

**West Lothian Council 05/03496/WLC**  
**at**  
**Winchburgh**  
**(Land At)**  
**West Lothian**

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**Development Quality Sub-Committee**  
**of the Planning Committee**

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**1 Purpose of report**

To consider application 05/03496/WLC, submitted by Cala Land Investments Ltd.. The application is for: **Outline planning permission for 337ha dev incl residential, commercial, recreation and retail uses, community facilities, landscaping and open space, road and rail infrastructure, including M9 junction, train stn, park and ride, primary and secondary schools**

It is recommended that the Council **RAISE OBJECTIONS** on this consultation, for the reasons in Appendix B.

**2 The Site and the Proposal**

**Site description**

The application area wraps around the existing village of Winchburgh in West Lothian. It is approximately 407 ha in size of which the existing village accounts for around 70ha. To the north is the M9 motorway and to the south is the town of Broxburn. The Union canal and the main Glasgow to Edinburgh rail line both run through the site. The site lies within a reasonably well wooded, agricultural landscape that has a rolling landform, with the valleys and ridges running in a west-east direction. Winchburgh has developed along one of these ridges, along which the Kirkliston to Linlithgow road also runs. However, this agricultural landscape is interrupted by large oil shale bings to the east and south of the existing village.

## **Site history**

The planning history for this site is unknown.

## **Description of the Proposal**

The development of Winchburgh represents a significant area of urban expansion in West Lothian. The effect on Winchburgh will be to extend the village in all directions onto adjacent farmland involving approximately 337ha of land. The redevelopment of the village will create the following:

- \* 3450 new houses (including affordable housing),
  - \* a new town centre to the north of the existing village which will include a supermarket, community facilities, small scale offices, flats and the potential for cafes and restaurants,
  - \* 3 neighbourhood centres,
  - \* a new co-education secondary school,
  - \* 2 new primary schools,
  - \* a single stream extension to Winchburgh and Holy Family Primary Schools,
  - \* a rail station and associated park and ride facility,
  - \* an all ways junction on the M9 and associated park and ride facility linked to express bus services along the M9 corridor,
  - \* a major employment area including offices, light industry and support facilities adjacent to new M9 junction,
  - \* a major town park around the rejuvenated Claypit and
  - \* the restoration of the existing bingo to the east of the village.
- A draft Master Plan has been prepared with the intention of establishing a development framework which is capable of delivering an attractive, well balanced and sustainable community of the highest quality.

## **3 Officer's Assessment and Recommendations**

### **Background**

The overarching aim of the structure plan is to provide in full for the development needs of Edinburgh and the Lothians in accordance with the principles of sustainable development. Strategic planning policy aims to focus most new housing development in 15 core development areas where infrastructure exists or where new infrastructure would be cost effective. The

maintenance and improvement of accessibility through the appropriate location of land uses and the development of transport networks is fundamental to the success of the strategy. Winchburgh/East Broxburn/Uphall is one of the core development areas.

In this context this development proposal represents a significant step towards the implementation of the Structure Plan development strategy which the Council fully supports. However, steps must be taken to ensure that the development is progressed in a sustainable manner consistent with the structure plan strategy as a whole and regard must be had to the cross boundary implications of the development to ensure any negative effects on Edinburgh are minimised.

### **Structure Plan Policy**

The strategic planning policy context for housing development is set out in the Edinburgh and Lothians Structure Plan 2015. The Plan identifies the Winchburgh/East Broxburn/Uphall area for the allocation of up to 5000 houses with a minimum of 3000 to be allocated over the structure plan period. Policy HOU5 requires the development of new housing land not to proceed beyond existing infrastructure capacity until required improvements are provided or committed. Furthermore, it states that planning permission should not be granted until all the relevant infrastructure in the Action Plan is provided or committed. In the case of the Winchburgh/East Broxburn/Uphall area the key points are; a new rail station, a junction with the M9, a Park and Ride (at the M9 junction), various new schools, and a new sewage treatment works.

The transport implications of this development are particularly important if the cross boundary impacts are to be limited. Although the draft Master Plan prepared for the Winchburgh development places great emphasis on a new rail station being provided, no analysis is presented with regard to its impact on the existing railway network in particular the Edinburgh/Glasgow service, and the feasibility of opening a new station. There is some doubt as to whether or not a new station can or will be built. It should be noted that the Winchburgh rail station is identified in Schedule 3 of the Structure Plan Action Plan as key related infrastructure. Therefore, it is important that this matter is looked at thoroughly as part of the master plan process particularly given its importance as part of the scheme and the requirement set out in Structure Plan policy HOU5 not to grant planning permission until all relevant infrastructure is provided or committed. The new station is not currently "committed" as defined in the structure plan glossary. In addition, there is no reference to a suitable alternative being provided in the event that the station is not provided. The potential for requirements being differently met is raised in paragraph 2.5 of the Action Plan but this does not appear to have been explored in the master plan. Given the scale of the housing development proposed it is essential that the development does not become reliant on car based commuting via the new M9 junction.

The Draft Master Plan states that one of its core objectives is to prioritise movements on foot, bike, bus and train. This is consistent with the aims of

the Structure Plan set out in the Transport chapter; in particular the aim to ensure that the location and design of new development reduces the need to travel by car and encourages the use of public transport, walking and cycling. Therefore, it is clear the Master Plan embraces the principle of designing an urban environment that does not seek to maximise car usage. However, this aim is not reflected in the accompanying Environmental Statement (ES) or Transport Assessment (TA). These documents do not recognise the central importance of detailed design in achieving the kind of environment in which this can occur. It is important that low traffic speeds are 'designed in' from the outset in the ES, otherwise it will lead to less effective solutions being tacked on as an afterthought which would not be consistent with the aims of the structure plan.

Policy TRAN 5 of the structure plan addresses the transport implications of new development likely to generate significant amounts of new traffic. Such developments should be subject to a transport assessment covering all modes of travel. Reference is also made to the use of mode share targets in connection with travel plans. The target of 20% travel by public transport to work/employment areas set out in the Master Plan seems low and could not be described as ambitious. Such an approach is not consistent with Policy TRAN5. Data from the 2001 Census shows that 28.4% of the working population of Edinburgh travel by public transport to work. Furthermore, almost 27% of commuters from West Lothian travel by public transport. The ES also contains no targets for walking and cycling. According to the 2001 Census results 8.5% of the working population in West Lothian either walk or cycle to work. It is important that the ES contains comprehensive mode split targets if the master plan's objective of a sustainable settlement is to be achieved. In addition, it should be noted that the targets only relate to travel to work patterns, which only form part, albeit a significant part, of the overall number of journeys that take place. The targets should embrace all travel whether it is to a place of work, to retail facilities, leisure facilities etc. This is important if the requirements of Policy TRAN5 are to be met.

With regard to bus services, due to the deregulated nature of services, while a settlement can be designed to give a degree of priority to bus services there is no guarantee that operators will provide them. The aspiration to form a network of services that will give people the opportunity to interchange between services will need to address the reluctance of users to interchange. At best an interchange is good at providing an additional layer to a robust network but it would be undesirable to make it the core element of a sustainable transport strategy. As a result this approach may discourage people to use public transport which would be inconsistent with the requirements of Policy TRAN5.

Policy ENV12 of the Structure Plan sets out policy on flooding. Development that is likely to lead to a significant increase in the risk of flooding should not be permitted. A flood risk assessment has been prepared in conjunction with the master plan. However, there are a number of concerns, in particular, despite an acknowledgement that flooding at Kirkliston may be a problem, the hydraulic model does not include the lower reaches of the watercourses

where the flooding problem exists. In addition, the report states that "the presence of control structures on the Niddry Burn determine to a large extent the issue of flooding at Kirkliston, as only constant flows can be passed for storms above the 1 in 10 year probability event." However, no figures or modelling results are given to justify this statement.

It is stated that "the Niddry Burn bifurcates and a northern branch flows under the M9 motorway. This branch originally joined the Swine Burn, but has been blocked off". It is not clear as to whether any investigation has been carried out into this feature. It is important to establish what its natural state was, why it was altered and whether it should be reinstated.

The assessment states that "the Glendevon Burn catchment was chosen to provide the required storm depth and duration for all catchments". However, it is not clear as to what modelling was done to ascertain the critical storm duration for the flood susceptible areas in the lower catchments.

The peak flows shown are for the upper catchments only. In addition, the flow predicted for the Swine Burn is about a third of that produced by an earlier assessment, which raises significant concerns.

No justification has been given for the use of the formula for the calculation of post development flows. It is questionable to assume that the use of attenuation for a 30 year storm has the effect of reducing the 200 year flow. The assessment shows that development and SUDS have the effect of reducing the peak flow at low probability events, and does so without showing how the drainage was modelled. More evidence will be required to support this.

Finally, Humbie reservoir is not registered under the Reservoirs Act 1975. It may not be advisable to rely on attenuation in this reservoir to reduce the flow downstream.

Although the flooding related concerns raised above are significant it is likely that they can all be resolved through additional study and analysis. However, it is important that these flooding related issues are resolved if Structure Plan Policy ENV12 is to be met.

## **Conclusion**

The large scale expansion of Winchburgh forms a key part of the development strategy of the Structure Plan and therefore is supported in principle by this Council. However, given its scale, it is critical that it is designed and implemented in an appropriate manner to avoid long term cross boundary impacts on Edinburgh. In addition, the Structure Plan strategy places considerable emphasis on achieving a more sustainable pattern of development. Strategic policies require new housing development to be closely tied to the provision of new infrastructure. At this stage it is clear that some of the key related infrastructure as set out in Schedule 3 of the Structure

Plan Action Plan, has not been provided or committed. Granting consent for this development at this stage would be contrary to Structure Plan policy.

There also seems to be some inconsistency in the design approach as set out in the ES and TA, when compared with the master plan. It is important that these documents display a consistent approach to ensure that the development conforms with the aims of the Structure Plan.

With regard to the transport implications of the development and the potential cross boundary impacts, there are a lack of comprehensive mode share targets. It is important that achievable but ambitious targets for the range of sustainable travel modes are set. It is important that this matter is addressed if the proposal is to conform with the requirements of Structure Plan Policy TRAN 5.

With regard to flooding there are a number of issues that require further study. Although these matters are likely to be resolved through further analysis, as it stands the development proposal would fail to comply with Policy ENV12 of the Structure Plan.

### **Recommendation**

It is recommended that West Lothian Council do not grant consent for this application in its current form, as it may represent a significant departure from Structure Plan policy. Additional information should be requested from the applicant which could help to address the concerns raised in this report and the Council requests re-consultation when this is available. If West Lothian Council is minded to grant consent without this information being available, the application should be referred to the Edinburgh and Lothians Structure Plan Joint Liaison Committee or directly to Scottish Ministers.

Alan Henderson

**Alan Henderson**  
Head of Planning and Strategy

<b>Contact/tel</b>	Keith Miller on 0131 469 3665
<b>Ward affected</b>	00 - No Ward Number
<b>Local Plan</b>	
<b>Statutory Development Plan Provision</b>	
<b>Date registered</b>	25 October 2005
<b>Drawing numbers/ Scheme</b>	

#### **Advice to Committee Members and Ward Councillors**

The full details of the application are available for viewing on the Planning and Building Control Portal : [www.edinburgh.gov.uk/planning](http://www.edinburgh.gov.uk/planning).

If you require further information about this application you should contact the following Principal Planner, Stephen Hall on 0131 459 3598. Email: [Stephen.hall@edinburgh.gov.uk](mailto:Stephen.hall@edinburgh.gov.uk)

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail [gavin.king@edinburgh.gov.uk](mailto:gavin.king@edinburgh.gov.uk) or [sarah.bogunovic@edinburgh.gov.uk](mailto:sarah.bogunovic@edinburgh.gov.uk)

**Application Type** West Lothian Council  
**Application Address:** Winchburgh  
(Land At)  
West Lothian  
**Proposal:** Outline planning permission for 337ha dev incl residential, commercial, recreation and retail uses, community facilities, landscaping and open space, road and rail infrastructure, including M9 junction, train stn, park and ride, primary and secondary schools  
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## Consultations, Representations and Planning Policy

### Consultations

No consultations were carried out for this inter-authority consultation.

### Representations

No representations were received for this consultation.

### Planning Policy

#### Edinburgh and Lothians Structure Plan 2015

Policy HOU 3 sets out the Structure Plans Strategic Housing Allocations. With regard to West Lothian it requires land to be allocated for a minimum of 3000 houses in the Winchburgh/East Broxburn/Uphall area. The supporting text in para 2.46 states that Winchburgh/East Broxburn/Uphall is identified as a core development area for up to 5000 houses with a minimum of 3000 allocated over the structure plan period.

Policy HOU5 sets out Structure Plan policy on infrastructure. The development of housing land should not proceed beyond existing infrastructure capacity until the required improvements are provided or committed. It also states that planning permission should not be granted for housing development until all relevant infrastructure in the Action Plan and/or local plan is provided or committed.

Policy TRAN 5 of the Structure Plan addresses the transport implications of new development and requires local plan policies to ensure that new development which is likely to generate significant amounts of travel or have a material effect on travel on the road or public transport network, is required to be the subject of a transport assessment covering access by all modes of travel. Local Plans should also ensure that new development encourages travel to, from and where appropriate within it by

public transport, foot and cycle. It states amongst other points that this may involve the production of a travel plan, including the setting of mode share targets.

Policy ENV12 sets out structure plan policy on water management and flooding. In particular it states that development, that could individually or cumulatively, lead to a significant increase in the risk of flooding, or that may itself be at risk from flooding should not be permitted.

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## Conditions/Reasons associated with the Recommendation

### Recommendation

It is recommended that **RAISE OBJECTIONS** on this consultation, for the reasons below.

### Reasons

1. This proposal conflicts with the policies in the Edinburgh and Lothians Structure Plan 2015 as follows:

Policy HOU5 as the infrastructure requirements set out in the Action Plan, specifically the Winchburgh rail station, have not been provided or committed.

Policy TRAN 5 as the master plan fails to set comprehensive mode share targets in order to encourage travel to, from and within the development by public transport, foot and cycle.

Policy ENV12 as the development may lead to a significant increase in the risk of flooding.

### INFORMATIVES

It should be noted that:

1. This Council advises that:
  - a) it is of the view that the application may represent a significant departure from the Structure Plan;
  - b) additional information should be obtained from the applicant and requests re-consultation when this is available

c) if minded to grant consent despite this request, the application should be referred to the Edinburgh and Lothians Structure Plan Joint Liaison Committee or directly to Scottish Ministers.

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**End**