



Development Planning and Environment Compendium of Service Standards

General

We will:

- Deliver our core responsibilities as outlined in these service standards.
- Undertake our business in accordance with our published **Customer Care Statement**.
- Deal with all complaints received in accordance with our published **Complaints Procedure**.
- Revise and publish these service standards on paper and on the council web site.
- Publish, from 2007, details of our performance in relation to these service standards with explanations of any variance and steps being taken to address these where necessary.

Customer Care

We treat our customers seriously and have adopted and published a service **Customer Care Statement**. It is our policy to resolve all issues and complaints immediately if possible. Where customers are not satisfied with the response they may take the matter further by making their complaint in writing or by fax or email to the head of service. The service has a published **Complaints Procedure**, which is available on request.

We will:

- Publish a **Customer Care Statement**.
- Publish a **Complaints Procedure**.
- Revise this procedure in the light of customer feedback and experience.
- Maintain records of all complaints and compliments received.
- Publish an analysis of all complaints and compliments in our annual Service Plan from 2007/8 onwards.
- Publish information relating to our performance on the council web site and in the annual Service Plan.

Suggestions for Improved Standards of Service

We are always delighted to receive suggestions for improving our standards and performance.

We will:

- Actively seek suggestions about our service and the standards we set.
- Give due consideration to all suggestions for the efficient and appropriate delivery of our service.

Structure and Local Plans

The council is obliged to contribute to the preparation of a structure plan and to prepare a local plan for its area.

The council's local plan performance is measured by an Accounts Commission statutory performance indication (Planning Indicator 4) which monitors the percentage of population covered by local plans adopted or finalised within the last 5 years (i.e. the period after which a plan becomes due for review). Performance against this statutory performance indicator is published annually by the Scottish Executive.

We will:

- Contribute to the preparation of a structure plan for Edinburgh and the Lothians and prepare a local plan for West Lothian and in compliance with statutory requirements.
- Publish a Local Plan Charter of detailed service standards relating to the preparation of the plan.
- Make copies of the structure and local plans available on the council's web site.
- Conform to, and where possible exceed, the statutory requirements in consulting the public on the local plan.
- Hold consultation meetings with community groups to explain local plan procedures and content in order to promote public understanding and engagement.
- For all stages of consultation, acknowledge comments received on the structure and local plan within five working days.
- Inform consultees of key committee stages, beforehand and as completed, in advancing the structure or local plan.
- Respond to all relevant comments and objections made to the structure or local plan during the various consultation stages.
- Enter into negotiations with objectors to the structure and local plans as required.
- Justify and explain a proposed course of action to a comment or objection to the local plan and make this available to the respondent.
- Inform the public and consultees of their statutory rights in commenting or objecting to a structure or local plan including explaining the option of hearing an objection at a Public Local Inquiry.
- Ensure full regard is given to the policy guidance provided in a local plan, as part of the statutory development plan, in advising on the determination of planning applications.
- Ensure full regard is given to the policy guidance provided in a structure plan, in both the preparation of the local plan and in advising on the determination of planning applications.
- Make copies of the structure and local plans available for purchase at reasonable cost.
- Make copies of the structure and local plans available at West Lothian House, Almondvale, Livingston; County Buildings, Linlithgow and at all council information service points and libraries in West Lothian.
- Answer enquiries in person, writing or by fax, telephone or email concerning developments planned in areas of West Lothian.

In addition to the above the council has issued, and recently revised, a **Local Plan Charter** (2006) which explains the standards which it has set in relation to local planning and invites feedback. The charter can be summarised as:

Local Plans and the Planning Service

We will:

- Endeavour to review the council's local plans to the time scales required by the Scottish Ministers and to keep interested parties informed at all times.
- Have a positive approach to local plan consultation and for you to have the opportunity to comment where appropriate.
- Be polite and helpful. Our staff will identify themselves by name on the phone, via e-mail and in letters and you can expect them to be polite and helpful at all times.
- Deliver the local planning service efficiently, effectively and economically.

Involving People in the Local Plan Process

We will:

- Be positive in our approach to participation and consultation in the local plan process by advertising widely and telling you how you can get involved at the various stages.
- We will seek to use our web site where possible to assist consultation and publicity on the local plan.

Local Plan Draft Stage

We will:

- Set out which bodies will be invited to submit comments at the preparation stage of the plan. These and any other views received will be acknowledged in writing within five working days and will be considered in the preparation of the draft plan.
- On publication, allow a minimum of six weeks for submission of comments on the draft plan to the council.
- Acknowledge comments within five working days.
- Consider all comments and objections and write to you detailing the council's response.

Finalised Local Plan and Deposit Stage

We will:

- Make copies of the finalised plan or any alterations to it available in council offices, council information service points (CIS) and libraries and on-line at the council's web site.
- Give you a minimum of six weeks in which to submit formal objections.
- Acknowledge objections in writing within five working days.
- Give you the opportunity to discuss your objections or negotiate potential changes to the local plan with a nominated planning officer of the council.
- Include all responses in a public register that will be available for public inspection. The register of objections, known as "The Publicity and Consultation Statement" will also be viewable on-line at the council's web site.

Public Local Inquiry

We will:

- Uphold your right to explain before an independent Inquiry Reporter at a Public Local Inquiry (or at a hearing as part of the Inquiry) any objection made during the on-deposit period which has not been resolved.
- Make available an Inquiry Programme Officer to answer any questions you may have about the process of the Public Local Inquiry.

After the Public Local Inquiry

We will:

- Make the report of the Public Local Inquiry available in council offices, council information service points (CIS) and libraries.
- Explain the reasons why the council proposes not to accept the reporter's recommendations. All objections received at this stage and the council's response to them will be made available in council offices, libraries and on the council's web site.
- Give you six weeks in which to object to any modifications the council proposes to make after consideration of the report of the Public Local inquiry.
- Present the results of this work to the Enterprise and Development Committee and publish it so that you have a chance to comment or contribute at the next review.

After the Local Plan is Adopted

We will:

- Make decisions on planning applications having regard to the development plan (i.e. both the structure plan and the local plan) and other material considerations.
- Advertise planning applications which have a potential departure from the development plan in the local press (West Lothian Courier and Linlithgow Journal and Gazette) and give the opportunity to make comment on the application.
- Continue to monitor the local plan to ensure that it remains relevant and up to date.

Access to the Local Plan

We will:

- Provide easy and timely access to relevant information, offer copies of the local plan for sale and give access to information relevant to the up-to-date position of the local plan.
- Make details of the costs of the local plan available on request.

Complaints and Performance

We will:

- Contact the complainant within 10 days of receiving a complaint to advise of what is happening.
- Monitor all complaints received and use them to review and improve the service we provide.
- Consider any suggestions that could help improve the service we provide.
- Make access to the complaints system open to all including those with a disability or whose first language is not English.

Development Planning Advice

The service provides advice to other council service areas such as consultations on planning applications for Development Control and advice on council owned development sites for Property Services. The service recognises the importance of these internal customers.

We will:

- Provide consultations on planning applications.
- Respond to consultations on planning applications within 10 working days.
- Work in partnership with other council services and outside agencies to deliver projects and initiatives.

Public Rights of Way and Core Path Network

The council gives advice on the status of rural footpaths, rights of way and bridle paths. It also has powers to close rights of way, under certain conditions, and provide alternative routes and to remove obstructions on asserted footpaths. Many routes have been permitted by landowners over the years but are not formal rights of way. Rights of way are marked on the council's catalogue of routes but only at the scale of 1:50,000. The council is also responsible for delivering West Lothian's Core Path Plan and upholding the public's right of responsible access relating to The Land Reform (Scotland) Act.

We will:

- Advise whether a route is an "asserted", "vindicated" or "claimed" right of way according to the Scottish Rights of Way and Access Society map for West Lothian.
- Investigate maintenance or access issues on "asserted" or "vindicated" routes within 2 working weeks.
- Advise customers how and when any maintenance issue might be tackled within 3 working weeks.
- Work with landowners, external agencies and through public consultation to prepare a Draft Core Path Plan for West Lothian by February 2008.
- Uphold the Scottish Outdoor Access Code and legislative duties in compliance with statutory requirements.
- Maintain a formal record of all challenges under the terms of the access legislation and work to resolve these through negotiation or, as a last resort, legislation.

Traditional Town Centres

The council is committed to encouraging the development of West Lothian's traditional town centres in terms of economic growth, business and retail opportunities, transport, social and leisure facilities, housing and community facilities. This is done in a number of ways including capital investment, environmental improvements, town centre management, business support and community engagement. The focus of the council action is to ensure that the towns continue to complement the retail and recreational facilities in larger centres while maintaining their own distinct character and vitality.

We will:

- Prepare and implement action plans for traditional town centres.
- Facilitate town centre management groups for each traditional town.
- Monitor the vitality and viability of traditional town centres.
- Work in partnership to improve and promote the image of West Lothian's traditional town centres.

Ancient Monuments and Archaeology

West Lothian has an important archaeological resource that is a material consideration in the consideration of any planning application. Our archaeological advisors, West of Scotland Archaeology Service (WOSAS) have identified all sites that might have archaeological potential and included them on a mapped database and information resource that they continually maintain.

We will:

- Maintain a record of all sites and monuments in West Lothian that may be of archaeological potential through a service provided by the West of Scotland Archaeology Service (WOSAS).
- Give due consideration to any archaeological issues when responding to any proposals to develop.
- Confirm in person or by telephone, writing, fax or email whether any site lies within or contains an area of archaeological potential.
- In the case of written enquiries these will be answered within two working days.

The West of Scotland Archaeology Service:

- Provides information and advice to the Council as it relates to planning matters.
- Maintains and updates the Sites and Monuments Record (SMR) - the complete record of all known archaeological sites, finds, fieldwork and research for the area.
- Provides free information and advice to researchers, local societies and members of the public.
- Works with the Universities and Societies to promote and co-ordinate research into the archaeology and history of the West of Scotland.
- Provides professional advice to landowners, public utilities, private developers, foresters and other land managers to promote the implementation of national and international policies for the preservation of archaeological remains.
- Works with Historic Scotland, the Council for Scottish Archaeology, Royal Commission on the Ancient and Historic Monuments of Scotland, the Society for Antiquaries of Scotland, and other appropriate bodies to promote and preserve the archaeology of the area.

The service can be contacted at:

Postal address: West of Scotland Archaeology Service, Charing Cross Complex, 20 India Street, Glasgow, G2 4PF

Office address: West of Scotland Archaeology Service, House 6, 94 Elmbank Street, Glasgow, G2 4PF

Phone +44 (0)141 287 8330

Fax: +44 (0) 141 287 9529

enquiries@wosas.glasgow.gov.uk

<http://www.wosas.net/>

Listed Buildings

West Lothian contains over 600 listed buildings of all scales and types. Such buildings are protected under legislation and the council has powers to intervene where they are not being preserved.

We will:

- Maintain copies of the Statutory and Descriptive Lists of Buildings of Special Architectural and Historic Importance and make them available for inspection during normal office hours in compliance with our statutory requirements.
- Confirm in person or by telephone, writing, fax or email whether any building is included on the Statutory List of Buildings of Special Architectural or Historic Interest.
- In the case of written enquiries these will be answered within two working days.
- Formally notify all owners of buildings which have been included in the Statutory List of Buildings of Special Architectural or Historic Interest of the listing of their buildings within seven working days.
- Provide advice and guidance to owners and developers of listed buildings on the conservation of their property.
- Advise customers of sources of appropriate information, skills and detailed guidance relating to the conservation of listed property.
- Work with national and local bodies to ensure the proper conservation and promotion of West Lothian's listed buildings.
- Maintain lists of all listed buildings at risk and liaise with the owners of those buildings that are in urgent need of repair or other action to ensure their survival.
- Provide an advisory service on listed building and other heritage matters to other council services.
- Maintain an information and photographic record of historic buildings in West Lothian.
- Take action where the condition of a listed building gives rise to concern or where unauthorised works have been identified.

Conservation Areas

There are nine designated and one proposed conservation area in West Lothian. Designation brings a degree of additional protection and attention to detail and the council is obliged to take account of the special character of the areas and bring forward proposals for their preservation and enhancement.

We will:

- Maintain maps and details of designated conservation areas.
- Confirm in person or by telephone, writing, fax or email whether any building is within a conservation area.
- In the case of written enquiries these will be answered within two working days.
- Undertake character appraisals of all designated or potential conservation areas on a priority basis as resources allow.
- Seek involvement of affected communities in the preparation of conservation area appraisals and related initiatives.
- Provide advice and guidance to owners and developers on the conservation of their property.
- Advise customers of sources of appropriate information, skills and detailed guidance relating to the preservation and enhancement of conservation areas.
- Work with national and local bodies to ensure the proper preservation and enhancement of West Lothian's conservation areas.

Maps and Information

Development Planning provides a computerised mapping and graphics service to the council which includes plan and document printing, computer graphics, desk-top publishing and the use of Geographical Information Systems (GIS). Information is published on the demographics of West Lothian settlements and a Corporate Address Gazetteer (CAG) for the area is maintained.

We will:

- Provide Ordnance Survey map extracts, in line with the licence agreement with Ordnance Survey, on demand to personal callers to County Buildings, Linlithgow.
- Provide Ordnance Survey map extracts, in line with the licence agreement with Ordnance Survey, in response to telephone, fax or email requests within 5 working days.
- Provide and maintain mapped information on the council intranet system.
- Publish demographic information for West Lothian.
- Maintain a Corporate Address Gazetteer to national standards.
- Provide demographic information in response to requests within 7 working days.

Contaminated Land

The council has implemented a contaminated land strategy to deal with the statutory requirements brought about by Part IIA of the Environmental Protection Act 1990. The council is systematically inspecting West Lothian for land that may have become contaminated due to a former use. Any land, which meets the legal definition of contaminated land, will be placed on a public register. The council has powers to enable the remediation of contaminated land, with the emphasis on those who caused the contamination to clean it up. If the polluter cannot be found however, liability for remediation can fall to the landowner.

We will:

- Inspect West Lothian for land which may meet the legal definition of contaminated land set out in Part IIA of the Environmental Protection Act 1990.
- Maintain a public register of land which meets the legal definition of contaminated land. This will include details of remediation of the land where applicable.
- Provide consultations to planning applications where contaminated land is suspected to be an issue. Many contaminated sites are remediated through the planning regime as brownfield land is regenerated for housing.
- Respond to written requests for information on contaminated land sites in West Lothian. Requests usually originate from private consultants and will be answered within 10 working days in conjunction with the council's Environmental Health unit.
- Advise residents and communities who are impacted by identified contaminated land, and work with them to ensure the safe remediation of such sites.

Tree Preservation Orders

The Town and Country Planning (Scotland) Act 1997 provides the primary legislative framework that enables local authorities to safeguard the long term future of individual trees, groups of trees or woodlands in an area "in the interests of amenity". An additional level of control springs from the secondary legislation that is set out in the Town and Country Planning Tree Preservation Order and Trees in Conservation Areas (Scotland) Regulations 1975. Amendments to these regulations were made in 1981 and 1984.

We will:

- Maintain a Tree Preservation Order (TPO) Register available to staff and members of the public.
- Update the register when any provisional or confirmed TPOs are made.
- Monitor and review the register annually for amendments e.g. where a TPO is no longer relevant.
- Update the internal mapping system (GGP) as required.
- Advise staff and the public of any changes to the register as required.

Planning Briefs

Development Planning prepares briefs to influence the design and layout of key sites that have been identified for development. In most cases this relates to council owned land that is coming forward for disposal but it can also involve important sites in private ownership which require guidance. The preparation of briefs involves consultation with relevant council services including the property manager, development control and elected members and affected communities. There is a separate procedure note on the preparation of briefs.

We will:

- Prepare planning briefs for private sites as required.
- Prepare planning briefs to meet programmes agreed with the Property Manager as principal customer.
- Facilitate a working group to progress the preparation of planning briefs, which will meet at least eight times a year.
- Consult with all affected communities and local members in the preparation of briefs.
- Publish approved planning briefs on the council web site and in paper form.
- Maintain and regularly update the procedure note for the production of planning briefs.

Council Owned Property

West Lothian Council is the owner of a wide range of built assets and land including many items of historic or cultural importance.

We will:

- Facilitate a working group that will meet at least four times a year to consider the development planning implications of council owned property.
- Maintain a database of all council owned property of heritage or cultural value and share this with relevant services.

Strategic Environmental Assessment (SEA)

Under the terms of the Environmental Assessment (Scotland) Act 2005 which came into force on 20 February 2006 the council is obliged to apply Strategic Environmental Assessment to all public plans, programmes and strategies in its area.

We will:

- Screen all plans, programmes and strategies for their environmental impact and undertake SEAs as appropriate.
- Establish a web site for West Lothian data for use by service areas and others for the purposes of SEA.
- Provide staff training and awareness to develop the skills necessary for undertaking SEAs, including briefing notes for directors and heads of service.

Sustainable Development

The council is committed to protecting and enhancing the environment through its Sustainable Development Strategy through work with local communities and interest groups.

We will:

- Maintain and promote the West Lothian Sustainable Development Strategy.
- Provide guidance and advice on matters relating to sustainable development in West Lothian.
- Provide contact details for local and national environmental bodies.
- Contribute to and implement strategies that direct the council's sustainable development programme, e.g. energy, waste, transport and biodiversity.
- Respond to climate change through adaptation and mitigation policies and action through plans, programmes and strategies.
- Develop target indicators, to be agreed by service areas, to monitor the council's progress in delivering its sustainable development programme.

Public Art

West Lothian has an adopted policy for the provision of developer contributions toward public art.

We will:

- Work with the council's Arts Services and Development Control to maximise new public art in West Lothian through the planning process.
- Maintain and implement the council's policy on public art.
- Develop, with Art Services, a Public Art Strategy for West Lothian and consult all stakeholders on its content.
- Monitor the effectiveness of the policy and strategy and report on these.
- Record income and expenditure relating to the initiative.

Housing Land Audit

The Housing Land Audit is an assessment of the housing land supply in the geographical area covered by the Edinburgh and the Lothians Structure Plan 2015 and is prepared on an annual basis by the four unitary authorities within the Structure Plan area, namely City of Edinburgh, East Lothian, Midlothian and West Lothian.

It gives an estimate of future completions from this supply over the audit period, the most recent being 2006 to 2011, and also in the longer term. Sites included in the audit are housing sites under construction, sites with planning consent, sites in adopted or finalised local plans and, as appropriate, other land with agreed potential for housing development.

This process seeks to ensure that at all times sufficient land is available to meet the housing needs of the next five years and that any constraints that may inhibit future housing investment are progressively removed.

The Housing Land Audit is recognised as an important source of information, particularly for the development industry, and the council is committed to keeping this up to date and publicly available.

We will:

- Maintain a database of housing land in West Lothian.
- Complete an annual audit within nine months of the base date.
- Engage in discussion with representatives of the housing industry prior to concluding and adopting the audit.
- Maintain the database of housing land in West Lothian and make it available to any interested party on request within 2 working days.

Put your West Foot Forward

This project focuses on promoting walking within the inactive adult population. It is part of the national Paths to Health initiative funded by the Scottish Executive. The project is partnership funded for 3 years. Partners include Paths to Health, West Lothian Council, Central Scotland Forest Trust and Lothian NHS. The project promotes the “30mins moderate physical activity on 5 days or more of the week” embraced by the Scottish Executive *Lets Make Scotland More Active: Physical Activity Strategy*.

We will:

- Work in partnership with the Community Health Care Partnership to promote the health benefits of walking in West Lothian.
- Recruit and train a local network of community and professional volunteers to lead walks in the community.
- Work with health professionals to promote the physical activity message by encouraging walking to the inactive population.
- Developing materials and information to encourage walking on an individual level
- Working with partners to a) reach inactive population b) develop materials and information to promote walking, and c) recruit and train volunteers.
- Monitor and evaluate the impact of lead walks on health.

Environmental Projects and Initiatives

Development Planning identifies and implements environmental projects for its area as capital funding and grant income allows. Schemes range from the design and implementation of signage, small built features, bulb & tree planting projects with schools, high street improvement schemes, afforestation, cycleways and footpaths including footbridges, public art works, industrial estate landscaping, school grounds landscaping, village green & housing estate regeneration. Very small projects can be designed and managed in-house and larger projects are sub-contracted through in-house agencies or external consultants.

We will:

- Work with communities and provide professional expertise to improve local environments
- Carry out projects from conception through implementation to completion.
- Work with other council services to ensure that works are co-ordinated and all likely constraints and outcomes are foreseen.
- Work with external grant funding bodies and voluntary agencies where best value can be achieved.
- Ensure that maintenance arrangements are in place for schemes.

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