PREF-N5 Fire Service College	No comment.	
PREF-N8 Saltcoats and ALT-N6/N7 Fentoun Gait East and South	<p>PREF-N8 is would serve to reduce the open fields that help define the landscape setting for Gullane. Providing new landscape setting and carefully considered layouts for the edge of the settlement will reduce landscape impacts and lead to longer-term integration of this site.</p> <p>The relationship with ALT-N6 and ALT-N7 as reasonable alternatives should be considered and if all sites were to be proposed, an integrated approach to green networks and issues of landscape setting for this side of Gullane should be sought.</p>	<p>Site brief</p> <p>Measures to consider include:-</p> <ul style="list-style-type: none"> • Providing a well-defined and multi-functional landscaped edge to the settlement. • How development can link to adjoining communities, nearby open space and the local centre, through the provision of walking and cycling routes. • Relationship with ALT-N6 and ALT-N7 (if taken forward).
PREF-N9 Aberlady West	No comment.	
ALT-N1 Ferrygate	<p>Further information required</p> <p>If this alternative site was to be taken forward as part of the proposed plan we advise that further work would be needed to establish the landscape capacity for development and to set the key aspects of a development framework which could protect, mitigate and enhance the natural heritage interests of the site.</p>	
ALT-N3 Foreshot	No comment.	

Site ref	Natural heritage impacts and key natural heritage issues	Advice on allocation
Terrace		
ALT-N10 Aberlady East	This is a relatively discrete site in landscape terms and with regard to the natural heritage we consider that this site has merit as a reasonable alternative.	<p>Site brief.</p> <p>Key issues to consider:</p> <ul style="list-style-type: none"> • Appropriate provision of green infrastructure along A6137, as a key gateway and approach to the village. • Consideration should be given to how the site should connect into wider green networks and link into adjoining communities. • Providing a high quality edge to the settlement.
OTH-N11 Drem Expansion Area of Search	This proposed site is currently ill-defined in scope or form. Proposals could represent major change to the open and expansive landscape character of the area, while local watercourses are also important local assets.	<p>Further information required</p> <p>We consider there are important natural heritage interests in the area of this proposal. Further study of landscape and development capacity would be needed.</p> <p>If a site or sites were to be taken forward in this broad area, an integrated masterplan, strategic design framework or site briefs would be needed to address a range of natural heritage and place-making issues, and to ensure appropriate landscape setting for new development.</p>
Blindwells (cont. over)		

Site ref	Natural heritage impacts and key natural heritage issues	Advice on allocation
<p>Preferred approach</p> <p>and</p> <p>Reasonable alternatives 1 & 2</p>	<p>Given the scale and extent of the allocation proposed for the Blindwells area we would need to develop a clearer understanding of the development principles and the likely natural heritage issues and opportunities presented by long term growth in this area before offering further advice on this proposed allocation.</p> <p>We highlight that there is potential for poorly planned development on this site to have adverse impacts on a wide range of our interests, including in terms of impacts on landscape character and visual amenity.</p>	<p>Further information required We consider there are important natural heritage interests in the area of this proposal. Further study of landscape and development capacity would be needed.</p> <p>If a site or sites were to be taken forward in this broad area, an overall masterplan, strategic design framework or site briefs would be needed to address a range of natural heritage and place-making issues and to ensure appropriate landscape setting for new development.</p> <p>In reference to the reasonable alternatives, the scenario for solutions while the LDP is operative would lead to development at the easternmost end of the site which would feel disconnected. In addition this scenario is less likely to lead to active travel/green network opportunities being planned for at the appropriate time.</p> <p>On that basis, we agree with the final point on page 168 that the preferred approach of a comprehensive solution for the whole site should be found. In this regard it is important to note that the LDP should set out a proactive role to deliver clear planning outcomes through a design-led approach to any proposed allocation.</p>



Response to Consultation

Local Development Plan - Main Issues Report <https://eastlothianconsultations.co.uk/housing-environment/east-lothian-ldp-mir/consult_view>

See All Published Responses <https://eastlothianconsultations.co.uk/housing-environment/east-lothian-ldp-mir/consultation/published_select_respondent>

Your details

What is your name?

First name (Required)

Surname (Required)

What is your email address?

Please enter your email address so we can keep you updated on the progress of the Local Development Plan.

Note that you will be able to use this email address to return to edit your consultation at any time until you submit it. You will also receive an acknowledgement email when you complete the consultation.

Email (Required)

Are you responding as (or on behalf of) a...?

(Required)

Please select only one item

- Local resident / member of the public Developer / agent / landowner Community Council
 Local interest group Key agency Other

What is your organisation and role (if applicable)?

Organisation

Your role

Please enter your postcode

In the interests of transparency we will publish responses to this consultation. We will not publish personal email addresses. If you believe your intended response may contain sensitive or confidential information you should contact us to discuss this.

(Required)

Please select only one item

- I consent to my response being published, including my name
 I consent to my response being published, but not my name

Diversity monitoring

Gender

Please select only one item

- Male Female Prefer not to say

Ethnicity

Please select only one item

- White Black Asian Mixed Race Other Ethnicity Prefer to not say

Age

Please select only one item

- 0-15 16-24 25-34 35-44 45-54 55-60 60+

Do you have a disability?

Please select only one item

- Visual impairment Wheelchair user Hearing Physical Learning difficulty None
 Prefer not to say

Marital status

Please select only one item

- Single Married Civil partnership Co-habiting

Sexual orientation

Please select only one item

- Lesbian Gay Heterosexual Bisexual Prefer not to say

Vision, Aims, Objectives & Outcomes (Q1)

Do you have any comments on the aims and objectives for the LDP?

Please select only one item

- Yes No

Please explain your answer, making suggestions for any changes you think should be made.

Sustainability & Climate Change (Q2)

In terms of the approach to sustainability and climate change mitigation and adaptation, section 3E of The Town and Country Planning (Scotland) Act 1997 (as amended) as well as SPP and the SDP require the LDP to follow the preferred approach. Are there any other matters related to sustainability and climate change mitigation and adaptation that you think the LDP should seek to address?

Development Locations (Spatial Strategy) (Q3)

Of the two spatial strategy options, do you support the preferred (compact growth), alternative (dispersed growth), or neither?

Please select only one item

Preferred Approach Reasonable Alternative Neither

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

Town Centres (Q4)

Subject to the ability to expand Blindwells, do you support the introduction there of a new town centre (preferred approach)?

Please select only one item

Yes No

If so should it:

Please select only one item

Serve only the new settlement; or Serve the new settlement and a wider area?

Do you support retention of the current network and hierarchy of existing centres (preferred approach and reasonable alternative)?

Please select only one item

Preferred approach Reasonable alternative Neither

Please explain your answers. If you support neither the preferred approach nor the reasonable alternative, what alternatives do you suggest?

The intention is to prepare strategies for each town centre, what ideas do you have for improving your town centre (please specify the town centre you are referring to in your answer)?

Planning for Employment (Q5)

Do you think that the review of the employment land supply should be as set out under the preferred approach, alternative approach, or neither?

Please select only one item

Preferred Approach Reasonable Alternative Neither

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

Planning for Housing (Q6)

Should the LDP plan for a longer term settlement strategy to meet the SDPs housing requirements as well as help contribute to signposted need and demand for housing post 2024 (preferred approach), or should it plan only to meet the SDPs confirmed housing requirements to 2019 and 2024 (alternative approach), or neither?

Please select only one item

Preferred Approach Reasonable Alternative Neither

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

Green Belt (Q7)

In terms of the approach to green belt, do you support the preferred approach, the reasonable alternative, or neither?

Please select only one item

Preferred Approach Reasonable Alternative Neither

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

Countryside Around Towns (Q8)

In terms of the potential to introduce Countryside Around Town designations as a new policy approach, do you support the preferred approach, the reasonable alternative, or neither?

Please select only one item

Preferred Approach Reasonable Alternative Neither

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

Historic Scotland recognises that the preferred approach of introducing Countryside Around Town designations may contribute to the protection of the setting of historic environment features, in particular conservation areas, and would recommend that this is taken into consideration in assessment of the impacts of this policy.

Central Scotland Green Network (Q9)

In terms of approach to the Central Scotland Green Network in East Lothian, do you support the preferred approach, the reasonable alternative, or neither?

Please select only one item

Preferred Approach Reasonable Alternative Neither

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

What do you think the priorities are for the green network for East Lothian or for your local area?

Development in the Countryside and on the Coast (Q10)

In terms of the approach to managing development in the East Lothian countryside and on the coast, do you support the preferred approach, the reasonable alternative, or neither?

Please select only one item

Preferred Approach Reasonable Alternative Neither

If you support the alternative approach do you think a) or b), or a) and b) should be incorporated in to policy?

Please select only one item

a) b) a) and b)

If you support neither of the above options, what alternatives do you suggest?

Please explain your answer.

Musselburgh Cluster (Q11)

Do you support the preferred approach to new economic development and housing opportunities in the Musselburgh cluster?

Please select only one item

Yes No

Taking in to account the prospect of other strategic development opportunities in adjoining local authority areas, do you think that all of the preferred housing sites in this cluster could be delivered in the anticipated timeframe?

Please select only one item

Yes No

Please explain your answer.

Potential options have been identified for how education capacity might be increased in the cluster. How do you think those options could be funded and delivered?

Where might any new education facilities be located if required?

Please indicate if you support or oppose particular preferred sites, reasonable alternative sites, or other site options, and explain why below.

PREF – M7 Pinkie Mains

Please select only one item

Support Oppose No opinion

PREF – M13 Wallyford

Please select only one item

Support Oppose No opinion

PREF-M1 Craighall

Please select only one item

Support Oppose No opinion

PREF-M9 Goshen

Please select only one item

Support Oppose No opinion

PREF-M8 Levenhall

Please select only one item

Support Oppose No opinion

PREF-M6 Edenhall

Please select only one item

Support Oppose No opinion

PREF-M10 Drummohr (Safeguard circa 100 Homes)

Please select only one item

Support Oppose No opinion

PREF-M11 Dolphingstone (Safeguard circa 400 Homes)

Please select only one item

Support Oppose No opinion

PREF-M3(a) Old Craighall East

Please select only one item

Support Oppose No opinion

PREF-M3(b) Newton Farm (also Old Craighall East)

Please select only one item

Support Oppose No opinion

PREF-M4 Whitecraig South

Please select only one item

Support Oppose No opinion

PREF-M12 Barbachlaw

Please select only one item

Support Oppose No opinion

ALT-M5 Whitecraig North

Please select only one item

Support Oppose No opinion

OTH-M14 Howe Mire

Please select only one item

Support Oppose No opinion

PREF-M2 Southwest Old Craighall

Please select only one item

Support Oppose No opinion

Explanation of support/opposition to sites

OTH-M14 Howe Mire

This area in the Musselburgh cluster is identified as a potential allocation for mixed use housing and employment development. Historic Scotland welcomes the fact that the commentary identifies this allocation as lying within the core of Pinkie Inventory battlefield, and that it recognises the potential for significant impacts. The Battle of Pinkie (1547) was the last major battle between Scotland and England before the Union of the Crowns. It is one of the largest battles fought in Scotland with over 40,000 troops involved. It is also significant as the first use in Britain, by the English, of an effective integrated application of the key innovations of the 16th Century: the combined use of pike and shot, together with artillery and cavalry. Battlefields of this transitional period in military strategy are very rare in Britain.

This allocation essentially separates in to three areas; that which is identified in the plan as PREF-M12; the irregular area to the north-west of this; the roughly rectangular area to the south-west. Historic Scotland has commented separately on the area identified as PREF-M12. Their comments on the other two areas are given below:

Area to North-West

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This site is near the core of Pinkie Battlefield, and contributes towards an understanding of the battlefield landscape. Historic Scotland considers that while there may be the potential for this to be mitigated through design, further details of the development would need to be provided for this to be assessed. There is also the potential for in situ remains of battle in this area. They therefore recommend that the potential for remains is evaluated, so that the potential level of impact can be more fully assessed. Without further information as to the level of survival or the nature of proposed development, Historic Scotland considers that there is the possibility for development in this area to raise strong concerns for their national remit.

Area to South-West Historic Scotland considers that this area makes a significant contribution towards an understanding and appreciation of the battlefield landscape, and also has the potential for in situ remains of the battle.

The battle was fought on the open ground to the east of Inveresk. The majority of this area of fighting is still recognisable in the open fields spread between Inveresk, Musselburgh, Wallyford and the A1, which includes the proposed development area. The proposal has the potential to impact adversely on the archaeological remains of the battlefield. The proposal will destroy a significant part of the battlefield landscape where it is possible to appreciate and understand the open flat nature of main area of the battle set against higher ground to the south. In light of this, and the potential scale of development in this area, Historic Scotland consider that this has the potential to raise issues of national significance regarding the level of impact on a heritage asset within their remit. They would therefore object to this area's inclusion in the spatial strategy of the local development plan, and any subsequent planning applications in this area.

Musselburgh

Preferred Development Strategy

PREF-M3(a) Old Craighall East

This allocation is identified as a preferred residential allocation providing approximately 100 homes. Historic Scotland notes that the boundary of this allocation has been revised since they previously provided comments on it. This has involved removing the field immediately to the northeast of the A-listed Monkton House, as suggested in previous comments; instead, the area is now extends toward the city by-pass. This revision will move development further away from the house and therefore likely reduce impacts on the Monkton House. Views to and from the house will remain an important consideration, and they welcome the fact that cultural heritage constraints are identified in the commentary. Historic Scotland would be happy to provide advice where relevant on the development of a masterplan for this site.

PREF-M6 Edenhall

This allocation is identified as a preferred residential allocation providing approximately 100 homes. Whilst no reference is made to the listed buildings included within the allocation, Historic Scotland has previously had consultation with the council regarding this. They welcome the fact that the listed buildings at Edenhall Hospital are to be retained. In order to mitigate the impacts on the settings of these buildings, as well as the setting of the scheduled monuments to the south and west, they expect the development to follow the basic principles outlined in the earlier masterplan for this area: New buildings kept to a height no greater than the existing buildings on site; Retention and conversion of listed buildings; Mature tree cover to be retained.

They also note that the site lies within the Battle of Pinkie designated area, and may preserve archaeological remains relating to this. They therefore recommend that archaeological potential should be evaluated and suitable mitigation built in to any final scheme. These constraints should be recognised in the masterplanning process for this allocation.

PREF-M7 Pinkie Mains

This site has previously been allocated through the 2008 Local Plan, and is promoted for 127 homes. Historic Scotland advises that any application coming forward for this site should be considered in line with a battlefields policy which the Council should provide in its LDP. This should make provision for evaluation of impact and mitigation for in situ remains of battlefield.

PREF-M8 Levenhall

This residential allocation is promoted for approximately 75 houses. The site lies within the designated area of Pinkie Battlefield, specifically in the section identified as being the English forces camp. Historic Scotland therefore considers that this area makes some contribution towards understanding and appreciation of the battlefield landscape. However, they acknowledge that limited release of housing may not impact on that significance. Measures should be put in place to secure evaluation and mitigation through design impact on landscape and in situ remains, and these requirements should be fundamental in the development of a masterplan for this allocation.

PREF-M9 Goshen

This large area is promoted as a residential allocation including approximately 1,000 houses. The site lies within the designated area of Pinkie Battlefield, specifically in the section identified as being the English Camp. Historic Scotland considers that this area contributes strongly towards an understanding of the battlefield landscape, and also has the potential for in situ remains of the battle. In light of this, and the potential scale of development in this area, they consider that this has the potential to raise issues of national significance regarding the level of impact on a heritage asset within their remit. However, they consider that there is the potential for this to be mitigated through design, and that there is likely to be some areas of the allocation which can be developed. Further details of the development would need to be provided for this to be assessed. For this reason, Historic Scotland would welcome involvement in the development of a masterplan or design brief for this allocation.

Development in this area will have an impact on the setting of Drummohr House, listed at Category B. Its design has taken account of the topography with views from the main elevations north and south with additional views to the east from principal rooms. National guidelines and local policy on setting must be given due consideration in assessing this proposed allocation. While development may be possible in parts of the site, they recommend avoiding locating this in the open fields in front of the Drummohr, in order to minimise impacts on this heritage asset.

PREF-M11 Dolphinstone

This allocation of a preferred land safeguard for approximately 400 homes and other mixed land uses. It lies largely within Pinkie inventory battlefield designated area. Historic Scotland considers that this area does not contribute strongly to the understanding of the battlefield landscape. However, development in this area will encroach upon the more immediate setting of the A-listed Dolphinstone Doocot. The design strategy therefore should recognise in order to mitigate impacts upon its setting. As this building is currently on the Buildings at Risk register, Historic Scotland would welcome any masterplan including provision for its repair, conservation and management.

PREF-M12 Barbachlaw

Historic Scotland notes that this allocation reflects existing planning consent for 94 houses. The national inventory of historic battlefields identifies this area as being a core part of Pinkie Battlefield, and Historic Scotland considers that it contributes towards understanding of battlefield landscape, as well as having the potential for in situ remains of battle. They therefore recommend that these factors are given due consideration in the approval of matters specified in conditions, and would welcome the opportunity to comment on this as these details become available.

Alternative Development Strategy

ALT-M5 Whitecraig North

This site is near the core of Pinkie Battlefield, and makes some contribution towards an understanding of the battlefield landscape. There is also the potential for in situ remains of battle. Without further information as to the level of survival, Historic Scotland considers that there is the possibility for development in this area to raise strong concerns for their national remit. They therefore recommend that the potential for remains is evaluated, so that the potential level of impact can be more fully assessed, and they can come to a clear view on this allocation.

If you do not support the preferred sites, please indicate what alternative sites you would suggest?

Do you have any other comments on the Musselburgh cluster area?

Please attach a copy of any documents you wish to include to this printout.

You may upload a file here if required.

Prestonpans/Port Seton/Cockenzie/Longniddry Cluster (Q12)

Do you support the preferred approach to new economic development and housing opportunities in the Prestonpans/Cockenzie/Port Seton/Longniddry cluster?

Please select only one item

Yes No

Please indicate if you support or oppose particular preferred sites, reasonable alternative sites, or other site options, and explain why?

PREF - P1 - Cockenzie Power Station

Please select only one item

Support Oppose No opinion

ALT-P2 Longniddry South

Please select only one item

Support Oppose No opinion

Explanation of support/opposition to sites

Prestonpans

Preferred Development Strategy

PREF-P1 Cockenzie Power Station

This site is identified as a preferred location for employment, energy and potential port related development, incorporating up to 80 ha. Historic Scotland has concerns about this allocation as it has the potential to impact on the site and setting of the scheduled monument Seton West Mains, enclosures 300m SW of (SM 5687). While development may be possible within the majority of the allocation area, a robust design strategy should be provided to avoid impacts on the monument and its setting in accordance with national and local policy. Additionally, the future management of the monument within the development area should also be addressed. The southern area of this allocation makes a contribution towards understanding of battlefield landscape of Prestonpans Inventory Battlefield, and has potential for in situ remains. Historic Scotland considers that this could be mitigated by design and through avoidance of development in the southern part of site.

Alternative Development Strategy

ALT-P2 Longniddry South

This area is identified as capable of accommodating approximately 1,000 homes as well as other mixed land uses. Historic Scotland considers that this allocation will have the potential to change the setting of Harelaw Steading and Longniddry Steading, listed at Category B, which currently retain their rural character. Any allocation and strategy should recognise this in order to mitigate, as far as possible, the most significant impacts. Any development coming forward in this location should also take into account its proximity to Gosford House and inventory garden and designed landscape, in the design and density of development.

Potential options have been identified for how education capacity might be increased in the cluster. How do you think those options could be funded and delivered?

Where might any new education facilities be located if required?

If you do not support the preferred sites, please indicate what alternative sites you would suggest?

Do you have any other comments on the Prestonpans/Cockenzie/Port Seton/Longniddry cluster area?

Please attach a copy of any documents you wish to include to this printout.

You may upload a file here if required.

Tranent Cluster (Q13)

Do you support the preferred approach to new economic development and housing opportunities in the Tranent cluster?

Please select only one item

Yes No

Do you think that all of the preferred housing sites can be delivered in the anticipated timeframe?

Please select only one item

Yes No

Please explain why.

Potential options have been identified for how education capacity might be increased in the cluster. How do you think those options could be funded and delivered?

Where might any new education facilities be located if required?

Please indicate if you support or oppose particular preferred sites, reasonable alternative sites, or other site options, and explain why?

PREF-T9 - East Macmerry Industrial Estate

Please select only one item

Support Oppose No opinion

PREF-T3 Southwest Windygoul

Please select only one item

Support Oppose No opinion

PREF-T4 Windygoul South

Please select only one item

Support Oppose No opinion

PREF-T2 Lammermoor Terrace

Please select only one item

Support Oppose No opinion

PREF-T1 Bankpark Grove

Please select only one item

Support Oppose No opinion

PREF-T8 Macmerry North

Please select only one item

Support Oppose No opinion

PREF-T11 Tynemount West (Ormiston)

Please select only one item

Support Oppose No opinion

PREF-T12 Tynemouth East (Ormiston)

Please select only one item

Support Oppose No opinion

PREF-T10 Elphinstone West

Please select only one item

Support Oppose No opinion

PREF-T13 Woodhall Road (Pencaitland)

Please select only one item

Support Oppose No opinion

PREF-T14 Lempockwells Rd (Pencaitland)

Please select only one item

Support Oppose No opinion

PREF-M11 Dolphingstone (Safeguard circa 400 Homes)

Please select only one item

Support Oppose No opinion

ALT-T6 Kingslaw, Tranent

Please select only one item

Support Oppose No opinion

ALT-T5 Tranent East

Please select only one item

Support Oppose No opinion

ALT-T7 Tranent Mains

Please select only one item

Support Oppose No opinion

Explanation of support/opposition to sites

Tranent

Preferred Development Strategy

PREF-T1 Bankpark Grove

This is identified as a preferred housing area, for up to 80 homes. Historic Scotland considers that this area makes a contribution towards understanding of battlefield landscape of Prestonpans inventory battlefield, as it is identified as the initial Jacobite line. Any development coming forward within this area should be designed to avoid adverse impacts on topography and the potential for archaeological remains. The site is also adjacent to and partially within Tranent Conservation Area. Historic Scotland considers that development should be designed to preserve or enhance the character of the conservation area, and should consider the setting of B listed buildings in the vicinity, in particular preserving the dominance of the parish church. They advise that the proposed masterplan recognise its setting in order to mitigate, as far as possible, the most significant impacts of new development.

Historic Scotland has previously provided advice to the council regarding potential impacts on conservation areas, and would be happy to discuss this further as assessment of this allocation proceeds.

PREF-T10 Elphinstone West

This preferred residential allocation is identified for 80 houses. Historic Scotland notes that there are a number of Category C listed buildings within the allocation, and recommends that consideration is given to their reuse in any proposed development.

PREF-T13 Woodhall Road (Pencaitland)

This area, proposed for 16 houses, would make a minor addition to a conservation area. Historic Scotland has previously provided advice to the council regarding potential impacts

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on conservation areas, and would be happy to discuss this further as assessment of this allocation proceeds.

If you do not support the preferred sites, please indicate what alternative sites you would suggest?

Do you have any other comments on the Tranent cluster area?

Please attach a copy of any documents you wish to include to this printout.

You may upload a file here if required.

Haddington Cluster (Q14)

Do you support the preferred approach to new economic development and housing opportunities in the Haddington cluster?

Please select only one item

Yes No

Do you think that all of the preferred housing sites can be delivered in the anticipated timeframe? Please explain why.

Potential options have been identified for how education capacity might be increased in the cluster. How do you think those options could be funded and delivered?

Where might any new education facilities be located if required?

Please indicate if you support or oppose particular preferred sites, reasonable alternative sites, or other site options, and explain why?

PREF-H3 Gateside East

Please select only one item

Support Oppose No opinion

PREF-H5 Peppercraig Quarry

Please select only one item

Support Oppose No opinion

PREF-H2 Letham Mains

Please select only one item

Support Oppose No opinion

PREF-H1 Dovecot

Please select only one item

Support Oppose No opinion

PREF-H3 Gateside East

Please select only one item

Support Oppose No opinion

PREF-H4 Alderston

Please select only one item

Support Oppose No opinion

OTH – H7 Dovecot

Please select only one item

Support Oppose No opinion

OTH – H6 Amisfield

OTH – H6 Amisfield

Please select only one item

Support Oppose No opinion

OTH – H8 West Letham

Please select only one item

Support Oppose No opinion

Explanation of support/opposition to sites

Other Identified Sites

OTH-H7 Dovecot

Historic Scotland could not comment on this allocation as the nature and extent of proposals was not clear. They consider that there is the potential for some development in the area, however, they recommend that consideration is given to heritage assets in the vicinity if more details are to be developed. This should include the nearby category B listed buildings, and Lennoxlove Inventory garden and designed landscape. They would be happy to comment on further information if it becomes available.

If you do not support the preferred sites, please indicate what alternative sites you would suggest?

Do you have any other comments on the Haddington cluster area?

Please attach a copy of any documents you wish to include to this printout.

You may upload a file here if required.

Dunbar Cluster (Q15)

Do you support the preferred approach to new economic development and housing opportunities in the Dunbar cluster?

Please select only one item

Yes No

Do you think that all of the preferred housing sites can be delivered in the anticipated timeframe?

Please select only one item

Yes No

Please explain why.

Potential options have been identified for how education capacity might be increased in the cluster. How do you think those options could be funded and delivered?

Where might any new education facilities be located if required?

Please indicate if you support or oppose particular preferred sites, reasonable alternative sites, or other site options, and explain why?

PREF-D6 Newtonlees Dunbar

Please select only one item

Support Oppose No opinion

PREF-D7 East Linton Auction Mart

Please select only one item

Support Oppose No opinion

PREF-D3 Hallhill North

Please select only one item

Support Oppose No opinion

PREF-D5 Newtonlees North

Please select only one item

Support Oppose No opinion

PREF-D4 Brodie Road

Please select only one item

Support Oppose No opinion

PREF-D2 Beveridge Row

Please select only one item

Support Oppose No opinion

PREF-D12 Innerwick East

Please select only one item

Support Oppose No opinion

PREF-D10 St John Street (Spott)

Please select only one item

Support Oppose No opinion

PREF-D9 The Crofts (Stenton)

Please select only one item

Support Oppose No opinion

ALT – D1 Eweford

Please select only one item

Support Oppose No opinion

ALT-D11 Innerwick West

Please select only one item

Support Oppose No opinion

OTH-D8 East Linton Expansion Area of Search

Please select only one item

Support Oppose No opinion

Explanation of support/opposition to sites

Dunbar

Preferred Development Strategy

PREF-D7 East Linton Auction Mart

This allocation of approximately 1ha of land for employment use includes a listed building. Historic Scotland advise that any allocation should take account of the listed building and reuse it within any new development, and that this should be guided by a design strategy.

PREF-D9 The Crofts (Stenton)

This area, proposed for 16 houses, would make a minor addition to a conservation area. Historic Scotland has previously provided advice to the council regarding potential impacts on conservation areas, and would be happy to discuss this further as assessment of this allocation proceeds.

Alternative Development Strategy

ALT-D1 Eweford

Historic Scotland has strong concerns about this allocation for 1, 000 homes and other mixed land uses, as it would impact on the sites and settings of two scheduled monuments within its boundary (Eweford Cottages, enclosure and ring ditches ESE of (SM 5835), and Thistly Cross, enclosure 200m E of (SM 5832)). While they consider that development may be possible within the majority of the allocation area, they advise that the Council provide a robust design strategy to avoid impacts on the monuments and their settings in accordance with national and local policy. Additionally, Historic Scotland advises that any allocation should address the future management of the monuments within the development area. Eweford Cottages are C listed, and they consider that the application of the council's policies will ensure that impacts on these heritage assets are minimised.

Other Identified Sites

OTH-D8 East Linton Expansion Area of Search

Historic Scotland notes that there are a large number of designated heritage assets in the identified search area, and impacts on setting will need to be considered in earliest design phases. As very limited information is available at this stage, they are unable to provide a detailed comments, but welcome that the commentary in the MIR refers to cultural heritage constraints in the area, and it should be noted in particular that no development should be undertaken in the scheduled areas. Historic Scotland advises that whilst there may be the potential for development in the vicinity of many of the monuments, any development that would completely surround them or fundamentally alter their current settings should be avoided.

The scheduled monument known as Markle, settlement and laird's house (SM 6680) is within the search area, and impacts upon its setting should be considered in identifying potential areas for development. In particular, the monument has long views towards North Berwick Law, and intrusion into these should be avoided.

Particular consideration should be given to the setting of the category A listed buildings within the search area, and any inter-relationships between these and other buildings, which could be impacted by intervening development.

Any large scale development in the area would have the potential to fundamentally change the character of East Linton Conservation Area, and the setting of the listed buildings in the area. In particular, any development which would completely surround the designated areas should be avoided.

Historic Scotland considers that there is the potential for some development in the area. They advise that it would need to be carefully designed, and certain areas will not be appropriate for development, and could have the potential to raise concerns at a national level for their remit. They would be happy to comment on a more specific boundary and proposal details if and when these become available.

If you do not support the preferred sites, please indicate what alternative sites you would suggest?

Do you have any other comments on the Dunbar cluster area?

Please attach a copy of any documents you wish to include to this printout.

You may upload a file here if required.

North Berwick Cluster (Q16)

Do you support the preferred approach to new economic development and housing opportunities in the North Berwick cluster?

Please select only one item

Yes No

Do you think that all of the preferred housing sites can be delivered in the anticipated timeframe?

Please select only one item

Yes No

Please explain why.

Potential options have been identified for how education capacity might be increased in the cluster. How do you think those options could be funded and delivered?

Where might any new education facilities be located if required?

Please indicate if you support or oppose particular preferred sites, reasonable alternative sites, or other site options, and explain why?

PREF-N2 Tantallon Road

Please select only one item

Support Oppose No opinion

PREF-N5 Fire Service College (Gullane)

Please select only one item

Support Oppose No opinion

PREF-N8 Saltcoats (Gullane)

Please select only one item

Support Oppose No opinion

PREF-N4 Castlemains (Dirleton)

Please select only one item

Support Oppose No opinion

PREF-N9 Aberlady West

Please select only one item

Support Oppose No opinion

ALT-N1 Ferrygate

Please select only one item

Support Oppose No opinion

ALT-N3 Foreshot Terrace (Dirleton)

Please select only one item

Support Oppose No opinion

ALT-N7 Fentoun Gait South (Gullane)

Please select only one item

Support Oppose No opinion

ALT-N6 Fentoun Gait East (Gullane)

Please select only one item

Support Oppose No opinion

ALT-N10 Aberlady East

Please select only one item

Support Oppose No opinion

OTH-N11 Potential Drem Expansion Area of Search

Please select only one item

Support Oppose No opinion

Explanation of support/opposition to sites

North Berwick

Preferred Development Strategy
PREF-N4 Castlemains (Dirleton)

This allocation for 30 homes will have the potential to fundamentally change the character of the Castlemains Place, within Dirleton Conservation Area. Historic Scotland therefore advises that a design strategy should be developed, used in conjunction with a conservation area appraisal. This will allow for a full assessment of any potential impact and change. They welcome the fact that the proposal details identify a need to retain views towards Dirleton Castle, but have strong concerns about the potential impact on the setting of this scheduled monument, and advise that this should be a fundamental design consideration as proposals for this area are developed.

PREF-N9 Aberlady West

This allocation for 100 homes would have the potential to fundamentally change the character of Aberlady Conservation Area. Historic Scotland therefore advises that a design strategy be developed, used in conjunction with a conservation area appraisal. This will allow for a full assessment of any potential impact and change. Any development coming forward in this location should also take into account its proximity to Gosford house and inventory garden and designed landscape in the design and density of the development. A clear buffer should be maintained between the edge of the development and the designed landscape. If the entire allocation were to be developed, this would result in a curved boundary, which may have an impact on the appearance of the settlement form. Historic Scotland recommends this be given consideration in the zoning of the allocation area.

Alternative Development Strategy

ALT-N10 Aberlady East

This allocation lies within Aberlady Conservation Area, and will have the potential to fundamentally change its character. Historic Scotland recommends that a design strategy should be developed, used in conjunction with a conservation area appraisal, to allow for a full assessment of any potential impact and change.

Other Identified Sites

OTH-N11 Potential Drem Expansion Area of Search

This area of search is identified as being either for approximately 1000 homes, or approximately 5000-6000 homes. Historic Scotland advises that, in light of the scale of the development, one of the major concerns in early design stages will be to avoiding completely surrounding the Drem conservation area and to avoid fundamentally altering its character. This includes the setting of a number of B and C listed buildings, and should be given consideration in design phases.

The scheduled monument known as New Mains, enclosures and ring ditch 580m W of West Cottage (SM 111) is within the identified search area, and there is the potential for impacts upon its setting. Historic Scotland recommends that this should be considered in identifying potential areas for development within the area of search, and any development that would surround the monument and fundamentally alter its setting should be avoided. The scheduled area itself should be left undeveloped.

Historic Scotland is currently unable to give view as to the potential level of impact of this allocation, as the scale of development is unknown. However, they consider that there is the potential for development in this area as long as significant impacts on their historic environment interests can be avoided. They would be happy to comment on more details as they become available.

If you do not support the preferred sites, please indicate what alternative sites you would suggest?

Do you have any other comments on the North Berwick cluster area?

Please attach a copy of any documents you wish to include to this printout.

You may upload a file here if required.

Blindwells New Settlement (Q17)

Do you support the preferred approach promoted in relation to the current allocation for Blindwells new settlement (1,600 houses and 10ha of employment land)?

Please select only one item

Yes No

If you do not support it please indicate what alternative you would suggest and explain why?

Do you support the preferred approach promoted in relation to a potential expansion of Blindwells new settlement (beyond the current allocation)?

Please select only one item

Yes No

If you do not support it please indicate what alternative you would suggest and explain why?

Potential options have been identified for how education capacity might be provided for the new settlement through time. How do you think those options could be funded and delivered, and where should the facilities be located?

Delivery mechanisms will be required to enable the development of the new settlement. What do you think the options for this are?

Do you have any other comments in relation to the proposals for Blindwells new settlement?

Blindwells
Preferred Development Strategy
Blindwells Area of Search
Historic Scotland advises that this area of search for the eastern expansion of Blindwells has the potential to adversely affect the setting of A listed Seton Castle and its curtilage buildings, as well as the associated inventory garden and designed landscape, particularly in the north-western section of the boundary. However, they consider that development over the majority of the allocated site is unlikely to raise concerns. The site is located partially within Prestonpans Inventory Battlefield, however, it is not considered to contribute strongly to an understanding of the battlefield landscape, and Historic Scotland is content that this is unlikely to raise significant issues. They would be happy to be involved in further work towards a masterplan for this site.

Please attach a copy of any documents you wish to include to this printout.

You may upload a file here if required.

Housing Land Requirements and Housing Land Supply (Q18)

Does Table 26 set out the proper way of calculating how the SDP housing requirement is to be met? Please explain your answer.

Developer Contributions (Q19)

In terms of approach to infrastructure and developer contributions do you support the preferred approach, the reasonable alternative, or neither?

Please select only one item

Preferred Approach Reasonable Alternative Neither

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

Affordable Housing Quota (Q20)

In terms of approach to the affordable housing quota do you support the preferred approach, the reasonable alternative, or neither?

Please select only one item

Preferred Approach Reasonable Alternative Neither

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

Affordable Housing Tenure Mix (Q21)

In terms of approach to the mix of affordable housing tenures do you support the preferred approach, the reasonable alternative, or neither?

Please select only one item

Preferred Approach Reasonable Alternative Neither

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

Energy, Including Renewable Energy (Q22)

In terms of approach to energy proposals, including renewable energy proposals, do you support the preferred approach, the reasonable alternative, or neither?

Please select only one item

Preferred Approach Reasonable Alternative Neither

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

Use of Low & Zero Carbon Generating Technologies in New Buildings (Q23)

In terms of approach to use of low and zero carbon generating technologies (LZCGT) in new buildings do you support the preferred approach, the reasonable alternative, or neither?

Please select only one item

Preferred Approach Reasonable Alternatives Neither

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

Minerals, Including Aggregates & Coal (Q24)

In terms of the approach to minerals, do you support the preferred approach, the reasonable alternative, or neither?

Please select only one item

Preferred Approach Reasonable Alternative Neither

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

Waste (Q25)

In terms of the approach to waste do you support the preferred approach, the reasonable alternative, or neither?

Please select only one item

Preferred Approach Reasonable Alternative Neither

Please explain your answer. If you support neither of the above options, what alternatives do you suggest?

Minor Policy Review and New Policies to be Introduced (Q26)

The Monitoring Statement indicates where and how the Council intends to promote for the LDP a minor review of existing local plan polices and the introduction of new policies, either in the LDP itself or in Supplementary Guidance. Do you have any comments on these proposals? Please indicate which policies you are referring to.

MONITORING STATEMENT

Impact of the Local Plan 2008

Built and Historic Environment

Historic Scotland welcomes the consideration given in this section to impacts on listed buildings and conservation areas, and would recommend that this extends also to gardens and designed landscapes (currently discussed under the section on Landscape) and scheduled monuments, both of which form part of the Historic Environment, and are protected by policies within the current local plan.

Key Issues for ELLDP

Historic Scotland would advise that a key issue that should be included in this section is to protect inventory battlefields, which are of national importance, and are not currently addressed by policy in the local plan, as it pre-dates the designation of these sites.

Policy Review

Protection of Battlefields

Historic Scotland welcomes the fact that the requirement for a new policy to protect battlefields is recognised in this section. As a new policy is to be produced to cover this designation, Historic Scotland recommends that you seek advice from your archaeological advisor. Historic Scotland would be happy to discuss this, and comment on the policy in the drafting process if necessary.

Do you have any other comments to make?

Other Comments (Q27)

Finally, do you have any other comments to make on the Main Issues Report that are not covered by the previous questions?

Historic Scotland welcome that the spatial strategy takes into account the need to protect and, where appropriate, enhance the historic environment. They consider that this will deliver development that is sensitive to the historic environment, while taking opportunities to use historic environment features in the creation of better places to live, work and visit.

In reviewing the land use proposals accompanying the Main Issues Report, Historic Scotland focus on those sites where they will have a role in the consequential planning decisions falling from the Local Development Plan. That is, proposals likely to impact upon scheduled monuments and their settings, category A listed buildings and their settings, battlefields appearing in the inventory, gardens and designed landscapes appearing in the Inventory and any proposals which may lead to demolition of listed buildings, or buildings within Conservation Areas. (This is hereafter referred to as Historic Scotland's remit). They provide a view on both direct impacts (e.g. proposals within the scheduled areas of monuments) and indirect impacts (e.g. those impacting upon on the way in which the surroundings of a historic environment feature contribute to how it is experienced, understood and appreciated).

Where previous comments have been provided on allocations by Historic Scotland relating issues outwith this remit (such as category B and C listed buildings) they have been reiterated here purely for reference.

Historic Scotland is generally content with the spatial strategy outlined for the Council and consider that the majority of potential impacts on the historic environment can be successfully mitigated by the application of policy.

They have specific comments regarding a number of development locations.

Please attach a copy of any documents you wish to include to this printout.

You may also upload a file containing your further comments. Please do not do this as an alternative to completing the online questionnaire where relevant as this will considerably slow the process of analysing the responses.



04 November 2016

Our Ref: GOSH/041116/TN/01

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Dear George,

Re: Trial Trenching at Goshen Farm within the Inventory Area of the Battle of Pinkie

CFA has just completed a programme of trial trenching evaluation within a proposed development area at Goshen Farm, within the area of the Inventory status Battle of Pinkie. The evaluation was undertaken to the terms of a Written Scheme of Investigation (WSI), dated 3 October 2016, which was approved by the East Lothian Council Archaeology Service (ELCAS) on 7 October 2016 (a copy of the WSI was also sent to HES). A report on the results of the evaluation (CFA Report No. 3497) has been lodged with ELCAS and a copy will be forwarded to HES once we have addressed any comments that ELCAS may have.

The Inventory boundary for the Battle of Pinkie has been researched and defined by Historic Environment Scotland to encompass the landscape within which the main events of the battle took place and where associated physical remains and archaeological evidence occur, or may be expected to occur. Whilst the Inventory entry notes that it has been suggested that the English Camp was located within the proposed development area, recent historical research carried out by Dr Alasdair Ross of Stirling University has indicated that the Camp was more likely to have been situated between Dolphingstone and Prestonpans, well away from the site.

According to an eye witness to the battle, the English Camp was entrenched and, if the Camp lay within the proposed development area, archaeological traces of this feature would be likely to have survived, and a primary goal of the evaluation was to test for its survival. In the event, no traces of entrenchment or other features that may have related to the English Camp were revealed by the trial trenching. The remains of rig and furrow cultivation and a single sinuous ditch that ran east to west across the site along the line of a field boundary shown on Forrest's map of 1832 indicate that the site has not been horizontally truncated. Thus, the English Camp cannot have been present within the proposed development area, but, rather, it must have been elsewhere, as the recent historical research has indicated, most likely further to the east.

There has been a range of recent research on the Battle of Pinkie, including our evaluation at Goshen Farm. The results of that research have been addressed by David Caldwell in forthcoming paper, including an article to be in the September/October edition of *History Scotland*, and we suggest that the Inventory entry should be updated too. I would be grateful, therefore, if you could pass this letter to the relevant individual in the Inventory team and ask

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them to contact me, so that I can send them a copy of our report on our evaluation, together with any of our reports on earlier research that they might find useful. Alternatively, if you could send me contact details, I would be pleased to contact them direct.

If you have any questions, please contact me.

Yours sincerely



Tim Neighbour

CC: Andrew Robertson, ELCAS