

Members' Library Service Request Form

Date of Document	21/03/17
Originator	Iain Mcfarlane
Originator's Ref (if any)	
Document Title	Proposed East Lothian Local Development Plan - Representations to Proposed Local Development Plan

Please indicate if access to the document is to be "unrestricted" or "restricted", with regard to the terms of the Local Government (Access to Information) Act 1985.

Unrestricted	<input checked="" type="checkbox"/>	Restricted	<input type="checkbox"/>
--------------	-------------------------------------	------------	--------------------------

If the document is "restricted", please state on what grounds (click on grey area for drop-down menu):

For Publication

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

For Office Use Only:	
Library Reference	31/17
Date Received	21/03/17
Bulletin	Mar17

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



Coastal Regeneration Alliance is non-protest, non-political and non-profit organisation sharing the views of our local communities and developing proposals for our coast villages.

Registered office:

37 Links Road, Port Seton, EH32 0EA

coastalregenerationalliance@gmail.com

Policy & Projects Development
Partnerships & Services for Communities
East Lothian Council
John Muir House
Haddington
EH41 3HA

7 November 2016

Sent by email only for the kind attention of Mr Iain McFarlane.

Dear Sir

East Lothian: Proposed Local Development Plan

The Coastal Regeneration Alliance (CRA) represents the people of the three local communities of Port Seton, Cockenzie, and Prestonpans in relation to their local ambitions for urban regeneration, particularly of public open space. I am writing in response to the proposed Local Development Plan and in particular with reference to the Scottish Power land that has been referenced as **EGT1** (the former Cockenzie Power Station) in the Plan. You are already aware of CRA's attempt to acquire land from Scottish Power Generation Ltd using the processes in the Land Reform (Scotland) Act 2003.

The area shown on the map accompanying the Local Development Plan (inset Map 32) extends well beyond the site of the former Cockenzie Power Station. The majority of this land is currently designated in the East Lothian Local Plan 2008, as Countryside (DC1) or Public Open Space (C3). The land associated with power generation extends to the areas of land covered by the main

power station building, transformer building, coal plant and the coal conveyor buildings. This is the site allocated in the Adopted 2008 Local Plan and previous Local Plan as NRG1.

CRA considers this re-allocation of Countryside and Public Open Space to be incorrect and inappropriate, ***and we object to it.***

The proposed changes are not *in any way* a requirement of National Planning Framework 3 and appear to be seeking to surreptitiously extend the Power Station site beyond the current, clearly defined, boundaries. Neither do they reflect the ambitions of NPF 3 or SPP2 (June 2014 edn). Policy EGT1 should be applied to the former Power Station site only and not to the surrounding land, which should retain its designation as Public Open Space and Countryside, a status it has enjoyed since the Power Station was first built.

Development Locations (Spacial Strategy): The Preferred Approach of concentrating development in the West of the County risks the removal of much of the public and amenity land for the existing settled population. The suggested concentration of large scale housing development is incompatible with the creation of a large (potential) industrial site and port between Cockenzie and Prestonpans, extending into the Forth. The likely form of any development at EGT1 that includes land that is currently Countryside and Open Space around the footprint of Power Station is thought to include new energy related uses, manufacturing, servicing and potentially port related developments. These functions are simply not compatible with the dense residential strategy being proposed under the Plan, nor with the existing rural residential nature of the area. Nor is it compatible with the use of the Greenhills and the Battlefield sites as Open Space, a commodity so very valuable to these three discrete communities.

Countryside and Open spaces: The proposed EGT1 would, if included in the Local Development Plan, remove significant parts of the Countryside and Open Space between these settlements, reducing amenity and dividing the existing settlements.

The site includes existing amenity land, a large portion of the Greenhills, public footpaths, cycle route 76, core paths, open countryside, part of the route of Scotland's 1st railway (Tranent to Cockenzie Waggonway) and a substantial part of the remaining undeveloped and core site of the Battle of Prestonpans at the registered Battlefield Site.

CRA accordingly opposes the proposal to re-allocate existing Public Open Space and Countryside, without explanation, as part of the site of the former Cockenzie Power Station. CRA supports and propose appropriate mixed employment within the existing industrial footprint but only at the former power station site at Cockenzie, *so long as it takes into consideration the residential and Open Space areas adjacent to the former PS site and the wider local environment*. This approach would be in accordance with both NPF 3 and SPP (June 2014)

CRA wishes to be represented and heard at the Examination into the draft Local Plan.

Yours faithfully

Shona Brash
Chair, CRA

HUMBIE, EAST AND WEST SALTOUN AND BOLTON COMMUNITY COUNCIL

Chairman

Mrs. Rosemary Greenhill

Treasurer

Mr. A. W. Beck

Secretary

Mrs M. M. Bisset

3 November 2016

Dear Sir/Madam

We write in response to consultation on the Local Development Plan as agreed by East Lothian Council.

As commented previously in a letter to Iain McFarlane of 14th July, this Community Council wishes to note its concerns about the Local Development Plan. Extensive consultation was held with the residents of East Saltoun and Humbie. Three events were held in the spring of 2016 – all of which were extremely well attended. At each of the events, the community reflected on the design frameworks. Notes of the discussions at meetings held in East Saltoun and Humbie to specifically consider the proposals as they relate to those villages are appended.

At all meetings there was general dismay that none of the views expressed by the Communities had influenced the Council's proposals. East Lothian Council makes much of its intent that community wishes be reflected in the Local Development Plan – and the wishes of our communities have been consistent throughout the consultation process.

Overall, there is unanimous agreement that the developments, as proposed, are excessive given the size of the existing villages and cannot support the proposals set out in the Local Development Plan. Furthermore, the events in Humbie and East Saltoun identified that the community is divided about the need for new houses. Both point out that sudden growth in the population would be difficult for the existing villages to integrate.

Both communities wish to receive an explanation as to why the particular proposed sites were selected as these sites do not rate highly on the Council's own rating system. They remain disappointed that no explanation has been given. The main points can be summarised as:

- In East Saltoun, there is broad and strong disagreement with the plans for Dryden Field as they have been laid out currently and the apparent lack of consideration of alternative sites.
- In East Saltoun residents are concerned about the site selection and the numbers of houses proposed. There are only 150 houses currently – 75

additional houses would mean the village growing by 50% in a short space of time. Of course, residents also recognise that 75 is only a guide and the final number would be decided in a planning application, and could be much higher. There is also concern that Dryden Field is not an appropriate location for development as it is further away from community facilities such as the school and village hall. It was suggested that West Crescent or the field below the church might be better locations.

- In Humbie, residents again consider the scale of development inappropriately large relative to the size of the current village. The proposed permanent access through Kippithill is considered unworkable by many residents. The envisaged development would add an additional 40-50 cars to an access road already congested by the parked cars of existing residents and commercial vehicles, increasing the risk to both vehicles and pedestrians.
- Both communities were adamant that any new development should be subject to the same constraints as existing properties, such as building height, restrictions arising from the conservation status in East Saltoun etc. All were clear that adequate car parking was essential given the absence of adequate public transport.

We, as a Community Council, and our communities, remain clear that the issues raised by the Community have not been addressed. Furthermore, the plan as proposed does not clearly explain how the Council's ambition to support vibrant and thriving communities will be supported.

Yours sincerely

Rosemary Greenhill

Rosemary Greenhill
Chair

HUMBIE, EAST AND WEST SALTOUN AND BOLTON COMMUNITY COUNCIL
MINUTES of MEETING held to discuss the LOCAL DEVELOPMENT PLAN on
WEDNESDAY 18th MAY 2016 at Fletcher Hall, East Saltoun at 7.30 p.m.

Cllrs PRESENT: Cllr T Trotter

Community Councillors Present: D Gentle, D Logie, D Smith, A Beck, R Greenhill

Residents present: 47

1. Dave Gentle opened the meeting to explain that the purpose of the meeting was to discuss the Council's proposals in the Local Development Plan as they relate to East Saltoun. It was stated that the aim of the meeting was to (a) share information, and (b) to gather feedback from the attendees. He noted that the Planning Committee was due to meet in June to consider the LDP. A letter would be produced and sent by the Community Council to East Lothian Council summarising the views aired. These views should help the Council gauge the level of support and understand the issues of concern within the community. Dave would circulate a copy of his presentation to all those who had left email details at the start of the meeting.

Land Allocation – who determines this?

2. It was explained that the Council had sought offers of land from landowners to ensure a sufficient land supply for the building of some 10,000 new houses. The requirement for 10,000 is a commitment reached in the South East Scotland Plan (SESplan). For East Saltoun, land had been offered at Dryden Field, Greenhead and West Crescent. Each plot submitted had been assessed according to a number of criteria. This had informed the selection by the council. Initially, none of these plots had been selected for development in the Main Issues Report. However, Dryden Field has now been selected for the Local Development Plan. The question was raised; why was this land reselected after being rejected initially?

Is it a “done” deal?

3. It was noted that most of the 10,000 houses would be erected in the Western part of the County. However, spaces were required elsewhere. All sites in the LDP are “proposed” and are, as yet, not agreed. It was noted that because some sites are not progressing (eg Letham), the Council requires more land to be identified to ease the pressure for new housing.

What is the role of the Community Council and how do residents interact with the process?

4. It was explained that the Community Council is a statutory body and is a formal consultee in the planning process. As part of that role, it had responded to the consultation on the Main

Issues Report to clarify that it did not agree that sites proposed were suitable, but supported limited development in each of the communities. It had held the meeting in Humble on 3 March and was now following that up with further meetings in the communities for which development is proposed. There were questions regarding ELC process and timescales. It was discussed that there would be a formal consultation concerning the potential development at Dryden field should it go to the next stage.

5. It was clarified that residents may contact the Council. However the Community Council would write setting out the collective views at this stage. Should any planning application be submitted in due course for the proposed sites, it would be important that everyone – Community Council, Community groups and residents respond to confirm their support or reasons for objection.

Who has decided that 75 houses is the right number? Is there capacity in the local infrastructure to support this many?

6. It was clarified the 75 houses was a number proposed by the Council and was higher than the original 50 proposed in the MIR. However, the actual would be determined as part of the planning application submitted by a developer.

7. Most agreed that 75 new houses in the village was excessive and could be viewed as over-development - some 20-25 new homes would be more realistic. It was clarified that a Section 75 consent (part of the planning permission) would require a developer to provide, or provide a contribution to, local infrastructure such as additional space a local schools, provision for play areas etc. Similar arrangement would be put in place to cover utilities. Derek Smith confirmed that he had been in contact with Scottish Water. It had confirmed that it would provide the additional capacity should it be required.

8. It was also noted that there are space constraints at the cemetery and these should be addressed too as part of any development proposal particularly as the same landowner owns land adjacent to the church.

Are there other sites that should be developed instead?

9. It was noted that using the Council's own assessment, Dryden Field did not rank highly as suitable for development. It was suggested that perhaps the land below the church was a preferable site.

10. It was suggested that further consideration should be given to the layout of the village – any development should support the long-term vibrancy of the community. Any new development should not result in separate enclaves.

What issues relate to the Council's "design framework" or layout for the site?

10. It was noted that:

- The **playpark** should not be sited adjacent to or be accessed from a road that is used frequently by large lorries carrying logs.
- **Access** to the site should be from the Gifford Road rather than the road to Petersmuir. There should be adequate space provided for a footpath and the road.
- The **new houses** should be subject to same conditions that apply to the rest of a village given its designation as a conservation area. This should mean that houses are less than 2-storey in height, no uPVC windows etc.
- Sufficient room should be provided for **parking**. Each house should have provision for at least two cars.
- The village does not have good **internet service** and requires sufficient broadband support.
- More frequent **bus services** need to be available to residents.

There was general support for some development, although at a much smaller scale than laid out in the draft development plan for Dryden Field. The majority of the people present did not support the potential development as it has currently been presented by ELC.

Next steps.

11. It was noted that a further meeting would be held in Humbie. Comments received at this meeting and at Humbie will be provided to elected members and directly to the Planning Department.

Draft conclusions of public meeting held in Humble Village Hall to consider proposed zoning of land for housing at Kippithill, 26 May 2016

1. Proposed zoning

- 1.1 The views expressed largely mirrored the consensus recorded at the public exhibition of the MIR proposals held in the village hall in January 2015 - that the addition of several houses a year was a more appropriate way to develop the village than a single one-off 'blob' of new housing. There was general dismay that the views expressed at the earlier meeting did not seem to have influenced the Council's proposals in any way.
- 1.2 Any housing development whatsoever on the Kippithill site was opposed by 30% of those present citing concerns about location, access (see 2 below), traffic volumes and loss of amenity. Moving the proposed zoned area further to the west was proposed by several as a way of alleviating such concerns while allowing the village to grow.
- 1.3 The remaining attendees were opposed to the construction of such a large number of houses (20+) in a single phase, the concerns cited including the capacity of the school to absorb the consequent one-off increase in numbers and, perhaps more importantly, the ability of the community to integrate such a large group of new residents.
- 1.4 There was considerable support for 'pockets' of development in and around Humble to provide the same number of houses, but over a number of years, as an alternative to Kippithill. Such an approach would spread the load on the school sustainably over a longer period. It was agreed to investigate funding to explore this option.
- 1.5 Concerns were expressed that a single phase development at Kippithill would require the provision of a percentage of affordable housing in a village where employment opportunities are few and there is no public transport, potentially isolating the new occupiers to their own detriment and possibly that of the community. There was, however, support for a mixed development of housing types.
- 1.6 There was considerable interest in the concept of a community-led development under which a not-for-profit company would acquire ownership of the land and manage its development in a phased and sympathetic way, providing sites for small builders and self-build. However, some attendees were concerned that such an approach would mean disruption from construction traffic over a number of years. The need for the community to fund both site purchase and servicing up-front was acknowledged as a potential challenge to feasibility.

2. Draft Development Brief

- 2.1 The draft brief is primarily about landscaping – but does not provide for any screening between the existing houses and those proposed. The brief is largely silent on the built component. It should be more prescriptive in terms of density and layout to protect the nature of the existing village and community.

- 2.2 The proposed permanent access through Kippithill is considered unworkable by many residents. The envisaged development would add an additional 40-50 cars to an access road already congested by the parked cars of existing residents and commercial vehicles, increasing the risk to both vehicles and pedestrians.
- 2.3 The proposed access for construction vehicles through Kippithill is unnecessary and unworkable – the landowner is prepared to facilitate such access on the western fringe of the site as a viable alternative.
- 2.4 The proposed pedestrian access terminates in a lane which provides vehicular access to a number of existing houses and garages. The consequent mixing of increased pedestrian traffic with vehicles needs to be explicitly addressed.

Conclusion

There is community support for some additional housing in and around Humbie, but considerable opposition to a concentrated single-phase development at Kippithill. ELC's proposals do not appear to enjoy widespread support in the community and there is continuing concern that alternative options which might be more acceptable to the community have been rejected by the council without adequate explanation.

Representation to East Lothian Local Development Plan - Proposed Plan (October 2016)

Section 2e - Haddington Cluster Main Development Proposals (pages 41-43)

Manse LLP - In respect of land at Gateside West, Haddington (PROP HN5)

Introduction

Ryden is instructed by PLOT (Haddington) LLP to submit a representation to the Proposed East Lothian Local Development Plan (LDP) in relation to PROP HN5 Gateside West, Haddington.

This representation relates to the one acre site allocated for pub/ restaurant use within Gateside West (see attached plan). The site is owned by PLOT (Haddington) LLP, an Edinburgh based property development and investment company.

Background

Full planning permission was granted in 2014 for a mixed use development across the Gateside West site, which forms the basis of the proposed LDP allocation. This planning permission approved the erection of 112 houses, industrial units (Class 4 use), a pub/ restaurant and associated works. This was approved following extensive pre-application discussions with East Lothian Council (ELC) Planning Department. Subsequently, Persimmon Homes acquired the residential portion of the site and has progressed with the development of 109 units on a slightly modified layout to that originally approved.

This representation seeks to amend the allocation in relation to the 1 acre pub/restaurant site and in particular the accompanying text in paragraph 2.122. It is proposed to remove the reference to a pub/restaurant, replacing it with residential use. As is explained in detail below, there is no market demand for the commercial use allocation and replacing that with residential use will ensure the site is fully developed.

The Site

Gateside West comprises the remaining portion of the former Gateside Commerce Park to the east of site allocation PROP HN6 where Sainsbury's were previously granted permission for a food store in 2013. It extends to some 13.14 acres (5.3 ha) and is located immediately north of West Road B6471 at the western edge of Haddington. The site is enclosed to the north by A199 Haddington bypass, to the west by what will be the new food store and to the east by Ugston Road separating Gateside Park West from the field and the Knowsley Park residential development to the east.

Modification Sought

Gateside West has been allocated in the Proposed Plan under PROP HN5 as a '*Mixed Use Proposal*' for housing and employment development, including circa 112 houses and employment generating uses, including a pub/ restaurant.

Specifically, PROP HN5 states:-

'Land at Gateside West is allocated for a mixed use development, including circa 112 homes and employment generating uses, to reflect existing planning permissions. Any new development proposals for the site must include a comprehensive masterplan for the entire allocated site that integrates development with the surroundings. 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 and on education and community facilities as appropriate.'

PLOT (Haddington) LLP supports ELC's positive approach and welcomes the plan's overarching principle of mixed use development on this site. However, it is proposed that the policy should be more flexible to accommodate actual market demand. More specifically, the policy wording should be amended to remove the reference to a pub/restaurant and allow an increased number of residential units.

Our suggested amended wording for 2.122 would read as follows;

'Land at Gateside West at the former Gateside Commerce Park in the west of Haddington is allocated for a mixed use housing and employment development'.

Text at PROP HN5 to remain as existing.

Justification for Modification

The pub/restaurant use was included in the original masterplan on the basis of anticipated market demand at the time of submission (2014). Pre-application discussions with ELC confirmed that it would not be economically viable for a developer to build the proposed business units on the adjacent site, however, there was a willingness from the applicant to seek to provide an alternative means of increasing locally based employment. On this basis, the pub/restaurant use was considered to complement the proposed residential element, existing employment uses as well as the approved food retail and residential uses at adjoining locations.

The pub/restaurant use at Gateside West has been actively marketed since planning permission was granted in October 2014, initially by Coates and Co and then through Colliers International from November 2015. The availability of the site has, therefore, been widely promoted for an extensive period by very reputable property agency firms, who have undertaken various marketing campaigns targeting all property agents operating in the east of Scotland market, as well as locally in East Lothian. These have included: an advertising board onsite, detailed marketing particulars widely circulated through relevant circulation lists; advertisement on relevant websites (CoStar, Novaloca and EGI) as well as being logged on the Colliers website.

A statement from Colliers has confirmed that the initial response to the marketing initiative yielded some enquiries with interest being noted by McDonald's as well as other tentative enquiries. However, whilst there was some commercial interest in the area, feedback received concluded that the site does not provide the road prominence to the A1 or A199 that restaurant/leisure operators require.

Despite this extensive marketing campaign, no offers have been received and in view of market conditions generally, unless there is a fundamental change in circumstance, there is little optimism that an operator will be found in the foreseeable future.

However, Colliers did confirm interest from a number of national house builders and it is their view that if the site was re-allocated it would provide the certainty required to progress formally with the interested parties and secure the development of the site.

The marketing evidence demonstrates that there has been and remains a distinct lack of interest for a pub/restaurant use at this site. Based on the level of interest received from residential developers, there is no doubt that this site could be successful in delivering further housing.

The principle of housing development has been established on the site via application 14/00219/PM which is reflected in the current LDP allocation. Initial layout testing indicates that the site could accommodate circa an additional 16 residential units, which could be brought forward as part of the comprehensive development of the entire site.

A small number of additional houses is easily deliverable alongside that already allocated (112 housing units). The necessary on-site infrastructure will be provided and a proposal of this scale will not create any direct or cumulative impact on infrastructure capacities and its delivery is not reliant on further infrastructure interventions. The additional housing would be complementary to that proposed across the majority of this site as well as the surrounding area and could be targeted towards the lower end of the spectrum of market prices.

As a residential allocation, the site is effective and deliverable in the short-term and will increase the contribution that Gateside West can make to the recognised shortfall in the effective housing land supply. Importantly, the site is capable of being delivered pre-2019 and during the period of greatest pressure for the LDP to bring forward effective, new sites.

Conclusion

This representation seeks to reflect market demand in amending the policy allocation for Gateside West – PROP HN5. In allowing more flexibility and removing the specification for ‘pub/restaurant’ use (para 2.122) the Council can ensure the site is delivered and makes a telling contribution to the economic wellbeing of the region.

If the allocation is maintained in its current form then marketing evidence demonstrates that this part of the site is likely to remain vacant for the foreseeable future. That scenario is detrimental to the marketing of the residential units that are to be developed across the remainder of the site.

Additional housing will see this part of the wider site developed, making a positive contribution to the regeneration of the former Gateside Commerce Park.

PLOT (Haddington) LLP would work positively with East Lothian Council in seeking to prepare a comprehensive masterplan for the entire site, as per the requirements of PROP HN5, and allowing the Council to consider the proposed modification in the context of the wider site.



03 November 2016

D Mitchell Esq.
Managing Partner
Manse LLP
46 Charlotte Square
Edinburgh
EH1 4PZ

Dear *David,*

HADDINGTON - GATESIDE - WEST ROAD

I refer to our instructions to market the site at the above on your behalf and would take this opportunity outlining the actions taken to-date as well as the strategy proposed for future exposure of the site to the market.

I would report as follows;

TIMING

Marketing commenced in November 2015 and the availability of the property since then has been widely known to the market through the actions noted below.

BOARD

Our advertising board has been located in a prominent position on the site from the outset and it is fair to say has attracted the majority of enquiries albeit most of these have been tentative in nature.

MARKETING PARTICULARS

I attach a copy of our marketing particulars herewith and you will note that these place emphasis on the following;

- The position close to Haddington town centre;
- Adjacent to a site acquired by Sainsbury's for a supermarket development;
- 1,200 houses being constructed in the immediate vicinity by Taylor Wimpey, Mactaggart and Mickel, Cala and Persimmons;
- Planning consent having been obtained for a pub/restaurant extending to 690 sq m (7,425 sq ft), although it is available for alternative uses subject to planning.

SAINSBURY'S DEVELOPMENT

Current information on the proposed Sainsbury's development is that they are intending to carry this out themselves albeit at this stage there is no indication of a firm commitment.

MARKETING

Details have been circulated actively and specifically to the following;

- Accessible Retail circulation list
- Shopping agents circulation list
- CoStar
- Completely Retail
- Colliers requirement list

In addition the property is logged on our website which gives access to various marketing websites including;

- CoStar
- Novaloca
- EGI

MARKETING RESPONSE

Initial response to the marketing was relatively positive with interest being noted by McDonalds, albeit following a review they did not proceed. Feedback has been received to the effect that the site is not prominent enough to the A1 or A199, which are the most desirable frontages for commercial business. Whilst feedback from the various circulation lists has been slow, response to the board has been better, albeit this is mainly from more tentative enquiries. Users enquiring include a residential developer, a pub/restaurant operator, retail/strip mall developers (albeit the status of the Sainsbury's development is relevant as far as this particular interest is concerned) and leisure operators.

Although enquiries received have been at a high-level no offers have been received to date.

It would be helpful to have a definite commitment from Sainsbury's to proceed with the development on their site at this location. Notwithstanding it is the intention is to refresh our details and recirculate these to the following users;

- Pub and restaurant
- Fast food
- Trade counter
- Convenience store and strip mall occupiers
- Leisure

COMMENTS

Despite extensive marketing we have not attracted any offers for the site and in view of market conditions generally, unless there is fundamental change to these we are not optimistic that the purchaser for the current use will be forthcoming in the near/medium future.

We have received enquiries from more than one national house builder and our view would be if residential consent was available on the site this would attract a number of purchasers capable of delivering a development complimentary to the immediate surrounding uses.

I hope that the above brief summary will be helpful but if you require anything further at this stage please let me know.

Kind regards.

Yours sincerely

A small, handwritten signature in blue ink, appearing to be "R Fisher".

**R Fisher FRICS
HEAD OF SCOTLAND**



— SITE BOUNDARY

ema

a ch t ct + mas e planne s

B S
@ S 0 0

O (ADD NG N)
GA ES DE A KW S
WES ROAD HADD NG ON

MI RES AURAN

30 2 SK 800	

Persimmon Homes

Proposed East Lothian Local Development Plan - Craighall

Date 7 November 2016

HolderPlanning

5 South Charlotte Street, Edinburgh, EH2 4AN.

Tel: 0131 225 6349

www.holderplanning.co.uk

Contents

Page

- | | |
|--|---|
| 1. Local Development Plan – Land at Craighall, Musselburgh PROP
MH1 | 1 |
| 2. Development Brief Representation and Local Development Plan
Policies DP9 and MH17 | 3 |
| 3. Representation on Developer Contributions and LDP Policy
DEL1 and Associated Related Proposals | 4 |

1. Local Development Plan – Land at Craighall, Musselburgh (PROP MH1)

- 1.1 This representation is made on behalf of Persimmon Homes, who control the majority of the land within the proposed mixed use allocation at Craighall (Proposal MH1 – Land at Craighall, Musselburgh). Persimmon support and welcome this proposal, and will endeavour to implement it as soon as possible.
- 1.2 However, we have a concern that the specific terms of the proposal are overly prescriptive in terms of identifying housing numbers for the various parts of the site. Although we appreciate that these numbers are identified as approximate, we are aware that in the past East Lothian Council has taken a figure of 10% to be the level of flexibility around stated housing capacities. Given that detailed master-planning of the sites is still to be undertaken, we consider that a greater level of flexibility is required. We therefore recommend that the references to 350 houses for each of the two sites at Old Craighall and north of the A1 are deleted.
- 1.3 Proposal MH1 is one of the most significant proposals in the LDP, containing 1,500 homes, 41 hectares of employment land, a new local centre, a new primary school and community uses. It will also provide part of the critical mass of new housing development in Musselburgh that will contribute to funding and the proposed new Secondary School in Wallyford (Proposal MH11).
- 1.4 Land at Craighall will provide an economic development location of regional importance and a new mixed use, housing-led urban neighbourhood around Old Craighall. This site is one of the most accessible in East Lothian and is well served by public transport, and there are opportunities to improve this in the development of the site. New or improved connections, including for active travel, through the site and between existing or proposed development areas or transport routes or nodes will be provided as part of this development. This, in combination with a modified A1 junction providing an underpass of the A1 at Queen Margaret Drive (PROP T16) and a link to Whitehill Farm Road (PROP T22), will improve access in the area, including for bus based public transport. We note that land is safeguarded as part of the development to improve Musselburgh station as a transport interchange (PROP T11). We note that economic land to the west of Queen Margaret University is allocated to support the key sectors of learning, life sciences and food and drink that are clustering in the area.
- 1.5 Development of the Craighall site will support existing communities, including Musselburgh and Old Craighall. As well as providing land for employment and homes, including affordable homes, a new local centre at Old Craighall village will be introduced as part of the Craighall development. The local centre will provide the focal point for a mix of land uses of an appropriate local scale and character. It will include a new primary school and community sports facilities.
- 1.6 We note the requirement that the primary school must have a minimum campus area of 3.1ha and it must be delivered as a first phase of development at Craighall and that it should be located adjacent to and north of the Old Craighall village. However, in our view, this level of detail is overly prescriptive at this stage, in advance of the detailed masterplanning process.

- 1.7 We recognise that the location and design of the local centre should allow it to be conveniently accessed, including by active travel modes and by bus, to ensure it is connected to other places, including nearby rail stations, Musselburgh town centre and regional employment and community facilities. We note the requirement to investigate the realignment of the B6415 through the Craighall site.
- 1.8 Development of this prominent site presents important design considerations and, as the Council is aware, Persimmon recognise the importance of the masterplanning and design processes towards achieving an attractive residential and business environment, which blends into its surroundings.

Next Steps

- 1.9 With the support of the Proposed LDP it is now the intention of Persimmon to begin the substantial work needed in support of a comprehensive Planning in Principle Application for the whole of the site covered by Proposal MH1. Initially, this will require scoping for the Environmental Assessment, production of a consultative masterplan and the submission of a Proposal of Application Notice, which of course will involve consultation with the community and other stakeholders. As the Council is aware, Persimmon has already undertaken a significant amount of work in respect to key site planning considerations, which was shared with the Council in advance of the decision to allocate the site in the Proposed Plan. Persimmon will continue to liaise with the Council and Queen Margaret University as it prepares the planning application. It is anticipated that the planning application will be submitted in mid-2017.
- 1.10 **Proposed Modification: MH1** - Delete reference to approximate housing numbers of 350 houses for each of the two sites at Old Craighall and north of the A1.

2. Development Brief Representation and LDP Policies DP9 and MH17

- 2.1 This representation should be read in conjunction with the representation made on behalf of Persimmon Homes in support of the mixed use allocation at Craighall (Proposal MH1 – Land at Craighall, Musselburgh).
- 2.2 Proposal MH1 contains a reference to the need for a masterplan for the entire allocated site, which conforms to the Development Brief. The Council has prepared a Draft Development Brief for the site, which is subject to a parallel consultation with the Proposed LDP.
- 2.3 Persimmon support the terms of Proposal MH1 in respect to masterplanning and the need for an over-arching development brief. However, we are concerned that the Draft Development Brief may be overly prescriptive, given that significant detailed work still requires to be undertaken, which may point towards alternative site design options. In our view, therefore, the terms of Proposal MH1 are overly prescriptive at this stage, and its terms should be caveated to say that the need for conformity of the masterplan with the development brief will be subject to the consideration of detailed site assessment, and possible acceptable alternative approaches.
- 2.4 We have reviewed the Draft Development Brief for Craighall, and do not consider that either the Council or Persimmon have undertaken sufficient analysis at this stage to be confident that all of the content of the Brief will be supported by that analysis. There is significant work still to be done on such matters as habitat assessment, accessibility, circulation, safe routes to school, landscape assessment and community facility requirements, all of which may influence the content of the Brief. We therefore recommend that the Development Brief remains in draft form to allow this further work to be undertaken and discussed with the Council.
- 2.5 We also support the representation submitted by Homes for Scotland in respect to Policy DP9 in regard to conformity with development briefs, and we refer the Council to that submission.
- 2.6 **Proposed Modification:** If the development briefs published for consultation alongside the Local Development Plan are to be adopted with the Plan, we suggest that the wording of Policy **DP9** is amended to remove the obligation on the developer to ‘conform’ with the Development Brief. The wording of Policy **MH17** should be amended in the same manner.

3. Representation on Developer Contributions and LDP Policy DEL1 and Associated Related Proposals

- 3.1 This representation should be read in conjunction with the representation made on behalf of Persimmon Homes in support of the mixed use allocation at Craighall (Proposal MH1 – Land at Craighall, Musselburgh).
- 3.2 Persimmon accept the need for new development to be brought forward in association with supporting infrastructure and facilities. The first part of Policy DEL1 states:

“New development will only be permitted where the developer makes appropriate provision for infrastructure and community facilities required as a consequence of their development in accordance with Scottish Government Circular 3/2012 or any revision. Any necessary provision for interventions must be phased as required with the new development”.

As explained in paragraph 2 of Circular 3/2012:

“This Circular sets out the circumstances in which planning obligations and good neighbour agreements can be used and how they can be concluded efficiently. Planning authorities should promote obligations in strict compliance with the tests set out in this circular. In developing planning obligations, consideration should be given to the economic viability of proposals and alternative solutions should be considered alongside options of phasing or staging payments. Concluding planning obligations, or good neighbour agreements, should not delay the benefits of appropriately planned development that is generally in accordance with policy nor add significant costs for developers and infrastructure providers”.

Paragraphs 13 and 14 go on to say:

13. It is not possible to indicate all circumstances in which planning obligations are appropriate. Planning authorities should take decisions based on the relevant development plan, the proposed development, and the tests set out in this circular. Where a planning obligation is considered essential, it must have a relevant planning purpose and must always be related and proportionate in scale and kind to the development in question. These principles are central to the guidance that follows.

POLICY TESTS

14. Planning obligations made under section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended) should only be sought where they meet all of the following tests:

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

3.3 Although LDP Policy states that the provision of infrastructure and community facilities should be in accordance with Circular 2/2012, we question whether all of the proposals related to Policy DEL1 meet the above tests. The related policies and proposals are identified in Table DEL1 of the LDP, and we have noted those relevant to Proposal MH1:

Policy HOU3: Affordable Housing Quota

Policy HOU4: Affordable Housing Tenure Mix

PROP ED1: Musselburgh Cluster

PROP CF1: Provision of New Sports Pitches and Changing Accommodation

PROP T3: Segregated Active Travel Corridor

PROP T9: Safeguarding Land for Larger Station Car Parks

PROP T10: Safeguarding Land for Platform Lengthening

PROP T15: Old Craighall A1(T) Junction Improvements

PROP T17: A1(T) Interchange Improvements

PROP T21: Musselburgh Urban Traffic Control System

PROP T27: Tranent Town Centre One-Way System

PROP T28: Junction Improvements Elphinstone Road and Edinburgh Road

Policy T32: Transport Infrastructure Delivery Fund

Policy DC10: The Green Network

Policy NH12: Air Quality

Policy DEL1: Infrastructure and Facilities Provision

PROP T3: Segregated Active Travel Corridor

3.4 The SATC is proposed to extend from Dunbar to Edinburgh, mainly utilising existing roads. As indicated on page 51 of LDP Technical Note 14, the total cost of this is estimated to be £23,400,000 (not including land acquisition costs), of which the developers will be expected to contribute £5,330,000, which is nearly 23% of the cost. There does not appear to be any

detailed explanation of how the total amount has been calculated or any explanation of the proportion expected to be funded by developers. We therefore have the following comments:

- 3.5 Firstly, we cannot agree that the needs for the SATC arises directly as a result of new development, and requiring developer contributions would therefore be contrary to the test in Circular 2/2012. Rather, the proposal seems to be a Council aspiration to serve the East Lothian community. We seriously question whether the actual form of provision will provide value for money and is therefore reasonable. And even if it was reasonable to require developer contributions, we doubt that the financial contribution expected from developers is proportionate, at nearly ¼ of the total cost.
- 3.6 Notwithstanding these points, we note that the route of the SATC may pass through the Craighall site, and we wish to make it clear that Persimmon has no objection to that possibility, and are content to safeguard land for that.

PROP T9: Safeguarding Land for Larger Station Car Parks and PROP T10: Safeguarding Land for Platform Lengthening

- 3.7 These proposals are slightly misleading in their titles, as in the text it is explained that developers will be required to contribute to these interventions. In our view, these facilities should be provided directly by Network Rail and not by developers. Network Rail are a private entity who build and maintain the network, and they charge train operators to use the rail network. They seek to make a profit, which they reinvest in the network. Train operators obviously charge passengers with a view to making a profit. An increased number of passengers arising from new developments will logically increase revenues for both operators and Network Rail. It is therefore completely unacceptable and unreasonable to expect developers to fund improvements to the rail network.
- 3.8 **Proposed Modifications:** Delete requirements for contributions towards the Segregated Active Transport Corridor and rail linked infrastructure.

From:
To: [Local Development Plan](#)
Cc:
Subject: Draft LDP : comments
Date: 07 November 2016 14:46:12

Dear Sir

My comments on the draft Local Development Plan are:

Section 2b - Prestonpans/Cockenzie/Port Seton/Longniddry Cluster Strategy Map (pg 23)

1a What modifications do you wish to see made to the Strategy map for the Prestonpans/Cockenzie/Port Seton/Longniddry 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. Do you have any comments to make on the Modifications(s) Sought :

Reference EGT1 should be applied to the former Power Station Energy footprint only - not to the surrounding land, which should retain its designation as Public Open Space and Countryside.

1b Please give any information/reasons in support of each modification suggested to the Strategy Map for Prestonpans/Cockenzie/Port Seton/Longniddry Cluster. State all relevant paragraph numbers of the plan to which the modification(s) refer.

Justification for Modification(s) :

The area shown on the map accompanying the Local Development Plan (inset Map 32) extends well beyond the site of the former energy footprint of Cockenzie Power Station. The majority of this land is currently designated, in the East Lothian Local Plan 2008, as Countryside (DC1) or Public Open Space (C3). The land associated with power generation extends to the areas of land covered by the main power station building, transformer building, coal plant and the coal conveyor buildings. This is the site allocated in the adopted 2008 local plan as NRG1.

The proposed changes are not a requirement of National Planning Framework 3 and appear to be seeking to extend the boundaries of the former Power Station site.

Section 2b - Introduction to Prestonpans/Cockenzie/Port Seton/ Longniddry (pg 24)

1a Introduction to Prestonpans/Cockenzie/Port Seton/Longniddry Cluster - What modifications do you wish to see made to the Introduction of the Prestonpans/Cockenzie/Port Seton/Longniddry 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:

2.49 ELC should modify the LDP to accommodate the dispersed spatial strategy - rather than the compact strategy.

2.51 Port-related developments should be removed from potential developments

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

Justification for Modification(s):

2.49 The Preferred Approach of compact spatial strategy - concentrating development in the west of the county risks removing much of the public and amenity land for the existing communities.

2.51 Energy related uses, manufacturing, servicing and potentially port related developments are not compatible with the dense residential strategy being proposed under the Plan or with the existing rural residential nature of the area.

I would ask that ELC uphold their views at paragraphs 2.55 & 2.56 with regard to Strategic Landscape Mitigation where they state '2.55 There are areas of land outwith the green belt that are also under development pressure. These are between Prestonpans, Cockenzie, the allocated land at Blindwells and Tranent.

Development in these locations would lead to the coalescence of settlements, undermine their character and setting, compromise cultural heritage assets, including battlefields, and / or lead to the loss of the best prime quality agricultural land. The combination of these environmental constraints points to a need to restrain further built development here which, individually or cumulatively, would undermine related objectives. A Countryside Around Town Designation applies to land between these neighbouring settlements. Around Town Designation, to ensure Prestonpans, Cockenzie, Tranent, Blindwells and Longniddry retain their separate identities. This will provide active travel opportunities to link communities, growth areas and places beyond them together. Opportunities for recreation and habitat creation and connection will be delivered as part of the multifunctional Green Network. 2.56 Strategic Green Network opportunities will be delivered, including within the Countryside.'

Additionally paragraph 2.57 states that 'The site of the Battle of Prestonpans is designated, as identified by the National Inventory.' Please may this remain so - and it is not designated for industrial use.

Thank you for considering my comments.

Yours faithfully,

Shona Brash

From:
To: [Local Development Plan](#)
Subject: East Lothian proposed local development plan i
Date: 07 November 2016 14:51:27
Attachments: [East Lothian Representation..pdf](#)

Dear Sir or Madam,

Community Wind Power is pleased to provide this consultation response to the above draft document. It is enclosed as an attachment . CWP is at the forefront of wind energy development in the UK with over 800 Mega Watts of capacity built, under construction and in development. We have a strong reputation for engagement with local communities.

CWP Operational Wind Farms:

Dalry Community Wind Farm (North Ayrshire) 6 turbines, 18 MW
 Aikengall Community Wind Farm (East Lothian) 16 turbines, 48 MW
 Millour Hill Community Wind Farm (North Ayrshire) 6 turbines, 18 MW
 Calder Water Community Wind Farm (South Lanarkshire) 13 turbines, 39 MW
 Millour Hill Extension Community Wind Farm (North Ayrshire) 2 turbines, 6.4 MW
 Under Construction Wind Farms
 Calder Water Community Wind Farm, South Lanarkshire 13 Turbines 39 MW

In construction:

Aikengall II Community Wind Farm (East Lothian) 19 turbines, 60.8 MW
 Sanquhar Community Wind Farm (Dumfries and Galloway) 9 turbines, 30 MW

Consented:

Sanquhar 'Six' Community Wind Farm (Dumfries and Galloway) 6 turbines, 19.8 MW
 Aikengall 2a East Lothian 75MW
 Sneddon Law Community Wind Farm (East Ayrshire) 15 turbines, 45 MW

Investment/Buy Scottish Campaign

- 'Buy Scottish' campaign ensuring inward investment to the Scottish economy
- £400 million invested to date, increasing to £750 million by 2019
- £2.3 million provided in Community Benefit funding to date
- Annual Community Benefit funding of circa £1 million
- Memorandum of Understanding with CS Wind UK in Campbeltown for in excess of 48 wind turbine towers
- Community buy ins to be available for all future wind farm developments

Future Projects

· 1 – 1.5 GW pipeline of generation in Scotland

CWL is:

- Committed to Scotland's 2020 renewable energy vision and opportunities for Shared Ownership
- Exploring integration of solar power and energy storage batteries at wind farm sites

CWL has various onshore wind development interests within Scotland and expects to progress new onshore wind developments through the planning system in 2017.

Kind regards,

Charley Rattan

Charley Rattan

Senior Project Manager

Community Windpower Limited

Tel: +44 (0)1928 734544

charley@communitywindpower.co.uk

<http://www.communitywindpower.co.uk>

Community Windpower Limited registered office: Godscroft Lane, Frodsham, Cheshire, WA6 6XU.
Registered no: 4588923, England.



This email and any attachments contain information which is confidential and are intended solely for the use of the individual or entity to which they are addressed. If received in error, please immediately contact Community Windpower Limited on 01928734544, notify the individual sender direct and promptly delete all copies of it from your system. Any unauthorised access, disclosure, copying, distribution or reliance on this message and its contents is prohibited.

Please consider the environment before printing this email.

Charley Rattan

Senior Project Manager

Community Windpower Limited

Tel: +44 (0)1928 734544

charley@communitywindpower.co.uk



Godscroft Lane, Frodsham
Cheshire, WA6 6XU
Tel: 01928 734544
Fax: 01928 734790
Co. Registration no. 458 8923

4th November 2016

FAO: Local Development Plan Co-ordinator
East Lothian Council
Development Planning

Our Ref xxx

Dear Sir/Madam,

RE: Proposed East Lothian Council Local Development Plan

The following response constitutes a representation to the **Proposed East Lothian Council Local Development Plan**. This representation is on behalf of Community Windpower Ltd (CWL), as CWL would like to take the opportunity to provide additional comments and suggestions LDP

CWL are an independent UK renewable energy company that currently has two consented wind farms in East Lothian Aikengall 2 and Aikengall2a Community Wind Farm's in addition we have the operational Aikengall1 Community Wind Farm

CWL work with local communities to build wind farms that can provide tangible economic, educational and environmental benefits for whole communities and local schools.

We support the production of an update on policy relating to wind energy developments and welcome the opportunity to comment on the LDP. However there are certain aspects within the current LDP which need further review and clarity.

Proposed East Lothian Council Local Development Plan

Paragraph 1.37:

There is now very limited remaining strategic capacity for further wind farm development in the area without significantly harming its character and appearance, although in identified areas of strategic capacity there may be opportunities to re-power existing wind farm sites with appropriate proposals.

Paragraph 4.80:

Prior to the determination of a planning application for any wind farm the Council will require the landowner and any other parties with a legal or financial interest in the scheme to enter into a legal agreement to secure the complete decommissioning and restoration of the site and any relevant offsite works. This should include financial provision such that no decommissioning or restoration costs risk falling to the Council.



Paragraph 4.81:

It is considered that there is no capacity for turbines over 42m to be accommodated in the lowland landscapes of East Lothian without adverse landscape and visual impact.

Policy WD3: All Wind Turbines

- The 'carbon calculator' must have been completed
- Where abnormal loads will be required on the road network in relation to the proposal, a route must be agreed, and a Traffic Management Plan and mitigation strategy should be agreed with the Council at the time of application
- Proposals within an Area of Strategic Capacity should maximise the generating potential of the site while recognising the landscape and other constraints

Other Relevant Policies and References:

Policy WD4: Access Tracks

Policy WD5: Re-powering

Policy WD6: Decommissioning and Site Restoration

Appendix 2 - Cumulative Wind Turbine Issues

With regards to the LDP guidance to the Spatial Framework for Onshore Wind Development, CWL considers that East Lothian presumption for repowering capacity in Paragraph 1.37: fails to identify opportunities for new development and is not consistent with the Scottish Planning Policy (SPP) Framework. The SPP sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land.

The study mentions tip heights of 42m in lowland areas but effectively rules anything higher out of the entire region. This takes landscape in isolation and does not reflect more recent changes to the wind industry with tip heights of up to 176m currently in the Scottish planning system. Therefore, this larger turbine typology will more than likely be the standard height that onshore wind developers will seek to develop. Subsequently, 42m to tip will no longer be adequate when considering Landscape and Visual impacts in lowland areas through policy in the future.

It is fundamentally contrary to good planning to impose a blanket ban on turbine heights above a certain ceiling, as this implies all opportunities have been tested. It is for EIA to determine the likely significance of tall, structures in the landscape on a specific site and the Council should not be building in presumptions against development in this way.

Wind energy development remains an important consideration as reflected by the Scottish Government's continuing target of 100% electricity generated from renewables by 2020 (SNP Manifesto, 2016).

Significant capital inward investment to East Lothian may be lost, along with the opportunity for communities to own a stake in local developments outline in the 2020 Renewables road map; with the resultant missed opportunity to create long term employment for civil and electrical contractors and engineers as well as rents, rates and financial benefits to local communities.

I trust the comments provided in this representation are useful and informative. Although should you wish to discuss any of the issues raised in our response in greater detail, please contact me on 01928 734 544.

Yours faithfully,

Charley Rattan
Senior Project Manager

Community Windpower Limited

Tel: +44 (0)1928 734544

charley@communitywindpower.co.uk

<http://www.communitywindpower.co.uk>

East Lothian Developments Limited (ELDL)

Proposed East Lothian Local Development Plan - Dolphingstone

Date 7 November 2016

HolderPlanning

5 South Charlotte Street, Edinburgh, EH2 4AN.

Tel: 0131 225 6349

www.holderplanning.co.uk

1. Musselburgh Cluster – Dolphingstone (Proposals MH10 and MH11)

- 1.1 This representation is submitted on behalf of East Lothian Developments Limited (ELDL) in support of LDP Proposals MH10 (Land at Dolphingstone) and MH11 (New Secondary School Establishment). Both these sites are owned by ELDL, and they welcome the proposed allocations.
- 1.2 It should be noted that there is currently an undetermined planning in principle application for the Dolphingstone land, submitted by ELDL in June 2015. ELDL continue to work positively with the Council to ensure that this application contains sufficient and necessary information for a permission to be granted by the Council at the appropriate time. At time of writing, ELDL are amending the submitted masterplan so that it more fully accords with the recently published Draft Development Brief for the site.
- 1.3 ELDL also own the land identified in the LDP as Proposal MH9 (Land at Wallyford), which now has planning permission for 1,450 homes. The site was originally allocated as Proposal H7 in the 2008 adopted Local Plan, and the proposal was intended to promote environmental, social and community regeneration within Wallyford. As a result of the crash in the housing market, development of the site stalled until taken on by ELDL. ELDL have undertaken significant ground works and infrastructure provision and have successfully marketed the site. The first phase of development for affordable housing by Cruden now has detailed permission, which will be implemented in the new year. ELDL are in active discussions with a number of house-builders to develop the remaining phases.
- 1.4 When implemented, the LDP Proposals MH10 and MH11 will secure the objective of regenerating Wallyford, creating a sizeable and sustainable community with its own new secondary school and new primary school. The increased population will also sustain improved community facilities.
- 1.5 It is notably that Proposals MH10 and MH11 were agreed by the Council to be included in the Proposed Local Development Plan at its meeting on 17th November 2015. That meeting considered the content of the Draft Proposed Local Development Plan, which at that stage did not include the proposals. At that meeting the Council took the decision to delete a site known as Goshen, to the east of Musselburgh, which had been identified to accommodate 1,000 houses and a new secondary school. The following are extracts from the public minute of the meeting:

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 Wallyford Dolphinstone site)
- 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 (Prestonpans) as land suitable for housing development of up to 160 units.

1.6 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.

1.7 Councillor Innes seconded the amendment.

1.8 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.

1.9 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.

1.10 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.

Vote on Amendments

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

Musselburgh cluster

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

For: 11

Against: 3

Abstention: 1

1.13 The amendment was therefore carried.

1.14 The Proposed LDP was finalised to reflect this amendment (and others made by Council), and was presented back to the Council on 6th September 2016, where it was approved without further amendment for representations to be made, which is the position at the time of writing this representation.

1.15 In our view, East Lothian Council took the correct decision to delete the Goshen housing and secondary school proposals and to instead allocate the secondary school in Wallyford and extend the existing Wallyford housing allocation to include the Dolphingstone land.

1.16 It should be noted that a planning application for approximately 1,000 houses on the Goshen site was recently subject to an appeal by the applicant on the grounds of non-determination. However, on the 2nd day of 6 scheduled Hearings into the appeal, the appellant abruptly and unconditionally withdrew the appeal. This followed evidence being given on landscape matters and the impact of development on the Pinkie Battlefield Inventory Site, which cast a very negative perception of the ability of the site to accommodate the development being proposed.

1.17 We assume that the promoters of the Goshen site will advocate the allocation of the land for residential use by way of a representation to the Proposed LDP. ELDL would object to the allocation of the Goshen site for the following reasons, based on the content of the now withdrawn planning application:

- Development of the site would have a harmful impact on the Green Belt, resulting in the coalescence of Musselburgh, Wallyford and Prestonpans
- The development would potentially have a harmful impact on the Pinkie Battlefield Inventory Site
- The development of the site does not correspond with the Council's education strategy and there is insufficient education capacity to serve it.
- To date, the site promoters have not demonstrated that the site can be developed without a harmful impact on the road network.

Green Belt

1.18 In assessing the acceptability of the Goshen site in relation to Green Belt objectives it is necessary to refer to SESplan Policy 12. This states the following:

1.19 *“Local Development Plans will define and maintain Green Belts around Edinburgh and to the south west of Dunfermline for the following purpose to:*

- *Maintain the identity and character of Edinburgh and Dunfermline and their neighbouring towns, and prevent coalescence, unless otherwise justified by the Local Development Plan settlement strategy;*
- *Direct planned growth to the most appropriate locations and support regeneration;*
- *Maintain the landscape setting of these settlements; and*
- *Provide opportunities for access to open space and the countryside.”*

1.20 In our view, when viewed in conjunction with the recently approved development at Prestonpans West, the development of the Goshen site will result in the coalescence of Musselburgh with Prestonpans and when viewed with existing development will also result in the coalescence of Musselburgh and Wallyford. The net result would be an indistinguishable urban mass depriving each settlement of their separate identity and character. Moreover, the development of the site will have a detrimental impact on the respective settings of Musselburgh, Wallyford and Prestonpans through the removal of an undeveloped and attractive area of countryside which has previously formed part of the Landscaped Estate attached to Drummohr House, a Category ‘B’ Listed Building of Regional Importance, and its replacement with what is essentially a suburban housing development. There do not appear to be any benefits arising from development of the Goshen site in terms of regeneration.

Pinkie Battlefield

1.21 The development of the Goshen site has the potential to have significant adverse effects upon the Inventory Battlefield of Pinkie, both in terms of impacting directly upon archaeological remains associated with the battle and the landscape characteristic of the battlefield. This topic was addressed in considerable detail at the appeal Hearing session, and it was apparent that the appellant had not properly investigated the implications of development on a nationally important archaeological site. Indeed, this appeared to be one of the main reasons for withdrawal of the appeal. It may be that the site promoters have since considered the matter further, and may submit further information on archaeological matters as part of their LDP representation. However, we noted from our attendance at the appeal Hearing that there was significant professional dispute between HES’s expert and the appellant’s expert as to the significance of the site. We therefore suggest that any consideration of the merits of an allocation of the Goshen site for development should involve HES and other appropriate experts as necessary.

Education

1.22 The appeal proposal was to build a new 2-stream primary school on site. However, the catchment school for the site is Wallyford Primary, and the Council has no plans to undertake a catchment review for the Goshen site to be served by the proposed new school. The appellant also proposed to provide a site for a secondary school but the Council does not support this for educational reasons. The Proposed LDP instead allocates the Secondary School in Wallyford on land controlled by ELDL.

Transport

1.23 In our view, the appeal proposals failed to properly assess the impact of their proposed development on the surrounding road network and therefore failed to identify the infrastructural improvements required to mitigate against traffic impact. Moreover, the appellant had not considered properly either the cumulative impact of the proposal in conjunction with the St Clements Well development or sites allocated in the Draft Proposed LDP, both of which are priorities for the Council. Due to the development traffic levels employed by the appellant's traffic consultants in the Transportation Assessment the true effects of that traffic in respect of impact, noise and air quality considerations had not been properly assessed.

1.24 In summary, therefore, we do not consider that the Goshen site is suitable for allocation in the LDP.



7 November 2016

Policy & Projects
Development
Partnerships & Services for Communities
East Lothian Council
John Muir House
Haddington
EH41 3HA

Dear Sir/Madam

EAST LOTHIAN LDP: PROPOSED LOCAL DEVELOPMENT PLAN 2016 – REPRESENTATION ON BEHALF OF SP ENERGY NETWORKS

Young Planning and Energy Consenting Ltd is pleased to submit the following representation to East Lothian Council's Proposed Local Development Plan ('the Proposed LDP') 2016, on behalf of our client SP Energy Networks (SPEN).

SPEN owns and operates the electricity transmission and distribution network across central and southern Scotland, including East Lothian. SPEN is responsible for upgrading and maintaining the network, ensuring the consistency of an effective and efficient supply of electricity to commercial and residential properties. As part of that obligation, development by SPEN to upgrade, reinforce and improve the transmission network in East Lothian is likely during the lifetime of the Local Development Plan. Large scale reinforcement works, including the provision of new overhead line route and new substations, can fall within the scope of national development number 4, as defined by National Planning Framework 3.

The structure of this submission reflects that detailed on East Lothian Council's Consultation Hub, with sections and sub-headings referring to those of the associated questionnaire.

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.

Paragraph 1.36: The sentence "Major electricity and gas distribution networks cross East Lothian" should be deleted and replaced with the following:

"A number of major electricity transmission routes cross East Lothian. Such infrastructure, including that relating to the large scale reinforcement of the electricity transmission network, is afforded national development status by virtue of National Planning Framework 3. Major gas distribution networks also cross East Lothian."

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.

Paragraph 1.36: The proposed amendment better reflects the planning policy status of major electricity transmission developments. The existing drafting does not recognise such status and fails to distinguish between a national development (i.e. developments relating to major electricity transmission reinforcement infrastructure) and other hierarchical developments (in this case the major gas distribution network, a non-

national development). The proposed amendment provides a more accurate context to the planning basis afforded to energy infrastructure within East Lothian and is consistent with the approach adopted by the Council in providing more detail at paragraph 1.46.

Section 4 - Our Infrastructure & Resources (pages 88-117)

4a. Energy Generation, Distribution & Transmission - What modifications do you wish to see made to the Energy Generation, Distribution & Transmission 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.

(a) *Policy EGT4: Enhanced High Voltage Electricity Transmission Network*: Delete existing drafting and replace with the following:

“(a) The Council supports enhancement of the high voltage electricity transmission network in locations defined by operational requirements, subject to acceptable impacts on the landscape, visual amenity, communities, natural and cultural heritage and the provision of appropriate mitigation where required.

(b) Strategy Diagram 3 identifies sites of large scale electricity transmission infrastructure, including the existing transmission network which will likely be the subject of some upgrading during the lifetime of this Plan. Reinforcement works, which include the provision of new overhead line routes and new substations, development of which falls within the scope of the National Planning Framework national development number 4, are also likely during the lifetime of the LDP. The Council will safeguard these sites for such development and will not support proposals for development which might negatively impact upon the delivery of developments within the scope of national development number 4, or any subsequent relevant national development designation in the event of a review of the National Planning Framework during the lifetime of this Plan.”

(b) *Strategy Diagram 3: Energy Generation, Distribution and Transmission and Waste Facilities*: Reference to the amended policy EGT4 should be included. The existing electricity transmission network (the location of which can be illustrated by SPEN on a drawing, if required) where there is likely to be an element of upgrading and improvement during the lifetime of the LDP, should also be illustrated.

(c) *Paragraph 4.99*: Amend the sentence “*The Council supports this in principle in appropriate locations*” to read: “*The Council supports this in principle in appropriate locations and will seek to safeguard sites with planning permission, including that which relates to development which is within the scope of NPF3’s national development number 4 (or any subsequent relevant national development designation in the event of a review of the NPF during the lifetime of this Plan), against proposals for development which could prejudice the delivery of such nationally significant infrastructure.*”

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

(a) *Policy EGT4: Enhanced High Voltage Electricity Transmission Network*: Whilst SPEN welcomes specific policy relating to the transmission network, the existing drafting is insufficient to promote and safeguard routes of large scale transmission infrastructure which, as a national development, should benefit from the highest level of policy support. That the location and route of transmission infrastructure is dependent upon operational requirements should also be referenced.

Reference to the removal of existing overhead lines should be removed since this is a matter to be dealt with through the implementation of decommissioning conditions attached to the consents related to that infrastructure.

(b) *Strategy Diagram 3*: The existing electricity transmission network, which will likely be subject to upgrading and reinforcement during the lifetime of this Plan, should be illustrated in order to improve the effectiveness of Strategy Diagram 3 and to provide a comprehensive analysis of (i) the existing network; and (ii) where development proposals for development relating to national development number 4 might be forthcoming during the Plan period. Without such an illustration the Diagram is incomplete. SPEN can provide a drawing illustrating the existing transmission network in East Lothian, if required.

Reference to the amended Policy EGT4 should be included on Strategy Diagram 3 to maximise transparency and to illustrate the reality of transmission route having to traverse rural locations and to emphasise the safeguarding of routes within the scope of NPF3's national development number 4.

(c) *Paragraph 4.99*: The proposed addition to paragraph 4.99 provides context within the supporting text to the proposed amendment of Policy EGT4.

Section 5 - Diverse Countryside & Coastal Areas (pages 118-124)

1a. Diverse Countryside & Coastal Areas - What modifications do you wish to see made to the Diverse Countryside & Coastal Areas 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

(a) *Policy DC1: Rural Diversification*: The sentence: "Proposals must also satisfy the terms of Policy NH1 and other relevant plan policies including Policy DC6" should be amended to read as follows: "Proposals must also satisfy the terms of Policy NH1 and other relevant plan policies including Policy DC6, as well as taking account of the requirements of Policy EGT4(b)."

(b) *Policy DC4: New Build Housing in the Countryside*: A new criterion should be included to read as follows: "(iv) The proposal does not prejudice the delivery of development covered by Policy EGT4(b)."

(c) *Policy DC6: Development in the Coastal Area*: A new sentence should be included after the third bullet point, reading as follows: "In all cases development will only be supported where it does not prejudice the delivery of development covered by Policy EGT4(b)."

(d) *Paragraph 5.7*: at the end of paragraph 5.7, include: "Policies relating to development in the countryside or in coastal areas ensure that nationally significant electricity transmission infrastructure developments will be facilitated and safeguarded against proposals which might prejudice their delivery."

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

(a) The following justification applies equally to points (a), (b) and (c), above. For avoidance of doubt, references to Policy EGT4(b) correspond with SPEN's proposed amendment to Policy EGT4, as detailed within SPEN's response to Section 4, Parts 4a and 4b:

The nature of major electricity transmission developments is such that, given the prevalence of such locations within the East Lothian area, it is likely there will be regular instances of major electricity transmission developments occurring within areas of open countryside and/or coastal areas. The national significance of such developments merits reference in open countryside/coastal policy designation areas where there are likely to be instances of potential conflict. Inclusion of the suggested text is intended as a transparent safeguard against inappropriate development; specifically, that which might prejudice the

delivery of infrastructure supported by NPF3's national development number 4 and other essential upgrading works. It acts as a prompt to both the Council and applicants to ensure that proposals do not conflict with the delivery of priority electricity transmission infrastructure developments.

(b) The justification for point (d), above, is to provide context in the supporting text, to the proposed amendments to Policies DC1, DC4 and DC6.

We trust the above representations will be taken into account and look forward to seeing them reflected in future iterations of the LDP. We would be happy to discuss or clarify any points as necessary; please contact Grant Young or grantyoung@youngplanning.com.

Yours faithfully

GRANT YOUNG MRTPI, DIRECTOR
YOUNG PLANNING AND ENERGY CONSENTING LTD
For and on behalf of SP ENERGY NETWORKS

cc Grant Douglas SP Energy Networks

Response ID ANON-ZMS3-3M3J-A

Submitted to **East Lothian Proposed Local Development Plan**

Submitted on **2016-11-07 15:04:44**

About You

1 What is your name?

First name:

Grant

Surname:

Young

2 What is your email address?

Email address:

grantyoung@youngplanning.com

3 Postal Address

Address:

Suite 29
196 Rose Street
Edinburgh

4 Please enter your postcode

Postcode:

EH2 4AT

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

Developer/ agent/ landowner

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

Organisation:

SP Energy Networks c/o Young Planning and Energy Consenting

Your role:

Planning consultant acting on behalf of statutory undertaker

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::

Paragraph 1.36: The sentence "Major electricity and gas distribution networks cross East Lothian" should be deleted and replaced with the following:

"A number of major electricity transmission routes cross East Lothian. Such infrastructure, including that relating to the large scale reinforcement of the electricity transmission network, is afforded national development status by virtue of National Planning Framework 3. Major gas distribution networks also cross East Lothian."

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):

Paragraph 1.36: The proposed amendment better reflects the planning policy status of major electricity transmission developments. The existing drafting does not recognise such status and fails to distinguish between a national development (i.e. developments relating to major electricity transmission reinforcement infrastructure) and other hierarchical developments (in this case the major gas distribution network, a non-national development). The proposed amendment

provides a more accurate context to the planning basis afforded to energy infrastructure within East Lothian and is consistent with the approach adopted by the Council in providing more detail at paragraph 1.46.

Section 4 - Our Infrastructure & Resources (pages 88-117)

1a Transportation- What modifications do you wish to see made to the Transportation 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:

1b Please give any information/reasons in support of each modification suggested to the Transportation 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) :

2a Digital Communications Network - What modifications do you wish to see made to the Digital Communications Network 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:

2b Please give any information/reasons in support of each modification suggested to the Digital Communications Network 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):

3a Other Infrastructure: Major Hazard Sites & Pipelines - What modifications do you wish to see made to the Other Infrastructure 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:

3b Please give any information/reasons in support of each modification suggested to the Other Infrastructure: Major Hazard Sites & Pipelines 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):

4a Energy Generation, Distribution & Transmission - What modifications do you wish to see made to the Energy Generation, Distribution & Transmission 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:

(a) Policy EGT4: Enhanced High Voltage Electricity Transmission Network: Delete existing drafting and replace with the following:

“(a) The Council supports enhancement of the high voltage electricity transmission network in locations defined by operational requirements, subject to acceptable impacts on the landscape, visual amenity, communities, natural and cultural heritage and the provision of appropriate mitigation where required.

(b) Strategy Diagram 3 identifies sites of large scale electricity transmission infrastructure, including the existing transmission network which will likely be the subject of some upgrading during the lifetime of this Plan. Reinforcement works, which include the provision of new overhead line routes and new substations, development of which falls within the scope of the National Planning Framework national development number 4, are also likely during the lifetime of the LDP. The Council will safeguard these sites for such development and will not support proposals for development which might negatively impact upon the delivery of developments within the scope of national development number 4, or any subsequent relevant national development designation in the event of a review of the National Planning Framework during the lifetime of this Plan.”

(b) Strategy Diagram 3: Energy Generation, Distribution and Transmission and Waste Facilities: Reference to the amended policy EGT4 should be included. The existing electricity transmission network (the location of which can be illustrated by SPEN on a drawing, if required) where there is likely to be an element of upgrading and improvement during the lifetime of the LDP, should also be illustrated.

(c) Paragraph 4.99: Amend the sentence “The Council supports this in principle in appropriate locations” to read: “The Council supports this in principle in appropriate locations and will seek to safeguard sites with planning permission, including that which relates to development which is within the scope of NPF3’s national development number 4 (or any subsequent relevant national development designation in the event of a review of the NPF during the lifetime of this Plan), against proposals for development which could prejudice the delivery of such nationally significant infrastructure.”

4b Please give any information/reasons in support of each modification suggested to the Energy Generation, Distribution & Transmission 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):

(a) Policy EGT4: Enhanced High Voltage Electricity Transmission Network: Whilst SPEN welcomes specific policy relating to the transmission network, the

existing drafting is insufficient to promote and safeguard routes of large scale transmission infrastructure which, as a national development, should benefit from the highest level of policy support. That the location and route of transmission infrastructure is dependent upon operational requirements should also be referenced.

Reference to the removal of existing overhead lines should be removed since this is a matter to be dealt with through the implementation of decommissioning conditions attached to the consents related to that infrastructure.

(b) Strategy Diagram 3: The existing electricity transmission network, which will likely be subject to upgrading and reinforcement during the lifetime of this Plan, should be illustrated in order to improve the effectiveness of Strategy Diagram 3 and to provide a comprehensive analysis of (i) the existing network; and (ii) where development proposals for development relating to national development number 4 might be forthcoming during the Plan period. Without such an illustration the Diagram is incomplete. SPEN can provide a drawing illustrating the existing transmission network in East Lothian, if required.

Reference to the amended Policy EGT4 should be included on Strategy Diagram 3 to maximise transparency and to illustrate the reality of transmission route having to traverse rural locations and to emphasise the safeguarding of routes within the scope of NPF3's national development number 4.

(c) Paragraph 4.99: The proposed addition to paragraph 4.99 provides context within the supporting text to the proposed amendment of Policy EGT4.

5a Waste - What modifications do you wish to see made to The Waste 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 Waste 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):

6a Minerals - What modifications do you wish to see made to the Minerals 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:

6b Please give any information/reasons in support of each modification suggested to the Minerals 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):

Section 5 - Diverse Countryside & Coastal Areas (pages 118-124)

1a Diverse Countryside & Coastal Areas - What modifications do you wish to see made to the Diverse Countryside & Coastal Areas 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:

(a) Policy DC1: Rural Diversification: The sentence: "Proposals must also satisfy the terms of Policy NH1 and other relevant plan policies including Policy DC6" should be amended to read as follows: "Proposals must also satisfy the terms of Policy NH1 and other relevant plan policies including Policy DC6, as well as taking account of the requirements of Policy EGT4(b)."

(b) Policy DC4: New Build Housing in the Countryside: A new criterion should be included to read as follows: "(iv) The proposal does not prejudice the delivery of development covered by Policy EGT4(b)."

(c) Policy DC6: Development in the Coastal Area: A new sentence should be included after the third bullet point, reading as follows: "In all cases development will only be supported where it does not prejudice the delivery of development covered by Policy EGT4(b)."

(d) Paragraph 5.7: at the end of paragraph 5.7, include: "Policies relating to development in the countryside or in coastal areas ensure that nationally significant electricity transmission infrastructure developments will be facilitated and safeguarded against proposals which might prejudice their delivery."

1b Please give any information/reasons in support of each modification suggested to the Diverse Countryside & Coastal Areas 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):

(a) The following justification applies equally to points (a), (b) and (c), above. For avoidance of doubt, references to Policy EGT4(b) correspond with SPEN's proposed amendment to Policy EGT4, as detailed within SPEN's response to Section 4, Parts 4a and 4b:

The nature of major electricity transmission developments is such that, given the prevalence of such locations within the East Lothian area, it is likely there will be regular instances of major electricity transmission developments occurring within areas of open countryside and/or coastal areas. The national significance of such developments merits reference in open countryside/coastal policy designation areas where there are likely to be instances of potential conflict. Inclusion of the suggested text is intended as a transparent safeguard against inappropriate development; specifically, that which might prejudice the delivery of infrastructure supported by NPF3's national development number 4 and other essential upgrading works. It acts as a prompt to both the Council and applicants to ensure that

proposals do not conflict with the delivery of priority electricity transmission infrastructure developments.

(b) The justification for point (d), above, is to provide context in the supporting text, to the proposed amendments to Policies DC1, DC4 and DC6.

29 Ryehill Terrace
Leith Links
Edinburgh
EH6 8EN

Mob:
Email: cockburnsconsultants@gmail.com
Web: www.cockburnsconsultants.com

7 November 2016

By email only
Development Planning and Policy Team
East Lothian Council,
John Muir House,
Haddington,
East Lothian,
EH41 3HA

Dear Sir/Madam,

**East Lothian Local Development Plan (LDP): Proposed Plan
Representation in Respect of Housing Development Site at Liberty Hall, by Gladsmuir, Haddington,
East Lothian
On Behalf of Cappel Properties Ltd**

I refer to our previous submissions made in respect the above site as part of the LDP plan making process in May 2013 and February 2015. This letter should be read in conjunction with these two previous submissions.

We are pleased that the Proposed Plan for the LDP has taken at least some cognisance of our previous proposals for small scale housing development as per Proposed Policy DC4, part iii, which is worded as follows:

In the case of other small scale housing proposals, it is for affordable housing and evidence of need is provided, and the registered affordable housing provider will ensure that the dwellings will remain affordable for the longer term. Proposals should be very small scale and form a logical addition to an existing small-scale rural settlement identified by this plan.

However, we note with some disappointment that the policy carries with it the restrictive burden of requiring such infill or cluster development to be affordable only. This is without justification and explanation.

Overall, this letter sets out our response to this proposed Policy, changes we would seek and it explains how the site at Liberty Hall can be incorporated for future housing development.

General Feedback

The most recent adopted Local Plan for the area, the East Lothian Local Plan (adopted 2008) advocates mainly urban growth, with housing allocations principally being promoted within, or adjacent to existing urban settlements. This most recent policy approach defied the historical, organic growth of the area at the expense of those living in the countryside who continue to seek increased choice in terms of new

housing, types and tenures to allow brownfield land in the countryside to be brought back to productive use as they make little contribution to productive agricultural use and are of low habitat value.

Housing in the countryside as a general principle is needed and its provision should be promoted.

Housing in the Countryside in East Lothian should be more comprehensively reviewed and be more flexible to comply with the requirements of Scottish Planning Policy (SPP) paragraphs 74-83, reflecting the overarching aim of supporting diversification and the growth of the rural economy and encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.

The replacement of existing buildings and the construction of new ones can, with high standards of design and architecture, enhance the character and appearance of the area as a whole. In applying this policy, officers should be satisfied that the new dwellings should be well located in relation to the existing dwellings to help maintain local services and support local communities without risking over development in rural areas. Traditional rural structures (either existing or with photographic/ historical evidence) no longer fit for human habitation should also be permitted to be replaced with a new structure of equivalent scale, positioning and design. New businesses should be acceptable without caveat. Small scale should be defined and subject to environmental controls on siting, design and material.

We also note that the Government's Agricultural Holdings Review Group suggested planning policy should provide for new housing to facilitate retiring tenant farmers allowing them to remain in the community whilst freeing up the farm for a new entrant or for re-letting. This is something that has been entirely missed in the LDP.

Stance A –Remove the Affordable Requirement for Policy DC4 (iii)

We are disappointed that the proposed Policy DC4 (iii) is artificially restrictive in that it will only permit development of affordable housing in these limited circumstances. The simple reality of the housing market is that there will always be areas that cannot be defined as being affordable. The purpose of the planning system is to direct the correct developments to the correct locations and by imposing a blanket requirement for housing to **solely** be affordable, the Council would be creating an artificial barrier to development. We would therefore consider that the approach as outlined in the Proposed LDP should be adopted and taken forwards, but with the removal of the requirements of the infill developments to be affordable only.

Proposed Policy Amendment

We would therefore propose that the policy wording should be amended or a new policy be formed to read as follows:

Additions to clusters will be acceptable where:

A. The proposal is sympathetic to the character and landscape setting of the existing cluster.

B. The development represents the sensitive in-filling of any available gap sites consolidating existing dwellings within the cluster.

C. The development has a clear relationship with the existing cluster by being physically connected with the cluster.

D. The proposed design solution is in keeping with the character and built form of the existing cluster and otherwise complies with design guidance in the supplementary guidance.

E. The proposal does not expand the cluster by more than 50% of the number of houses within that group (rounded up to nearest single dwellinghouse) as at date of adoption of this policy (or supplementary guidance).

Additions to clusters will not be acceptable where:

- The cluster is located within the greenbelt.*
- The development results in the coalescence of settlements.*
- The development extends/creates a ribbon of development.*
- The development has an unacceptable impact on the character of the existing building group or its landscape setting and settlement.*

NOTE: In applying LDP Policy: Rural Housing, (or supplementary guidance), a 'cluster' is defined as a building group consisting of 2 or more houses forming a clearly identifiable 'group', with strong visual cohesion and sense of place.

We would suggest this reasonable alternative would facilitate very small scale housing development without undermining the ambition to maintain the character of the open countryside and unspoilt coast.

Proposed Policy Amendment Justification

In the first instance, this approach is recognised in SPP as an important means of sustaining and reinforcing rural communities. Development in this form would aim to support appropriate housing development in existing rural building groups, recognising the benefits of reinforcing and enhancing dispersed small settlements and housing groups in aiding sustainable and prosperous rural communities. Secondly, it would assist in addressing a chronic housing land shortage in East Lothian and the Lothian's in general, particularly if SPG could be brought forward in advance of the publication of the proposed ELLDP. The site at Liberty Hall, as described in full in previous submissions, will absolutely fit within the requirements of such a proposed Policy and/or SPG, worded or implemented within the spirit of the wording as proposed in Section 6 of this document.

Scottish Planning Policy (SPP), Planning Advice Notes (PANs) 72 & 73 all require that planning authorities consider rural diversification, housing and employment in a more flexible way whilst still preventing the erosion of the amenity and character of rural areas. In Paragraph 93 of SPP it is stated that the character of rural areas and the challenges they face vary greatly across the country, from remote and sparsely populated regions to pressurised areas of countryside around towns and cities. The strategy for rural development set out in the development plan should respond to the specific circumstances in an area, whilst reflecting the overarching aim of supporting diversification and growth of the rural economy

It is clear that whilst current policy does provide some opportunities (for affordable development only) the focus of the policies is out of step with the thrust of these national documents. It is argued that a

new approach to rural areas is required as a background to policies for development in the open countryside. This would obviously be dependent on rural typologies. It should also recognise the characteristics of different areas and the local needs within particular areas.

Whilst the Proposed Plan goes at least some way to responding to housing needs in the Countryside it is considered that the preferred option that maintains the current policy approach is overly restrictive, out of date and contrary to National Planning Policy Framework 3, Scottish Planning Policy and Strategic Development Plan that collectively and consistently, expect a pro-active response to new development in the countryside. It does not allow the full potential of the Council rural area to be reached and does not favour sustainable development.

The Lothian's generally and East Lothian have a deficit supply well below the 90% requirement and even further below the full 5 year supply required by SPP. Additional housing land is therefore required to be brought forward, ideally on an effective site set where development can be most sustainably accommodated. Restricting new housing in the Countryside to affordable development only will continue to maintain this deficit, as opposed to the pressing need to address it.

As we referred to in our previous submissions, 'cluster' or 'infill' policies without the barrier of requiring an entirety of affordable housing have been adopted in Development Plans at the following Planning Authorities:

- Moray Council
- Cairngorms National Park
- Aberdeenshire Council
- South Ayrshire Council
- Midlothian Council
- Stirling Council

We would proposed that East Lothian Council, through the LDP, should promote barrier free rural housing and that infill or cluster developments should not be limited to affordable housing only. A policy similar to those stated above would allow rural communities to expand in a small scale manner, which will create growth and help to safeguard future rural viability and economic stability.

It is unclear and unjustified at this juncture as to why East Lothian Council should persist with the requirement to put up an artificial barrier of affordable housing which would restrict this proven pattern of sustainable development i.e. infill development per the proposed policy amendment.

Stance B – Accept and Continue Policy DC4, as per Proposed Plan

As referred to in the foregoing, our principle argument in this submission is that the requirement for 'infill' development to be affordable is removed, should that not be upheld we would seek some clarification and assurances on how this would be applied. Should this be maintained, in respect of the Liberty Hall site, we do accept that there is an argument to suggest that the character of the area will continue and improve as a small number of well-built and compatible houses of various sizes are added to it.

The accompanying text to Policy DC4 of the Proposed Plan currently states:

The Plan also allows for small-scale affordable housing developments that would meet the needs of small and less accessible rural communities. In such communities, the cost of rural housing is often unaffordable to many who need to live or work in the countryside, and there are fewer housing opportunities in these localities. Such proposals must adjoin an existing small-scale settlement identified by this Plan and be subordinate in scale to that settlement. To demonstrate that the new housing is justified, the registered affordable housing provider shall provide evidence that there is a clear need in the locality and ensure that the development can fulfil this need for the longer term. Proposals must be for a very small number of homes.

We would seek clarification of how ‘need’ is to be assessed in these circumstances and for at least the headline areas as to how this and other requirements would be for proposed DC4 developments would be translated through Supplementary Planning Guidance (SPG). Broadly speaking, whilst it would be our preference that any ‘infill’ or ‘cluster’ housing developments are free from the restriction of having to be affordable, we do recognise that housing needs surveys have shown that all rural areas in the East Lothian area are in need of affordable housing. A further localised housing needs survey can also be carried out, should this be required at this location.

Liberty Hall – The site

This site, owned in its entirety by Cappoquin Properties Ltd, occupies a location within a small hamlet settlement to the west of Haddington and is partially made up of open grassland and a wooded area, south and east of which is the U126 road. The site is bounded to the north by the road with open fields beyond, to the west by the property of ‘Southwood’, to the east by properties ‘Barrel Cottage’ and the ‘the Birks’ and to the south by woodland, immediately beyond which lies ‘Nairns Mains Farm’, adjacent to the ‘Beechwood’ residential property. Overall, the site sits within a context that has four existing houses, one to the immediate west and three to the immediate east, and thus constitutes a gap or infill site within that existing group or cluster.

The broad location of the site is shown in Figure 1, overleaf:



Figure 1: Site Location

Liberty Hall Site - Development Principles

With regard to the development of the site at Liberty Hall for housing when considered other current generic policy requirements under the SESPlan, the extant East Lothian Local Plan (2008) and other material consideration, we would comment as follows:

- Transportation – satisfactory access can be provided.
- Residential Amenity – the proposals would ensure that the amenity of new housing and there will be no unacceptable adverse impact on the amenity of residents of existing adjacent dwellings to the east and west. Daylight, amenity and sunlight requirements would be addressed in more detail at the next stage of the planning process. However, at this stage, it is anticipated that there would be no issues arising in this respect.
- Archaeology – the archaeological potential of the area is low and matters can be addressed through a planning application, when the development gets to that stage. Such a condition would require a Written Scheme of Investigation to be approved and implemented by the Planning Authority prior to development taking place.
- Education – the modest scale of the development suggests that there would be no major issues arising from the development in respect of educational provision. However, appropriate developer contributions could be investigated.
- Infrastructure – there are no infrastructure constraints to development.
- Ecology – The site is not subject to any nature conservation designation. The site is thought to be generally species poor and simple in terms of structure, with no known evidence of protected species. The land can be developed such that there is an overall enhancement in biodiversity with and around the site. Development will have no adverse impact on any protected species.
- Flood Risk/Drainage – the proposed development is not in an area where there is a risk of flooding. Further, it would not increase the risk of flooding elsewhere and will have a neutral impact on the receiving water environment in terms of water quality and flood risk.
- Sustainability – The proposed development will comply with Section 6 of the 2010 Building Standards, with a 30% carbon saving achieved with fabric, heating and ventilation improvements. An energy statement would be provided in due course.

Liberty Hall - Site Effectiveness

SPP sets out circumstances where a site can be considered to be 'effective' for development. In this circumstance, the site in question is free of any constraints that would otherwise preclude its development. The following 6 criteria are not known to be of any concern in this respect at the time of this submission:

- Ownership;
- Physical Features;
- Contamination;
- Deficit Funding;
- Marketability;
- Infrastructure; and
- Land Use

The site at Liberty Hall can therefore be considered to be 'effective' as per the criteria set out in SPP.

Proposal A – Mainstream Housing Development at Liberty Hall

Without the barrier of a requirement for affordable housing, it is considered that a development of 1 or 2 houses, each with a generous footprint and a plot size that is more in keeping with a rural context would apply. An overall breakdown of how the site could be divided is shown in Figure 2, below. Equally, the site could be utilised for just one unit, but either of these proposals would respond favourably to being an 'infill' development within what is clearly a defined building group. Further, this pattern of development would respond very well to the defined rural pattern and plot sizes found within this broad area.

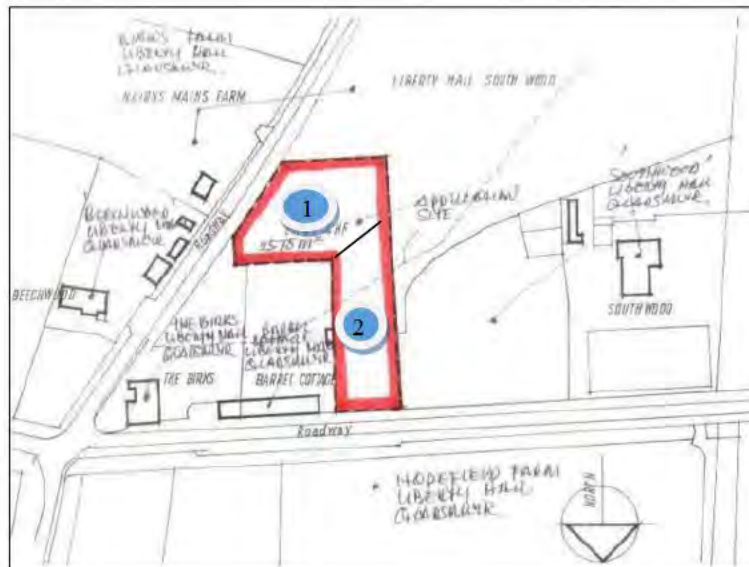


Figure 2: Potential Breakdown of Land - 2 Plots at Liberty Hall

Proposal B - Liberty Hall – Potential Affordable Housing Development

The site at Liberty Hall is 2578m² in size, which is just under 0.6 acres. A generous terrace of affordable housing that would be configured in an 'L' shape responds well to the characteristics of the site. The two access points to the south and west would be utilised and would create permeability and flow of the site. It is anticipated that around 10 houses could be provided, utilising 90m² plots with 100m² garden space, with 600m² for roads and infrastructure. This would create a better 'rounding off' of this building group and would better define this area as a whole. Figure 3, below, shows how the access could be achieved, with it being coloured in yellow, whilst a broad area for a mixed tenure (mainly semi-detached and terrace) housing is coloured in blue.

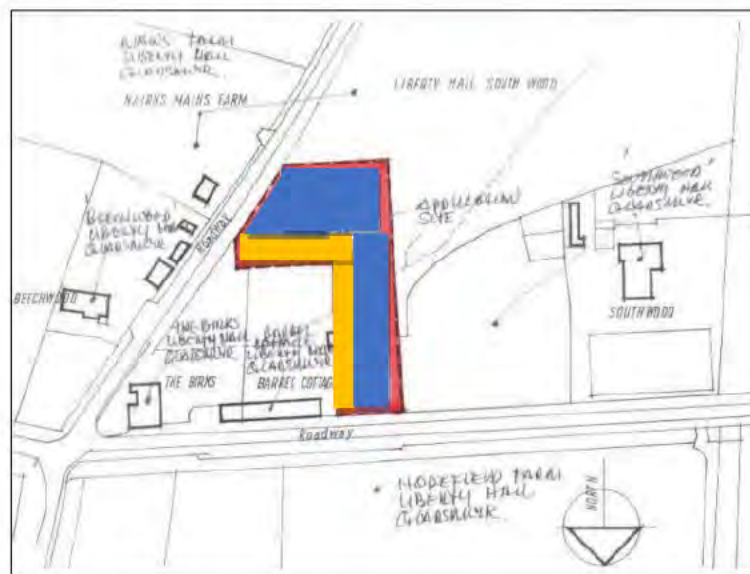


Figure 3: Potential Breakdown of Land – Affordable Housing Development at Liberty Hall

Whilst it would be our preference to develop this site in accordance with market forces i.e. without the barrier of being affordable, we would opine that this pattern and scale of development would improve the character and setting of this building group/settlement as it would represent a small number of well-built and compatible houses.

As is clear from the foregoing, it is our contention that a policy amendment to allow infill and cluster housing development in the East Lothian Countryside should be adopted. This is our preferred approach and should that be carried forwards, we would opine that a modest development of up to two relatively large detached dwellings could be accommodated at the site at Liberty Hall, which would wholly accord with the policy amendment as proposed and as broadly set out in Proposal A, above.

However, on the basis that Proposed Plan will be continued, in particular the confines of Policy DC4 (iii), then we would also be of the opinion that the site could be considered suitable for an affordable housing development, as proposed in Proposal B, above.

In either event, we would welcome the opportunity to discuss the opportunity with you and would be grateful to seek your early clarification on the detail of what would be sought from you as the Planning Authority in terms of a future planning application.

Please contact me by phone on [redacted] or email cockburnsconsultants@gmail.com to discuss further.

Yours sincerely,

[Redacted signature]

Brent Quinn MA(Hons) MRTPI LCIWM PRINCE2
Managing Director, Cockburns Consultants



RTPI

mediation of space · making of place



Ferrygate, North Berwick

Representation to the East Lothian Local Development Plan

In Support of an Allocation for Residential Development

23rd October 2016

Contents	Page
1. Introduction	1
2. Ferrygate and the LDP North Berwick Cluster Housing Allocations	2
3. Ferrygate Indicative Framework	13
4. Conclusions	15

1. Introduction

- 1.1 This representation has been prepared on behalf of Miller Homes in response to the East Lothian Proposed Local Development Plan (LDP). More specifically it relates to a site known as Ferrygate in North Berwick, to the west of the town, Phase 1 of which is proposed to be allocated in the Proposed LDP (PROP NK5) and which was granted planning permission on appeal in 2015. The overall site is shown on the Indicative Development Framework (Appendix 1) submitted with this representation. Phase 2 is located immediately to the south of the Ferrygate Phase 1 site
- 1.2 The site is located on the western edge of North Berwick to the south of Dirleton Road. To the west is a maturing strip of woodland which has been positioned to protect the existing settlement of North Berwick. This protection is supplemented by an existing hillock within the field to the south west which also serves to screen development from one of the main routes into the town. Further south the land is bounded by the main east coast railway line. To the east of the application site is an area of existing woodland and housing. The total area of the site is approximately 28.9 Ha.
- 1.3 It is our submission that LDP Proposal NK5 be extended to incorporate all of this land.
- 1.4 It should be noted that prior to the appeal decision granting planning permission for the Ferrygate Phase 1, Miller Homes submitted representations to the LDP Call for sites and Main Issues Report which sought the allocation of the whole Ferrygate site for residential development (i.e. Phases 1 & 2).
- 1.5 It should also be noted that a principal reason for the Council's refusal of the Ferrygate Phase 1 application was that the site's development would create a precedent for the development of the Phase 2 site because the Phase 1 site has no southerly defensible boundary i.e. the Phase 1 and 2 sites form part of the same relatively unbroken open area to the west of the town. Although Miller Homes have proposed woodland planting on the southern boundary of Ferrygate Phase 1, it is nevertheless the case that Phase 2 does present a very logical extension to Phase 1.
- 1.6 Our separate representation in respect to Housing Supply & Demand concludes that the Proposed LDP does not identify enough housing sites to meet the SESplan housing requirements for East Lothian. Consequently, additional housing sites will need to be allocated, and we therefore recommend that Ferrygate allocation is extended.

2. Ferrygate and the LDP North Berwick Cluster Housing Allocations

- 2.1 The Ferrygate Phase 2 site currently in arable use, located on the western edge of North Berwick to the south of Dirleton Road, and to the south of the permitted development at Ferrygate Phase 1. The site is therefore well contained, immediately adjacent to the urban boundary, and presents a logical opportunity for the expansion of the town.
- 2.2 North Berwick has good links with Edinburgh and the south due to its location close to main transport networks such as the North Berwick rail Line, the East Coast Main Line and A1. The site is well placed to take advantage of these links with access from Dirleton Road and a footpath connection to the train station.
- 2.3 The site will be generally protected from prevailing winds by existing and proposed development to north and east and proposed woodland.
- 2.4 The site is well served by existing utilities and no servicing issues have been identified which would preclude development. Existing overhead power cables are located to the south of the site and gas / water / drainage supplies are located on Dirleton Road to the north.
- 2.5 It is notable that in their consideration of the Ferrygate Phase 1 application, the planning officers reached the conclusion that, although recommended for refusal on prematurity grounds, the site's development for housing was considered suitable in all physical respects. The planning committee report for the application reached the following conclusions, amongst others.
 - The development is in keeping with the character of North Berwick and will not result in harm to the environment.
 - Development would not result in any coalescence.
 - The site is visually contained by existing developments.
 - There are footpath links to facilities in the town.
 - The site is well-served by public transport.
 - Additional car traffic can be satisfactorily accommodated by the road network.
 - There is no flood risk and SEPA raise no objection
 - Scottish Water advise that the site is included in their growth projections for North Berwick and it has no objection to its development.
 - Infrastructure can be made available that will allow for early house completions.

- The develop benefits from being located in a town that has many facilities e.g. primary and secondary schools, various shops including supermarkets, medical and dental facilities, a sports centre and a swimming pool.
- 2.6 In our submission, these conclusions are equally applicable to the larger Ferrygate site, and demonstrate that there is agreement with East Lothian Council planning officers that Ferrygate is a sustainable location for housing development.
- 2.7 Moreover, we consider that Ferrygate is more sustainable as a housing site than any of the other sites that are allocated for housing in the North Berwick Cluster. Indeed, in our response to the LDP Main Issues Report we submitted a comparative assessment of the Ferrygate land in relation to the MIR preferred sites, which we believe clearly demonstrated this conclusion. Our assessment is considered in the following paragraphs.
- 2.8 The MIR Interim Environmental Report (IER) contained assessments of all sites that have been considered for development, and it was stated that these assessments had been prepared on a consistent basis. It was further stated that the methodology allowed for the comparison of sites, leading to the selection of Preferred Sites, Reasonable Alternatives and Others, which are identified under these categories in the MIR itself.
- 2.9 However, we could see no explanation in the MIR and the IER of the precise basis for this comparison. The IER contained a commentary on each site's characteristics under 19 separate criteria, and a 'traffic light' system was employed to graphically display whether a site is good, bad or indifferent in respect to the criteria (i.e. green, red, amber). However, there was no apparent consideration of how the sites actually compared with each other in respect to these criteria. Moreover, there was no weighting applied to the various criteria, some of which were clearly more important than others in the site selection process.
- 2.10 We closely reviewed the IER site assessments undertaken for the North Berwick Cluster and, as described below, did not consider that the categorisation of the various sites in the MIR correctly reflected the actual relative merits of the sites, either because the sites had not been adequately compared or too much or too little weight was attached to the significance of the various criteria.
- 2.11 The MIR identified 5 Preferred Sites for housing development in the North Berwick Cluster, as follows:

Tantallon Road, North Berwick	100 houses
Fire Service College, Gullane	100 houses
Saltcoats, Gullane	150 houses
Castlemains, Dirleton	30 houses
Aberlady West	100 houses
Total	480 houses

2.12 One immediately apparent fact is that the village of Gullane is proposed to accommodate 250 houses and town of North Berwick only 100 houses. Aberlady is expected to accommodate 100 houses also. The Environmental Report did not comment on this point, but given the respective sizes and facilities available in these communities, it seems to us a questionable strategy, given the general desire to locate housing close to community facilities, of which Gullane and Aberlady have relatively few.

2.13 We also note that the Fire Service College is a brownfield site, and its development is therefore given priority by Scottish Planning Policy and SESplan compared to greenfield sites. All of the other assessed sites are greenfield, and assuming the College is effective, we therefore agreed with its Preferred status.

2.14 The therefore considered whether the four other Preferred Sites in the MIR should be preferred to the Ferrygate site for housing development.

2.15 The Environmental Report identified 19 assessment criteria, and there are no specific conclusions regarding how these assessments have been utilised to conclude which sites are to be preferred. We therefore undertook a comparative assessment, by way of the scoring system against each of the criteria.

2.16 Where the sites are considered to be better or worse in respect to a criterion we provide a score of between 1 and 5. A score of '1' is best and '5' is worst. So, for example, if a site scores '1', that does not mean that it is necessarily a 'perfect' site, rather it is simply better than the other sites being considered in respect to a criterion.

2.17 As this is only a comparative exercise, where we consider all of the sites to be equal, no score has been attributed.

2.18 We note that the not all of the sites identified are as large as those considered in the Environmental Report, presumably because a view had been taken that some parts of the site were not suitable for development. Consequently, some of the negative points contained in the site assessments do not apply.

2.19 Each criterion is considered below, in the same order as identified in the IER.

Location

2.20 We agree with the assessment that all the sites are equal in this respect.

Accessibility

2.21 Accessibility is one of the most important criteria in respect to planning for sustainable communities. All 5 sites are scored equally in the assessment, despite clear differences in their accessibility being identified in the text of the Environmental Report. Saltcoats appeared to fail most of the criteria. Ferrgate and Tantallon Road are correctly identified as being accessible to the railway station. Aberlady West and Castlemains are considered to have better access to bus than Saltcoats. For some reason the Environmental Report assessment seems to make no distinction between the fact that Tantallon and Ferrgate are accessible to facilities (good shopping, secondary school and other community services) which are not as accessible to the villages Gullane, Aberlady and Dirleton. We therefore apply the following scores:

Ferrygate	1 (equal)
Tantallon Road	1 (equal)
Saltcoats	5
Castlemains	3 (equal)
Aberlady West	3 (equal)

Exposure

2.22 The assessment concludes that all of the sites are exposed. However, Ferrygate and Castlemains are considered to be the most exposed to northerly winds and for this reason are categorised as

'red'. Tantallon is 'amber', on the basis that only part of the site is exposed to northerly winds. Saltcoats is 'amber', and Aberlady West is 'green', on the basis that it has shelter from northerly winds.

2.23 In our view, the whole basis of this assessment is flawed. Although generally colder, northerly winds are far less frequent in East Lothian than west/south westerly winds, and often less strong. There is a strong argument that exposure to west/south westerly winds is a more negative consideration. We also question the balance of the conclusions reached. Tantallon Road scores better on the basis that only part of the site is particularly exposed to northerly winds, yet the same is true for Ferrygate, and the latter is better protected by existing development and vegetation.

2.24 In our view, however, all of the sites have fairly similar degrees of exposure and there is no significant difference between them. We therefore score all of the sites equally.

2.25 Notwithstanding that, we do not consider that exposure is a particularly significant factor in the relatively benign weather patterns experienced in East Lothian, and should be given low weight in the site selection process.

Aspect

2.26 The assessment concludes that Saltcoats and Aberlady West are best because they are south/south west facing and Ferrygate, Castlemains, and Tantallon are worst because they are north facing. This assessment is incorrect in our view. Saltcoats and Aberlady West are flat sites, and therefore do not face in any direction. The majority of the Ferrygate site is relatively flat and any northerly incline is too insignificant to have any sustainability impact. The Tantallon and Castlemains sites have the most significant northerly aspects. The following scores are therefore applied.

Ferrygate	1 (equal)
Tantallon Road	4 (equal)
Saltcoats	1 (equal)
Castlemains	4 (equal)
Aberlady West	1 (equal)

Suitability for Proposed Use

2.27 The assessment concludes that Ferrygate and Tantallon are worse than the other sites because of potential conflicts with adjacent uses. In our view, this is a false distinction, because the points that are referred to can be resolved quite easily through detailed design. We therefore conclude that for all practical purposes the five sites are equal.

Fit with Strategic Policy Objectives and Direction

2.28 The assessment concludes that all of the sites are equal in this regard, mostly it seems because they are all outside the East Lothian SDA. On this basis, we agree.

Physical Infrastructure Capacity

2.29 The assessment concludes that the sites are all equal in this regard, and we do not have any information that suggests otherwise.

Service Infrastructure Capacity

2.30 All of the sites are considered to be equal in the assessment. However, the Castlemains site appears to be ruled out because there is no primary education capacity and there is no room to expand the school. Also, the assessment for Saltcoats makes the point that additional land is required to expand the school, and in our view this must place some doubt on the effectiveness of this site. We therefore do not understand why the two sites are Preferred Sites without further consideration of these points. As regards Ferrygate, in the determination of a recent application for 140 houses, the Council agreed that this could be accommodated within expanded schools. The same would no doubt apply to the Tantallon site. Subject to confirmation that the Saltcoats and Castlemains sites are effective, we therefore apply the following scores.

Ferrygate	1 (equal)
Tantallon Road	1 (equal)
Saltcoats	4 (equal)
Castlemains	4 (equal)
Aberlady West	1 (equal)

Deliverability/Effectiveness

2.31 The assessment concludes that it is not known whether any of the sites can be served by infrastructure. However, the Council concluded in respect to the recent Ferrygate planning application that it is an effective site. As indicated above, there are doubts regarding the availability of education capacity for some of the sites. As this has been reflected in the scoring under this criterion above, we do not repeat that distinction under this heading.

Biodiversity, Flora and Fauna

2.32 All of the sites are in arable use, and of little apparent biodiversity value. There are some differences between the sites noted in the assessments but it seems unlikely that these will be significant as factors in the site selection process. The sites are therefore scored equally.

Population

2.33 The assessment concludes that all of the sites are broadly positive in this regard, which we agree with. The sites are therefore scored equally.

Human Health

2.34 The assessment considers that Castlemains, Saltcoats and Aberlady West are better than Ferrygate and Tantallon because they are better connected to the core path network. We have not ourselves assessed the extent to which this is true, but in our view this factor is not a reasonable basis alone to distinguish between the sites in respect to human health. There is no evidence to suggest that people will walk more because of the proximity of the core path network. All of the sites present opportunities to walk. Arguably, the North Berwick sites are located such that people will walk more to access facilities. The coastal villages, on the other hand, require motorised transport to access good facilities. However, there are many factors that will impact on human health beyond this narrow consideration that have not been taken into account. For example, the North Berwick sites will have better accessibility to medical facilities.

2.35 In our view, taken in the round, we do not consider that there is any significant distinction to be drawn between the sites in respect to human health, so we have scored the sites equally.

Soil

2.36 The development of any of the sites would result in the loss of prime agricultural land, and in our view there is no significant distinction to be drawn between them. The sites are therefore scored equally.

Water

2.37 The assessment concludes that there are some differences between the sites, but none of them appears to be significant enough to draw a distinction between them in terms of site selection. The sites are therefore scored equally.

Air

2.38 The assessment concludes that all of the sites are equal in this regard, and we agree.

Climatic Factors

2.39 The assessment concludes that the Ferrygate and Tantallon sites are better than the other three sites. However, this particular criterion attempts to combine a number of separate criteria which are addressed separately in the assessment e.g. accessibility and aspect. We therefore do not consider that this criterion presents a useful basis for comparing the sites, as in effect it is 'double-counting' factors that are already taken into account.

Material Assets

2.40 All of the sites would result in the loss of prime agricultural land, and there is no significant difference between them in this regard. They are therefore scored equally.

Cultural Heritage

2.41 The assessment draws some significant distinctions between the sites. Ferrygate is the only site in the assessment not considered to have negative impacts, and we agree with this.

Ferrygate	1
Tantallon Road	2 (equal)
Saltcoats	2 (equal)
Castlemains	2 (equal)

Aberlady West	2 (equal)
---------------	-----------

Landscape

2.42 Ian White (Landscape Architect) was commissioned by Miller Homes to undertake his assessment of the 5 sites being considered in this report, and his assessment is attached as Appendix 2 to this submission. His findings are summarised here.

2.43 The main landscape issue on the **Aberlady West** site is its relationship with the designed landscape of Gosford House which comprises a strong woodland core surrounded by agricultural land. Although the width of open land between the village and the North Wood would be reduced it would not have an adverse effect on the historic landscape. However the mass and scale of new buildings will have to be carefully controlled. A 10m wide tree belt to enclose the site would not be adequate to screen development and should be more in scale with existing shelterbelts i.e. the Aberlady Strip.

2.44 Development of the **Saltcoats** site would be a major expansion into a flat, open agrarian landscape. Recent development on the southern edge of the town has not provided a high quality urban edge which matches those of the east and west approaches to the town on the A198. There are no significant existing boundary features on the west, east or southern boundaries of the site. The poor quality of the existing urban edge suggests that woodland of a width similar to that of the Millenium Wood should enclose the site.

2.45 In respect to the **Castlemains** site, Dirleton is a conservation village of high quality with the castle as its dominant feature and focal point in views from the A198. Development of this site would advance the urban edge of Dirleton and reduce the foreground of views to the castle from the A198 as well as reducing its prominence. Development would thus have an adverse effect on a significant historic building and expansion of the urban edge would influence the quality of Dirleton as a conservation village.

2.46 The **Ferrygate** site is contained by woodland or tree planting on all sides except along the southern boundary where a prominent open ridge should be planted up as woodland. The existing woodland edge to the south of the A198 would provide a stronger and higher quality urban edge than currently exists to the north of the A198. Views from North Berwick Law would not be adversely affected and development would appear as a natural extension of the settlement form.

2.47 In respect to the **Tantallon** site, the relationship between the urban edge of North Berwick and the North Berwick Law is fundamental to the quality and character of the town’s setting. Development of both or either of the sites to the east and west of Heugh Brae would have an adverse effect on the setting of the town by extending development on to rising ground whereas the existing urban edge is all on flat ground at the base of North Berwick Law. The southern boundaries of both sites are arbitrary and unrelated to any existing landscape feature. The following scores are therefore applied to the site.

Ferrygate	1 (equal)
Tantallon Road	5
Saltcoats	3
Castlemains	4
Aberlady West	1 (equal)

Aggregate Scores

2.48 Aggregating the above scores produces the following:

Ferrygate	5
Tantallon Road	13
Saltcoats	13
Castlemains	17
Aberlady West	8

2.49 This shows that overall, Ferrygate is the best of the 5 sites when aggregating scores against the site assessment criteria identified in the Environmental Report.

2.50 It should be recognised that these scores are purely comparative, and do not represent the merits and demerits of the site on a quantitative basis. There also has been no weighting applied to the importance of the criteria in respect to their significance in site selection.

2.51 One could consider a weighting methodology in order to provide a more comprehensive basis for the comparative assessment. However, for the purposes of assessing the suitability of Ferrygate to be allocated for development, this is not necessary. That is because Ferrygate is either the best or best equal site in respect to every criterion, and no matter what weight was applied to each criterion, the Ferrygate site would score more highly than the other sites.

3. Ferrygate Indicative Development Framework

3.1 EMA Architects have prepared an Indicative Development Framework for the Ferrygate site (Appendix 1). The following paragraphs summarise the content of the Framework document:

3.2 The concept is focused on the integration of the new proposal into the existing urban grain of North Berwick the surrounding housing and the existing landscape structure. As the site is located on the western approach to the town, the framework considers how the development addresses this important access. The relationship with the existing and approved housing along Dirleton Road will also be important.

3.3 Primary vehicular access will be provided from Dirleton Road which will be the gateway to the development through the recently approved housing development. The primary route could be broken with a series of nodes or squares which could provide gateways into the more intimate homezones. Existing features such as the local access route along Gas Works Lane should be retained and unaltered. Links through to the east of the development should also provide pedestrian access to the town centre and train station, increasing connectivity and permeability.

3.4 The existing urban grain of North Berwick is an important consideration. The framework provides an opportunity to reinforce the existing edge of the town to the east. The development would extend no further east than the existing/approved buildings and would also be contained within existing/proposed landscape structure and emerging woodland planting. Within the site the buildings would be orientated to front onto open space and the main routes through the site thus providing a legible pattern of neighbourhood and residential blocks.

3.5 The site is bounded by historical trees, hedgerows and stone walls which are to be retained as far as possible within the proposals. An area of woodland planting to the west helps to screen the development site from the Dirleton Road access into the town. It is intended that the landscape along this boundary would be extended and reinforced as part of the development of the site.

3.6 The site is generally protected from prevailing winds by existing development to north and east and natural landscape features such as woodland planting and rounded hillock to the west and south.

3.7 The open space and landscaped areas would be safe and pleasant and overlooked by development. A network of linked areas throughout the development will encourage use of these spaces

3.8 Movement Strategy

3.9 The key elements of the proposed movement strategy can be summarised as follows:

1. Access road from Dirleton Road.
2. Network of foot and cycle paths that integrate fully with existing paths and routes to the town centre, train station and countryside.
3. Traffic calming where required.
4. Safe and connected road layouts that create a hierarchy of streets and spaces to allow users options for travelling through the site.

3.10 Two development options have been prepared for the site. Masterplan 'A' incorporates a local shop and health centre into the development. The latter reflects our understanding that a new health centre may be required in the town.

3.11 Masterplan 'B' incorporates a new primary school, which could serve the east of North Berwick. We would welcome further discussions with East Lothian Council regarding this proposal.

Drainage and Services

3.12 The development will be served by a closed pipe gravity sewer, which will be designed and constructed in accordance with the Sewers for Scotland guidance. This will discharge into the Scottish Water combined sewer located within Dirleton Road, with any upgrades above those already committed to for Ferrygate Phase 1 being identified and delivered through a further drainage impact assessment (DIA).

3.13 The site is not subject to any coastal or fluvial flooding risk, therefore specific mitigation measures in respect of addressing any local risk are not required. However, the expectation in respect of surface water drainage is that the development would provide a basis for better managing the underlying water catchment by capturing and discharging surface water, according to an agreed discharge level.

3.14 The relevant service infrastructure, including electricity, gas and telephony are available in the local area and connections to these will be made in line with the standard regulatory practices. A medium pressure gas main runs along Dirleton Road, while a low pressure main runs along Gasworks Lane. The presence of the North Berwick primary electricity sub-station to the south of the site, at the end of Gasworks Lane, will provide a means of connection to the power network. A lower-voltage cables running through the development would be re-provided and aligned with the proposed masterplan.

4. Conclusions

4.1 In our view, the entire Ferrygate site should be allocated for residential development in the forthcoming Local Development Plan, for the following reasons.

- North Berwick, with all the attributes of a town, including a train station, is a sustainable location for new housing development
- Our representation on 'Housing Supply and Demand' demonstrates that there is a significant shortfall in the amount of housing land allocated in the Proposed LDP relative to SESplan requirements. Additional housing sites therefore require to be identified, and this extended Ferrygate site is ideally suited.
- Physically, the site is well suited for accommodating housing. It represents a logical extension to North Berwick, forming an obvious extension to the Phase 1 site, which is allocated in the LDP and has planning permission.
- The site has the potential to incorporate a health centre and primary school, both of which we understand may be desirable for North Berwick. We would welcome further discussion with the Council regarding these options.
- The site is effective and can be developed in the short-term, in parallel with the Phase 1 site.

Proposed Modification to LDP

Allocate the entire Ferrygate site for residential development and appropriate mixed uses through inclusion of a new proposal and identification of the site on the Proposals Map.

HolderPlanning

5 South Charlotte Street, Edinburgh, EH2 4AN.

Tel: 0131 225 6349

www.holderplanning.co.uk

East Lothian Local Development Plan

Housing Supply & Demand

Date: 4 November 2016

HolderPlanning

5 South Charlotte Street, Edinburgh, EH2 4AN.

Tel: 0131 225 6349

www.holderplanning.co.uk

Contents

Page

1. Introduction	1
2. SESplan and Supplementary Guidance	2
3. East Lothian Housing Land Requirement	5
4. Conclusion	9

Appendix 1: Revised Table HOU2

1. Introduction

- 1.1 This report considers issues relating to housing supply and demand and the adequacy of the approach set out in the East Lothian Council's Proposed LDP in addressing the requirements of SESplan, its related Supplementary Guidance and Scottish Planning Policy.
- 1.2 As described below, the LDP does not allocate sufficient housing land to be consistent with these documents as there are not enough housing sites identified to meet the housing building requirements identified in SESplan and the Supplementary Guidance. Consequently, there is a need to allocate additional sites in the LDP.

2. SESplan and Supplementary Guidance

2.1 2.1SESplan is the Strategic Development Plan (SDP), which was approved in 2013. Policy 5 (Housing Land) explains that for the period from 2009 up to 2024, there is a requirement for sufficient housing land to be allocated so as to enable 107,545 houses to be built in the SESplan area. Moreover, it indicates that the requirement for the period 2009 to 2019 is for 74,835 houses. It then goes on to say that:

“Supplementary Guidance will be prepared to provide detailed further information for Local Development Plans as to how much of that requirement should be met in each of those six areas, both in the period 2009 – 2019 and in the period 2019 to 2024”

2.2 The Supplementary Guidance was approved in October 2014. Table 3.1 of the SG sets the Housing Land Requirement by Local Development Plan Area, which for East Lothian is:

2009 – 2019: **6,250**

2019 – 2024: **3,800**

2.3 It is important to note that the preparation of the SG was before the publication of revised Scottish Planning Policy in 2014, which replaced SPP 2010. The revised SPP amended the terminology in regard to housing ‘requirements’.

2.4 Paragraph 70 of SPP 2010 explained the term ‘housing requirement’ as follows:

The scale, nature and distribution of the housing requirement for an area identified in the local housing strategy and development plan should be based on the outcome of the housing need and demand assessment. Wider strategic economic, social and environmental policy objectives should also be taken into account when determining the scale and distribution of the housing requirement and the housing supply target for an area. Planning authorities may, as part of the development plan settlement strategy, direct development to particular locations to achieve desired policy outcomes. In such circumstances the planned level or direction of growth may not reflect past trends.

2.5 Thus, the ‘housing requirement’ as defined in SPP 2010, represents a ‘policy view’ of the amount of housing that requires to be delivered, taking into account economic, social and environmental matters, which is analogous to the description of the ‘housing supply target’ in SPP 2014 as described in paragraph 115 of SPP:

“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.”

2.6 SPP 2014 redefines the meaning of the term ‘housing requirement’ in paragraph 116 as follows:

“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 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.”

2.7 SESplan and its Supplementary Guidance do not use the term ‘housing supply target’, but it is clear that references in those documents to ‘housing requirement’ are in effect equivalent to a ‘housing supply target’. To accord with SPP, this means that a margin of 10% to 20% needs to be added to the housing requirements identified in the Supplementary Guidance. However, it is apparent from the commentary in Proposed LDP Technical Note 1 that the Council does not agree with this conclusion and that it considers that no generosity margin is required.

2.8 This conclusion is in our view inconsistent with Scottish Planning Policy definitions. It is also inconsistent with view reached by the Examination Report for the Edinburgh LDP, which concluded in paragraph 8 on page 128 that:

“The housing supply target is based on the HNDA but is a policy view of the number of homes that are needed by local authority area. SESplan predates current Scottish Planning Policy so does not use the word target but refers to housing requirements and housing land requirements. However for the purposes of the examination there is nothing to suggest to me that the figures in SESplan should not be interpreted as the target. Paragraph 108 of the strategic plan clarifies the plan’s role to ensure that the areas overall assessed housing requirements can be met by new house completions. SESplan clarifies that some of the housing demand generated by the city will be accommodated in the wider city region. The local development plan is required to demonstrate consistency with the Strategic Development Plan. The housing target as set through SESplan and its associated supplementary guidance is already approved and not a matter for this examination.”

2.9 Paragraphs 18 and 19 on page 130 of the Examination report go on to say:

“Paragraph 116 of Scottish Planning Policy states that 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 so 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.

In this case such a margin was not included in the strategic plan which pre-dates the current Scottish Planning Policy. Instead the flexibility is added to obtain the housing land requirement for this local development plan. The proposed plan applies a margin of 10% flexibility as indicated in the table below. I return to the matter of the sufficiency of this margin and whether it should be increased below.”

2.10 Thus, to be clear, the East Lothian LDP must provide sufficient housing land to meet the targets identified in the SESplan Supplementary Guidance to allow the specified number of houses to

be built within both periods identified. There is no 'generosity' included within the housing requirement identified in SESplan, and this should therefore be identified in the LDP.

2.11 The following section assesses the adequacy of the housing land supply contained in the Proposed LDP against the requirements of SESplan, its Supplementary guidance and Scottish Planning Policy.

3. East Lothian Housing Land Requirement

3.1 Section text Paragraph 110 of Scottish Planning Policy identifies the following policy principle:

“The planning system should identify a generous supply of housing land for each housing market area within the plan area to support the achievement of the housing requirement across all tenures, maintaining at least a 5-year supply of effective housing land at all times”

3.2 Paragraph 119 of SPP also indicates that:

“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.”

3.3 The correct approach to be taken in the LDP can therefore be summarised as follows.

1. The identification of the two consecutive housing requirements (supply targets) established by the SESplan Supplementary Guidance for the periods 2009 – 2019 and 2019 – 2024.
2. The identification of a third housing requirement for the period 2024 – 2028 to provide sufficient housing land to meet the requirement to year 10 from the expected year of adoption (i.e. 2018).
3. The SESplan housing requirement (supply target) 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 is provided (SPP paragraph 116).
4. The LDP should make provision for sufficient houses to be built to meet the housing land requirement in the two time periods under consideration. This is likely to include the following sources of housing:
 - House completions to date
 - Land contained in the established land supply
 - Windfall
 - New housing allocations
 - Demolitions (subtract)

3.4 Table HOU2 of the Proposed LDP summarises the Council’s approach to meeting the SESplan housing requirement. In our view, Table HOU2 is flawed for the following reasons:

- Although Table HOU2 correctly identifies the SESplan housing requirements for 2009 – 2019 and 2019 – 2024, it does not set out the requirement for the period 2024 – 2028, which would cover the remainder of the 10-year period from LDP adoption in 2018 as required by SPP paragraph 119. Instead LDP Table HOU2 identifies two columns for the

period 2024 – 2032 and Beyond 2032. Interesting as this information may be, it is not a consideration required by Scottish Planning Policy.

- Table HOU2 does not apply a margin of generosity to each of the SESplan housing requirements. Instead, the final line simply identifies the percentage generosity for the period 2009 – 2024 combined, based on the assumption that the figures given for contributions from the new allocations are correct.
- The assumptions for the programming of house completions from the new allocations are clearly over-optimistic in terms of when sites will begin to be developed. The effect of this is to produce an unrealistically high contribution to meeting the housing requirement in the period 2019 – 2024.

3.5 We have therefore prepared a revised version of Table HOU2, which is contained in Appendix 1 to this document. This revised table contain two variants, the first assuming 10% generosity and the second 20%. We have numbered the lines of our Tables from 1 – 12. This is the same number of lines as the LDP version of the Table, but instead of the bottom line identifying a percentage generosity, we have inserted a new Line 3, which adds generosity for each phase of the housing requirement separately. It should also be noted that our Tables replace the two columns showing the housing requirement for the periods 2024 – 2032 and Beyond 2032, with a single column for the period 2024 – 2028, reflecting the requirements of SPP. As a consequence of this, we have retitled Line 2 (and Line 3) to refer to the SDP as well as the SDP.

3.6 To explain the derivation of each line:

3.7 Line 1 of LDP Table HOU2 correctly identifies SDP housing requirement periods in the two consecutive periods 2009 – 2019 and 2019 – 2024. However, our Tables go on to identify a third period from 2024 – 2028 as explained above.

3.8 Line 2 of LDP Table HOU2 correctly identifies the housing requirements of the SESplan Supplementary Guidance for the two time periods. In our HOU2 Tables, we have derived the requirement/target for the period 2024 – 2028 as well by extrapolating from the first 2 periods. For the first two phases, East Lothian’s total housing requirement is 9.3% of the SESplan total. If this percentage is applied to the period 2024 – 2032, for which the SESplan total requirement is 47,999 homes, the East Lothian requirement for that period would be 4,464. Pro-rata for the period 2024 – 2028, this is **2,232 homes**. This is a different methodology from that used in the LDP Table HOU2 for the period 2024 – 2032, which is derived from the SESplan HNDA for East Lothian over that period. In our view, this approach is not correct because it does not take into account the fact that the basis of SESplan’s housing land requirements is to redistribute a significant proportion of Edinburgh’s housing need and demand, as reflected in the requirements of the first two phases to 2024. A similar approach should therefore be taken to the third phase.

3.9 Line 3 of Table HOU2 identifies house completions from 2009 – 2015, which is as it should be.

3.10 Line 3 of our Tables HOU2 ‘A’ and HOU2 ‘B’ add 10% and 20% generosity margins respectively to the figures in Line 2.

3.11 As indicated above, paragraph 116 of SPP indicates that the generosity margin should be somewhere between 10% and 20% and a robust explanation given for the figure chosen. The Council disagrees that there should be any generosity provided, which is in our view both contrary to Scottish Planning Policy and illogical. This is because concept of generosity relates to the almost certain likelihood that not all of the housing land identified as effective will actually deliver completions. Consequently, the figures for housing land supply given in Table HOU2 will almost certainly be over-estimated. That is why SPP requires more than enough land to be allocated in LDPs. The question then, is what level of generosity is required? This, we accept, is difficult to judge.

3.12 One approach is to consider the past record of a Council in accurately predicting the delivery of the effective land supply. In 2008, Turley Associates undertook research for the Scottish Government entitled 'The Effectiveness of Housing Land Audits in Monitoring Housing Land Supply in Scotland', which formed part of the research base for PAN 2/2010. This research assessed the predictive accuracy of housing land audits and found that for East Lothian, over a 5- year period from 2001 – 2006, 55% of the effective housing land supply was not actually developed within this period. Similar outcomes were obtained for many audits across Scotland. Although we appreciate this is now quite an elderly piece of work, our experience is that the predictive estimates of the effective housing land supply in audits continue to be too optimistic, and the failure rate in most cases is likely to be more than 10% and often greater than 20%. To be more precise would require significant up to date research.

3.13 We therefore strongly recommend that East Lothian Council reviews the recent track record of its housing land audits in predicting actual delivery, and sets a margin of generosity which reflects this.

3.14 We agree with the figures provided for dwelling completions and contributions from the established land supply in Lines 3 & 4 of LDP Table HOU2, and these are repeated in Lines 4 & 5 of our tables.

3.15 Line 5 of LDP Table HOU2 identifies the contributions from new allocations. These figures are derived from the yearly programming contained in Appendix 2 of LDP Technical Note 1, and have been prepared by East Lothian Council. Although we do not take significant issue with the predicted number of yearly house completions in an improving market, we seriously question the 'blanket' approach of assuming that the vast majority of new allocations will deliver houses from next year onwards. This may be the case for some sites which already have planning permission (but even this is optimistic for many of those sites). However, for sites which do not yet have permission or are not yet subject to a planning application, this assumption will be impossible to achieve. It should be noted, for example, that in Musselburgh there is a requirement for a new secondary school and new primary schools, which will take a number of years to be operational. We are not aware that there is any specifically identified interim educational capacity, which means that there may be no significant development until post 2020.

- 3.16 In our view, the Council therefore needs to reappraise its delivery timescales for new housing sites, in consultation with the housebuilding industry and in the light of up to date information in respect to each site. This should be done as soon as possible and certainly before the Examination of the Plan, to provide the Reporter with the best estimate of housing delivery.
- 3.17 In the meantime it would be reasonable to assume that the programming of sites shown in Appendix 2 of LDP Technical Note 1, be deferred by one year. This is the approach taken in the our revised HOU2 Tables.
- 3.18 Lines 6 & 7 of LDP Table HOU2 identify contributions from windfall sites and loss of supply arising from demolitions. We agree with these figures and they are reflected in our HOU2 Tables.
- 3.19 Line 9 of LDP Table HOU2 identifies contributions from Blindwells, which we agree with, other than for a reduction in the delivery contribution in the period 2024 – 2028, as compared to the longer period 2024 – 2032 contained in LDP Table HOU2.
- 3.20 Line 11 on our tables shows the Grand Total Housing Land Supply. The differences between the Council's figures and our own are due to the deferral of new site programming by one year and our identification of the relevant period from 2024 – 2028, rather than to 2032 and beyond.
- 3.21 Line 12 of our revised Tables is equivalent to Line 11 of LDP Table HOU2, which identifies the shortfall/surplus of supply against the requirement. Clearly, there are significant differences between the conclusions reached.
- 3.22 LDP Table HOU2 concludes that the LDP allocates a significant surplus of housing land in the first and second periods, and a significant deficit in the third and fourth periods.
- 3.23 Our Revised Table A shows a significant shortfall in the first period, a significant surplus in the second period and a significant deficit in the third period. Our Revised Table B identifies even greater deficits in the first and third periods and a smaller surplus in the second period as compared to Table A.
- 3.24 The methodology employed to produces revised Tables A & B is consistent with SESplan, the SESplan Supplementary Guidance and the terms of Scottish Planning Policy. LDP Table HOU2, on the other hand, is flawed for the reasons given above.
- 3.25 SESplan Policy 5 is clear that land is required to be allocated in LDPs to meet the requirements for each of the consecutive time periods such that all of these houses can be built. This itself implies that more than enough land (i.e. a generous amount) needs to be allocated.
- 3.26 Table A identifies a shortfall of 1,308 homes to meet the Sesplan Policy 5 housing requirement + 10% from 2009 – 2019. Table B shows a shortfall of 1,933 homes in the same period if generosity of 20% is required. Even if there is no generosity applied, the shortfall is 683 homes.

4. Conclusion

- 4.1 Our revised Tables are, in our view, based on the correct methodology, deriving from the content of SESplan and Scottish Planning Policy. In respect to 'generosity' we have produced two variant tables, one assuming 10% and the other 20%. As indicated above, we recommend that East Lothian Council undertakes additional work to assess what the appropriate level of generosity should be, between these two limits.
- 4.2 We recommend that LDP Table HOU2 is replaced by a new table, reflecting the correct methodology outline in this representation.

Revised Table HOU2 A (assuming 10% Generosity)

1. PLANNING PERIODS	2009 - 19	2019 - 24	TOTAL TO 2024	2024 - 28	TOTAL
2. SDP/SPP Housing Requirement to 2028	6,250	3,800	10,050	2,232	12,282
3. SDP/SPP Housing Requirement + 10%	6,875	4,180	11,055	2,455	13,510
4. Dwelling Completions 2009 – 15	2,038	0	2,038	0	2,038
5. Contribution from Established Land Supply	2,670	2,143	4,813	0	4,813
6. Contribution from New Allocations	790	3,725	4,515	1,485	6,000
7. Contribution from Future Windfall Sites	84	105	189	110	299
8. Loss of Supply to Dwelling Demolitions	-15	-8	23	-12	-35
9. Sub-Total Housing Land Supply	5,567	5,965	11,532	1,583	13,115
<i>10. Contribution from Blindwells</i>	<i>0</i>	<i>291</i>	<i>291</i>	<i>388</i>	<i>679</i>
11. Grand Total Housing Land Supply	5,567	6,256	11,823	1,971	13,794
<i>12. Shortfall / Surplus of Housing Land ⁽⁴⁾</i>	1,308 deficit	2,076 surplus	768 surplus	484 deficit	284 surplus

Revised Table HOU2 B (Assuming 20% Generosity)

1. PLANNING PERIODS	2009 - 19	2019 - 24	TOTAL TO 2024	2024 - 28	TOTAL
2. SDP/SPP Housing Requirement to 2028	6,250	3,800	10,050	2,232	13,870
3. SDP/SPP Housing Requirement + 20%	7,500	4,560	12,060	2,678	14,738
4. Dwelling Completions 2009 – 15	2,038	0	2,038	0	2,038
5. Contribution from Established Land Supply	2,670	2,143	4,813	0	4,813
6. Contribution from New Allocations	790	3,725	4,515	1,485	6,000
7. Contribution from Future Windfall Sites	84	105	189	110	299
8. Loss of Supply to Dwelling Demolitions	-15	-8	23	-12	-35
9. Sub-Total Housing Land Supply	5,567	5,965	11,532	1,583	13,115
10. Contribution from Blindwells	0	291	291	388	679
11. Grand Total Housing Land Supply	5,567	6,256	11,823	1,971	13,794
12. Shortfall / Surplus of Housing Land	1,933 deficit	1,696 surplus	237 deficit	707 deficit	944 deficit



FERRYGATE, NORTH BERWICK
INDICATIVE FRAMEWORK FOR DEVELOPMENT

MILLER HOMES
NOVEMBER 2016

Miller
shaping the future®

ema
architects + masterplanners





CONTENTS

1.0 INTRODUCTION

2.0 THE SITE / CONTEXT

3.0 CONSTRAINTS + OPPORTUNITIES

4.0 CONCEPT

5.0 LANDSCAPE

6.0 MOVEMENT FRAMEWORK

7.0 FRAMEWORK

8.0 ACCESS + TRANSPORT

9.0 ARCHITECTURE + MATERIALS

10.0 DESIGN STANDARDS

11.0 CONCLUSION

1.0 : INTRODUCTION



1.0 INTRODUCTION

This document has been prepared in support of our representation for this site and its inclusion within the emerging Local Development Plan.

The approach taken outlines the characteristics of the site including development constraints and opportunities. We have also included supporting landscape and transportation information.

We have then used this information to develop a concept and framework for the site.

The representation has been prepared and submitted on behalf of Miller Homes.

Author
EMA Architects + Masterplanners







2.0: THE SITE

The site is located on the western edge of North Berwick to the south of Dirleton Road. To the west is a maturing strip of woodland which has been positioned to protect the existing settlement of North Berwick. This is supplemented by an existing hillock within the field to the south west which also serves to screen development from one of the main routes into the town. Further south the land is bounded by the main east coast railway line. To the east of the application site is an area of existing woodland and housing. The area of the site is approximately 28.9 Ha.

The northern part of the site benefits from the existing approved Planning Permission for 140 dwellings (14/00632/PPM / 15/00966/AMM).



VIEW TO FIFE

DIRLETON ROAD

ACCESS

PETROL STATION

NEW WOODLAND

NEW WOODLAND

EXISTING WOODLAND

GASWORKS LANE

EXISTING WOODLAND

EXISTING PYLONS

NEW WOODLAND

NEW WOODLAND

EXISTING WOODLAND

NORTH BERWICK RAILWAY LINE

GAS WORKS COTTAGES



3.0: CONSTRAINTS + OPPORTUNITIES

The design for the new neighbourhood will be informed by the constraints and opportunities of the site.

The site is constrained by physical elements on all boundaries. To the north the site is bounded by the A198 / Edinburgh Road and the existing and recently approved housing. To the south the site is contained by the Railway line which runs from North Berwick to Edinburgh. To the west is the existing housing and to the east by existing woodland planting which would be reinforced as part of the development.

Gas Works Lane runs north to south through the site and provides access to the houses along the southern boundary. An overhead electrical line also runs east to west through the site.

There are opportunities along the eastern boundary to improve the existing footpath network and connections to North Berwick and the train station.

4.0 : THE CONCEPT



The concept is focused on the integration of the new proposal into the existing urban grain of North Berwick the surrounding housing and the existing landscape structure. As the site is located on the western approach to the town, the framework considers how the development addresses this important access. The relationship with the existing and approved housing along Dirleton Road will also be important.

Movement Framework - permeability and accessibility

Primary vehicular access will be provided from Dirleton Road which will be the gateway to the development through the recently approved housing development. The primary route could be broken with a series of nodes or squares which could provide gateways into the more intimate homezones. Existing features such as the local access route along Gas Works Lane should be retained and unaltered. Links through to the east of the development should also provide pedestrian access to the town centre and train station, increasing connectivity and permeability.

The Urban Grain

The existing urban grain of North Berwick is an important consideration. The new framework provides an opportunity to reinforce the existing edge of the town to the east. The development would extend no further east than the existing / approved buildings and would also be contained within existing / proposed landscape structure and emerging woodland planting. Within the site the buildings would be orientated to front onto open space and the main routes through the site thus providing a legible pattern of neighbourhood and residential blocks.

KEY



ACCESS



DEVELOPMENT POCKETS



SUDS



OPEN SPACE



PRIMARY ROUTE



PEDESTRIAN CONNECTIONS



GATEWAY FEATURE

NORTH BERWICK



ACCESS

SUDS

DIRLETON ROAD

NEW WOODLAND

NEW WOODLAND

NEW WOODLAND

NEW WOODLAND

NEW WOODLAND

NEW WOODLAND

NEW WOODLAND

OPEN SPACE

OPEN SPACE

OPEN SPACE

OPEN SPACE

OPEN SPACE

OPEN SPACE

OPEN SPACE

SUDS

SUDS

SUDS

SUDS

SUDS

SUDS

SUDS

EXISTING WOODLAND

EXISTING WOODLAND

EXISTING WOODLAND

EXISTING WOODLAND

EXISTING WOODLAND

EXISTING WOODLAND

EXISTING WOODLAND

NORTH BERWICK RAILWAY LINE

GASWORKS LANE

OPEN SPACE / PARK

5.0 : LANDSCAPE

The landscape of the site has been subject to a detailed assessment. The fields are generally bounded by historical trees, hedgerows and stone walls which are to be retained as far as possible within the proposals. An area of woodland planting to the west helps to screen the development site from the Dirleton Road access into the town. It is intended that the landscape along this boundary would be extended and reinforced as part of the development of the site.

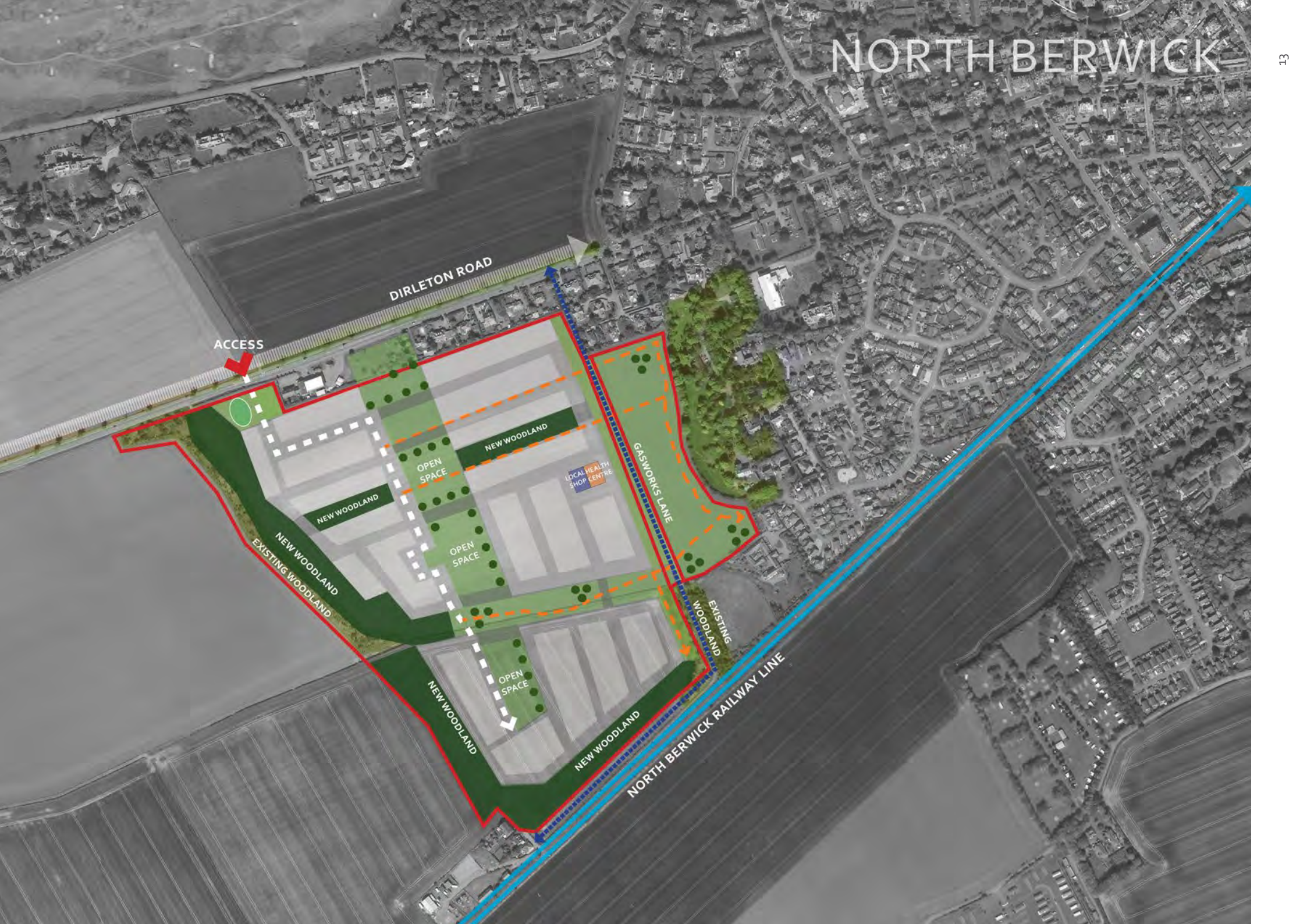
The site is generally protected from prevailing winds by existing development to north and east and natural landscape features such as woodland planting and rounded hillock to the west and south.

Recreation and Open Space

Open space would be provided in line with local plan requirements. The open space and landscaped areas would be safe and pleasant and overlooked by development. A network of linked areas throughout the development will encourage use of these spaces and maximised connectivity.



NORTH BERWICK



ACCESS

DIRLETON ROAD

EXISTING WOODLAND

NEW WOODLAND

OPEN SPACE

NEW WOODLAND

OPEN SPACE

LOCAL HEALTH SHOP

GASWORKS LANE

NEW WOODLAND

OPEN SPACE

NEW WOODLAND

EXISTING WOODLAND

NORTH BERWICK RAILWAY LINE

The approach to North Berwick on the A198 is open with north/south shelterbelts on each side of the road. Avenue planting leads towards the town and the North Berwick Law is a prominent feature in this view.

Nearer to the town the difference in the quality of the urban edge becomes apparent. To the north buildings are clearly visible between sporadic tree planting. To the south there is a well established shelterbelt which would contain development on the site.

If the site was developed to the extent shown in the LDP MIR Environmental Report, some buildings would be visible beyond the shelterbelt on a ridgeline. There are two ways of dealing with this issue, to limit the development to the southern edge of the existing enclosing shelterbelt or to plant the ridge as a broad shelterbelt and thus provide a background to the view from the A198 as well as a screen for any development between the new shelterbelt and the railway.





The ridge line which dominates the South West portion of the site is most clearly seen from Gasworks Lane near Ferrygate. The open character could be changed by new woodland planting.

The proposed development would appear as a natural extension to the urban form of North Berwick and would not have an adverse effect on views from North Berwick Law.





VIEW 6



VIEW 7

6.0 : MOVEMENT



North Berwick has maintained important links with Edinburgh and the south due to its location close to main transport networks such as the railway line and A1. The site is well placed to take advantage of these links with direct access from Dirleton Road and proposed footpath connection to the train station.

Movement Strategy

The key elements of the proposed movement strategy can be summarised as follows:

1. Access road from Dirleton Road
2. Network of foot and cycle paths that integrate fully with existing paths and routes to the town centre, train station and countryside
3. Traffic calming where required
4. Safe and connected road layouts that create a hierarchy of streets and spaces to allow users options for travelling through the site and that will result in low vehicle speed in the housing areas, consistent with the Council's Design Standards for New Housing Areas and Designing Streets.



NORTH BERWICK



ACCESS

DIRLETON ROAD

NEW WOODLAND

NEW WOODLAND

EXISTING WOODLAND

NEW WOODLAND

NEW WOODLAND

NORTH BERWICK RAILWAY LINE

LOCAL HEALTH SHOP CENTRE

GASWORKS LANE

EXISTING WOODLAND

7.0 : THE FRAMEWORK



OPTION A:

RESIDENTIAL DEVELOPMENT INCORPORATING LOCAL SHOP / HEALTH CENTRE



INDICATIVE MASTERPLAN A



OPTION B:

RESIDENTIAL DEVELOPMENT INCORPORATING PRIMARY SCHOOL / LOCAL SHOP / HEALTH CENTRE



INDICATIVE MASTEPLAN B

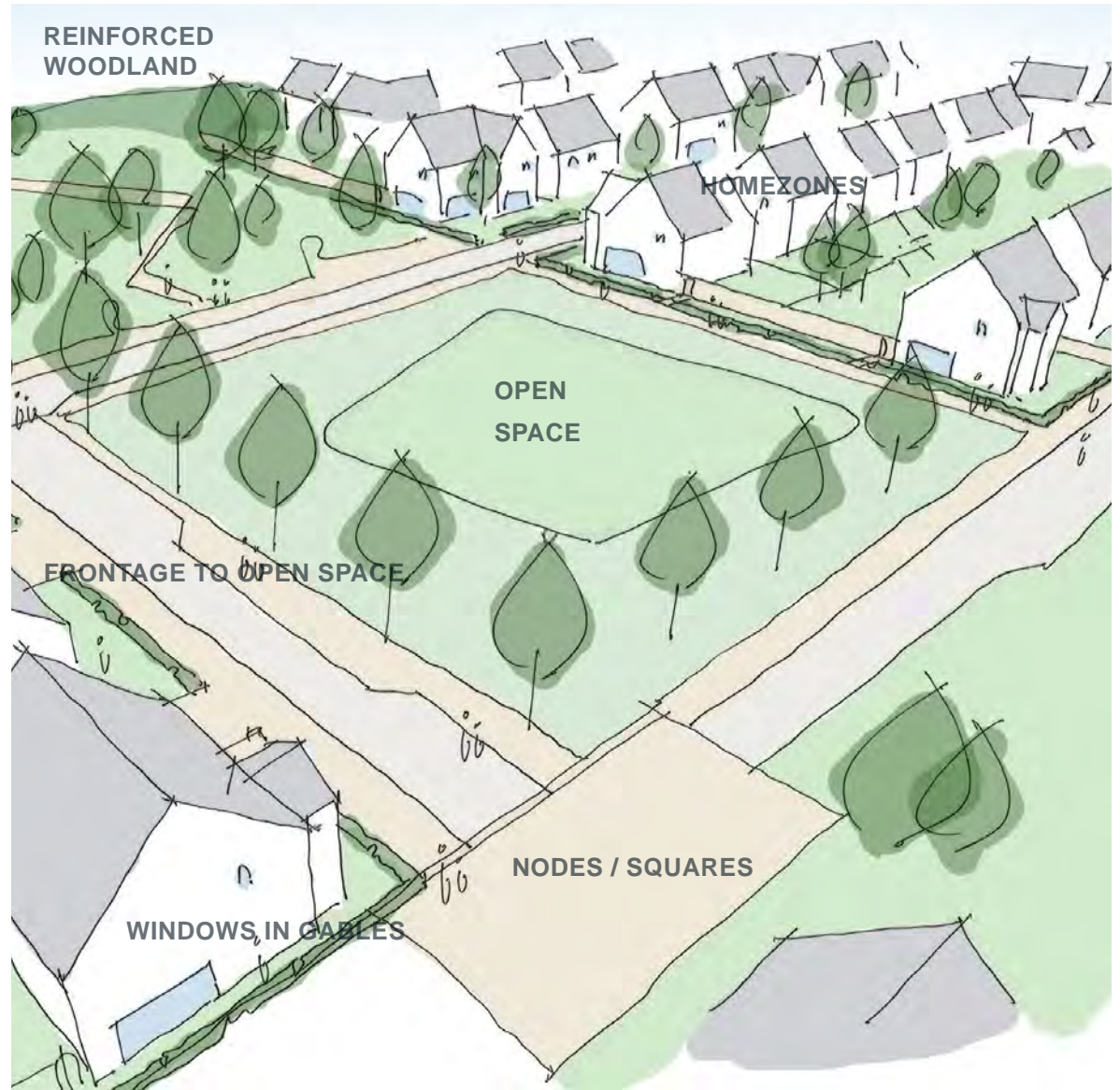
8.0 : TRANSPORTATION + ACCESS

ACCESS AND TRANSPORTATION

An extensive review and assessment of the existing and future access and transportation conditions related to the site has already been undertaken to support the consented Ferrygate Phase 1 development. The principle of delivering further housing can therefore benefit from an existing understanding of the conditions and how these can support further development.



The development area is well located to support travel by the more sustainable modes than private car, with pedestrians and cycle connections offering shorter travel distances in some instances. Furthermore, where private car journeys are required the development site's location helps to minimise local road network impacts by minimising distances.

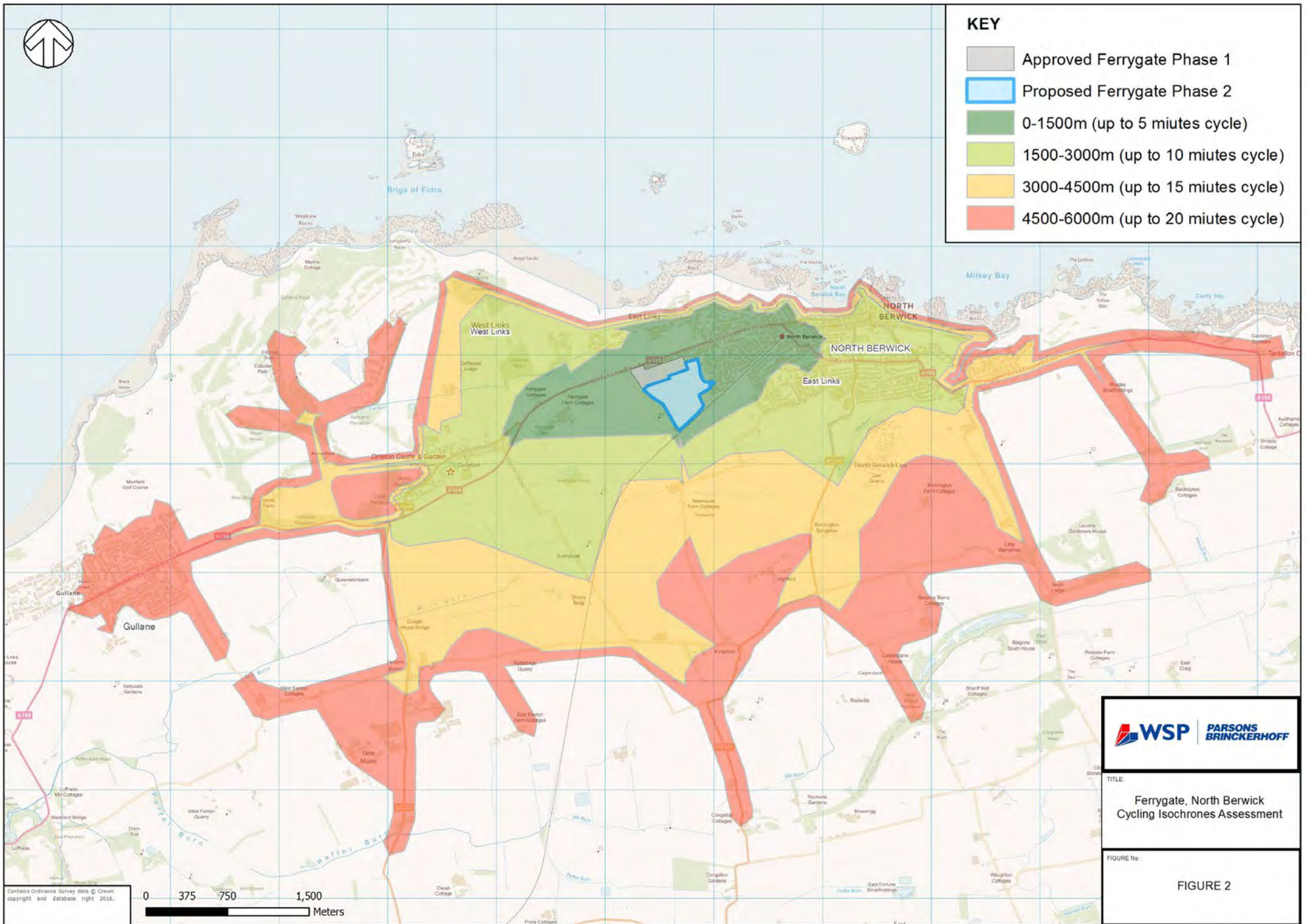
In line with the sustainability hierarchy set out in Scottish Planning Policy (SPP) (Scottish Government, 2014) conditions for walking and cycling take priority, followed by public transport, finally private cars. Furthermore, the potential to integrate travel modes to support more flexible journey choice is also considered.





KEY

-  Approved Ferrygate Phase 1
-  Proposed Ferrygate Phase 2
-  0-1500m (up to 5 miutes cycle)
-  1500-3000m (up to 10 miutes cycle)
-  3000-4500m (up to 15 miutes cycle)
-  4500-6000m (up to 20 miutes cycle)



TITLE:
**Ferrygate, North Berwick
 Cycling Isochrones Assessment**

FIGURE No:
FIGURE 2

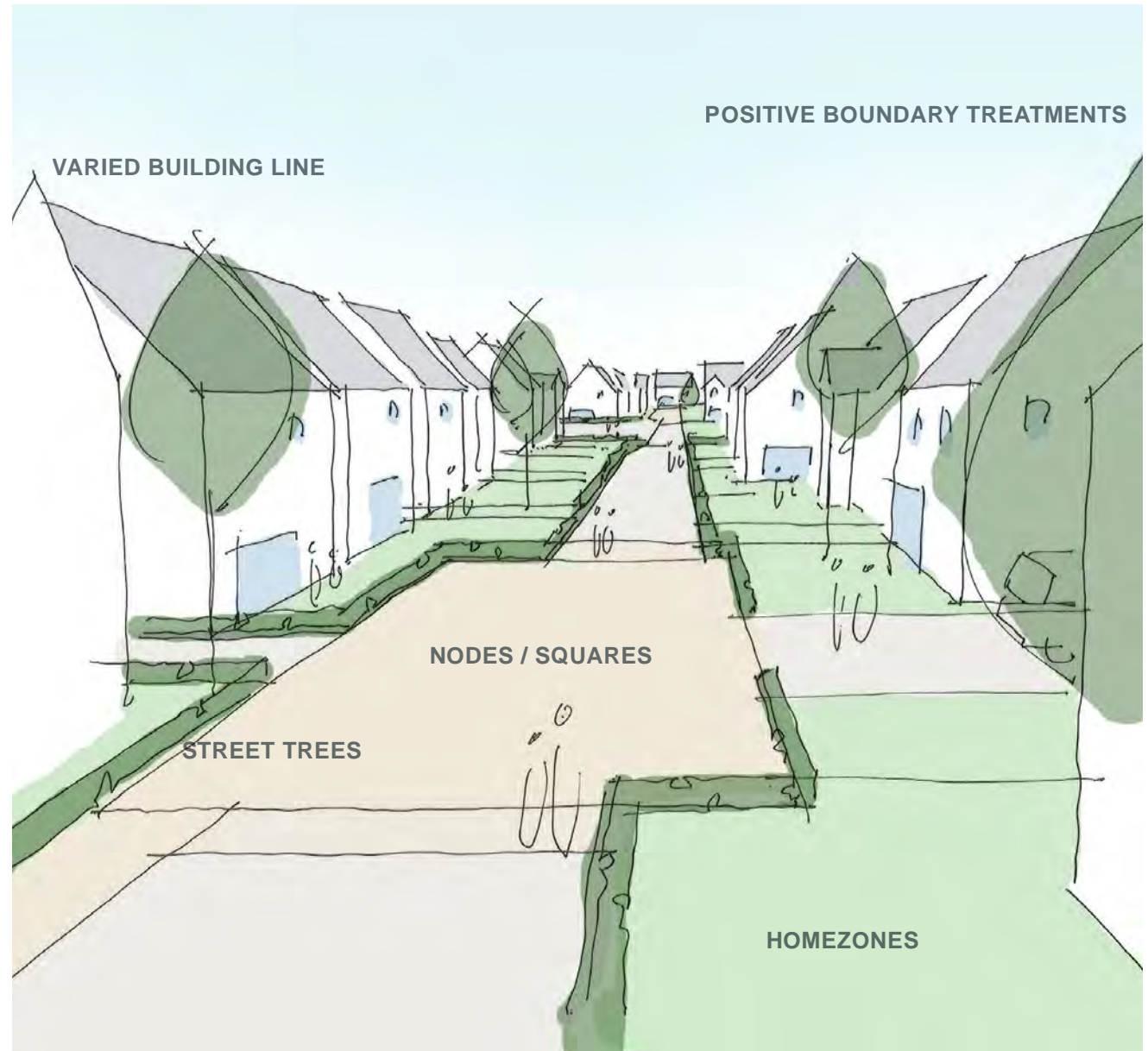
Contains Ordnance Survey data © Crown copyright and database right 2016.

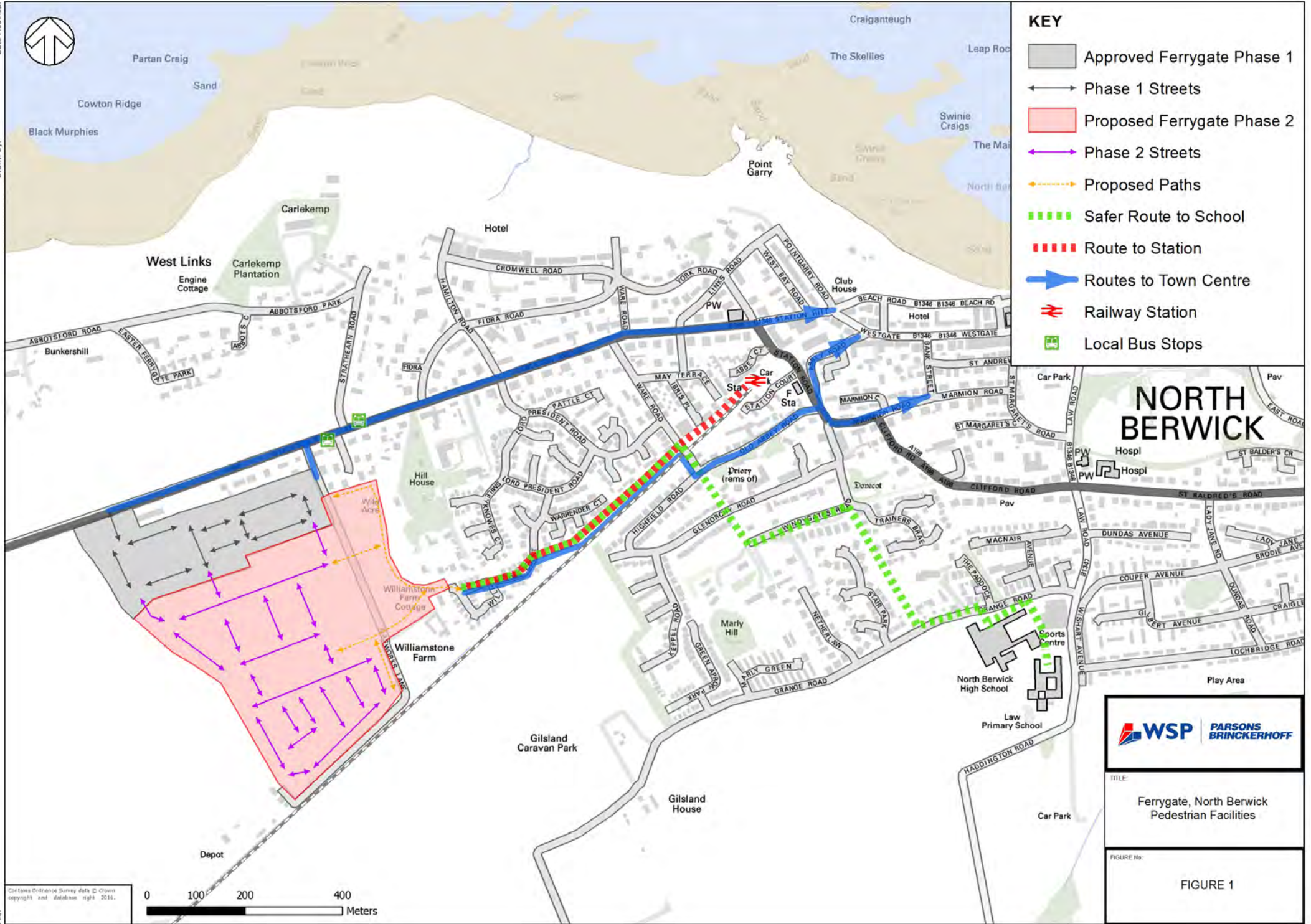
Walking

A comprehensive network of pedestrian facilities is provided throughout the established residential area located immediately to the east of the site. This is accessible via new footpath connection being delivered as part of the Ferrygate Phase 1 development.

The A198, to the north of the site provides footways and access to the nearest bus stops to the site. The existing footway on the south side of the A198 is being extended westwards to connect directly to the proposed main site access junction as part of the Ferrygate Phase 1 development.

The majority of roads within North Berwick are lit and residential in nature with footway provision adjacent to the carriageway suitable for pedestrian users. These pedestrian routes are supplemented by additional footpaths and a network of Core Paths to provide a comprehensive network facilitating convenient travel on-foot to key destinations in North Berwick. The site's location in relation to existing pedestrian facilities is shown in Figure 1.





KEY

- Approved Ferrygate Phase 1
- Phase 1 Streets
- Proposed Ferrygate Phase 2
- Phase 2 Streets
- Proposed Paths
- Safer Route to School
- Route to Station
- Routes to Town Centre
- Railway Station
- Local Bus Stops

NORTH BERWICK



TITLE:
Ferrygate, North Berwick
Pedestrian Facilities

FIGURE No:
FIGURE 1



Contains Ordnance Survey data © Crown copyright and database right 2016.

9.0 : ARCHITECTURE + MATERIALS

FORM

East Lothian and North Berwick has a particularly rich architectural heritage and the development intends that the architecture of the new buildings should respect this heritage.

The proposed dwelling design would reflect the form, massing, features, fenestration, scale, simple finishes and vertical emphasis common to East Lothian's vernacular. Such design will provide a fresh, contemporary and progressive addition to North Berwick's architectural character.

MATERIALS

Materials considered to be appropriate for the new neighbourhood would be:

WALLS -

Render (pure white, cream and buff which reflect the colour of the local stone) and reconstituted / cast stone detailing to porches / feature projections (red, reflecting local stone in the surrounding area).

ROOFS -

Predominately orange pantiles to reflect the East Lothian vernacular with dark grey roof tiles in certain areas as indicated on the materials plan submitted as part of this application.

BOUNDARY TREATMENTS -

Boundary treatments would be in the form of hedging to front elevations. Elements of walling to rear boundaries would be appropriate where back gardens are adjacent to primary elevations. Timber fencing would be appropriate for rear gardens which are not visible from common areas.



DARK GREY ROOF
TILES



ARTIST'S IMPRESSION OF THE DEVELOPMENT



BUFF RENDER



CREAM RENDER



ORANGE PANTILES



RED RECONSTITUTED /
CAST STONE DETAILING



HEDGE BOUNDARY
TREATMENT



WHITE RENDER

10.0 : DESIGN STANDARDS

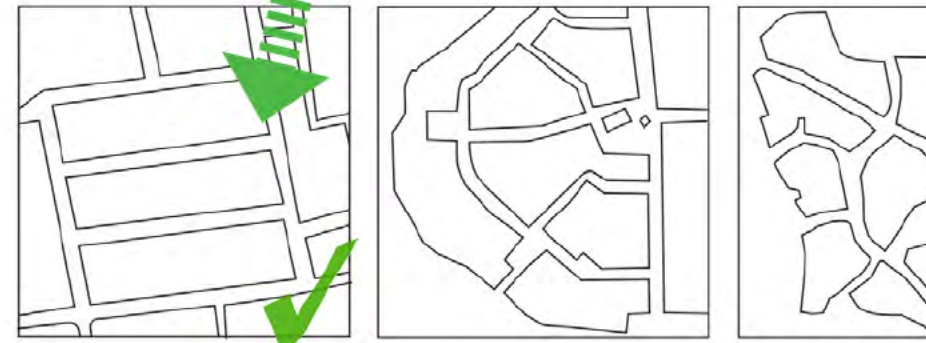
The new proposal would be in accordance with East Lothian Council's Design Standards for New Housing Areas. These standards revise and draw together into a single document East Lothian Council's key planning and transportation requirements for the design of new housing areas. Within this, Home Zones are an important part of the Council's drive to improve the design quality of such areas, and to better integrate people, places and their movement needs. The Council's Planning and Transportation Divisions, in consultation with other service departments, including Building Standards, Landscape & Countryside and Ground Care, jointly prepared these standards. This approach represents the Council's commitment to raising the design quality of housing areas and to ensure that the principals and outcomes of these design standards are corporately supported, embraced and implemented. Key aspects of the guide are the street design and garages

STREET DESIGN

In terms of street design it must be ordered and understandable showing a clear hierarchy of the streets and spaces. The street layout should be interconnected and will define the development blocks with principle streets defining neighbourhood blocks which are then subdivided by streets and lanes, these areas are known as homezones. At Ferrygate this would be achieved using a grid structure and permeability as shown opposite.



Concept Diagram



Extract from East Lothian Council's Design Standards for New Housing Areas



11.0 : CONCLUSION

This site represents an excellent opportunity to provide a range of necessary family housing within an area already suited to this type of development.

The development of the site would also provide the potential to enhance existing woodland and reinforce the western boundary of North Berwick.

The design of the new residential streets would create a safe and pleasant place to live and be in accordance with the principles of Designing Streets.

It is our opinion that the site should be allocated within the emerging local development plan for housing.





ARTISTS IMPRESSION OF OPEN SPACE

ema

ema Architecture + Design Limited
Chartered Architects
42 Charlotte Square,
EDINBURGH, EH2 4HQ
t: 0131 247 1450
www.ema-architects.co.uk