

SPG

supplementary planning guidance

New development in the countryside



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CONTENTS

Introduction	5
New housing for an agricultural worker or to support a rural business	8
Housing for retired farmers	13
Re-development of intrusive brownfields sites	15
Replacement of existing houses	18
Infill development	21
Houses which make exceptional contributions to the countryside	24
The conversion and reuse of rural buildings	29
New farm buildings	36
Lowland crofting / very low density rural housing and woodland development	38
Planning and design considerations relative to the conversion and reuse of rural buildings	41
Planning and design considerations relative to new houses in the countryside	52

Supplementary planning guidance

NEW DEVELOPMENT IN THE COUNTRYSIDE

Introduction

Supplementary Planning Guidance (SPG) is produced by the council to explain how particular local plan policies should be applied in practice.

This *themed* collection of SPG's is specifically intended to amplify and consolidate the development plan policies relative to new development in the countryside of West Lothian.

They bring together various strands of advice on this topic, contained within different parts of the development plan and in national guidance, and also incorporate design advice with the aim of improving the design and quality of all new development in rural areas.

They contain practical information for anyone contemplating these types of development and are intended to assist officers and elected members of the council in assessing and determining planning applications.

While SPG is not part of the adopted plan it has been the subject of both a formal council resolution a consultation process. SPG can therefore be treated as a *material planning consideration* when the council, Planning Reporters and the Scottish Government determine planning applications and appeals.

The council is keen to encourage applicants and agents to take advantage of the opportunity to have pre-application discussions with a planning officer about any proposal but particularly when these relate to development in the countryside, and where appropriate, other relevant parties, including statutory and non-statutory consultees, can be brought into this process.

Pre-application discussions can be particularly useful in helping applicants and agents identify the issues to be covered and information that will be needed to support any application for planning permission, which in turn can help accelerate the processing of the application. Such



discussions may also identify whether other consents may be required.

To arrange an appointment or to obtain further information and advice please contact the council on 01506 280000

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Policy content

The national policy framework for development in the countryside is principally set out in Scottish Planning Policy 15 *Planning for Rural Development* (2005) (SPP15). Scottish Planning Policy 3 *Land for Housing* (2003) (SPP3) is also particularly relevant*.

While SPP 15 recognises the changing role of the countryside and rural areas in Scotland and introduces a more permissive, imaginative and dynamic approach to rural development, it is important to be aware that there is no actual presumption in favour of development in the countryside, nor is there any support for the suburbanisation of the countryside. Rather, planning is seen as the means of *advancing the vision* of balanced and sustainable rural development, allowing for economic development while still protecting environmental interests.



Extracts from paragraphs 8 to 10 of SPP15 state that:

The aim is not to see small settlements increase in size to the extent that they lose their identity, nor to suburbanise the Scottish countryside or to erode the high quality of its environment. Rather, it is to ensure that planning policy regimes are put in place to accommodate selective, modest growth ... New development must be carefully planned if the character and quality of the countryside is not to be undermined ... In the more accessible and densely populated rural areas most new development will continue to be in, or adjacent to, existing settlements.

Scottish Government Urban Rural Classification 2005 – 2006 defines the countryside of West Lothian as *accessible rural*, that is countryside within a 30 minute or less drive time to the nearest settlement with a population of greater than 10,000. The accessible location of West Lothian, and in particular the proximity to Edinburgh, means that there are already significant development pressures on rural parts of West Lothian. Consequently, there is a continuing need to protect the countryside and there remains a general presumption against new development that cannot be satisfactorily justified in terms of locational need. It is particularly pertinent that the SPP acknowledges that planning authorities have discretion in interpreting and applying national planning guidance at the local level.

Further government advice is set out in Planning Advice Note 44 *Fitting New Housing Development into the Landscape* (1994)(PAN 44), Planning Advice Note 72 *Housing in the Countryside* (2005) (PAN 72), Planning Advice Note 73 *Rural Diversification* (2005) (PAN 73).

Policy ENV 3 of the Edinburgh & the Lothians Structure Plan 2015 (E&LSP) states that: *Development in the countryside will be allowed where it has an operational requirement for such a location that cannot be met on a site within an urban area or land allocated for that purpose, and is compatible with the rural character of the area. Acceptable countryside development will include agriculture, horticulture, forestry and countryside recreation ...*

In accordance with the E&LSP and SPP15, the adopted *West Lothian Local Plan 2009* (WLLP09) seeks to strike a balance between protecting the character of the countryside from the development pressures while allowing some limited and appropriate development in very specific circumstances.

In particular, Policy ENV 31 identifies the following exceptions, which may be made to presumption against unplanned development in the countryside:

- New housing to support a rural business
- Houses for retiring farmers
- Development of intrusive brownfield sites
- Replacement of existing houses
- Infill development
- Houses that make an exceptional contribution to the countryside
- Farm diversification proposals

Inclusion of a proposed development within one of these categories does not however guarantee that planning permission will necessarily be granted. There may, for example, be detailed siting, design, infrastructure or other considerations that make a particular scheme unacceptable.

Policy *ENV 35* augments this list to some extent by providing for very low-density rural housing and woodland development (lowland crofting). However this only applies to western parts of West Lothian, details of which are provided in the adopted *West Lothian Local Plan 2009*.



SPG, relevant to each of these exceptions, explains these policies in greater detail.

* *NOTE: It is the intention of the Scottish Government to withdraw all of the individual SPP's during the course of 2009 and to replace them with a single consolidated SPP. This will **not** however significantly change the substance of government policy on development in the countryside.*

NEW HOUSING FOR AN AGRICULTURAL WORKER or TO SUPPORT A RURAL BUSINESS

Houses for agricultural workers

1.1 Farming continues to be a significant component of the rural economy, despite ongoing changes to agricultural support mechanisms, and it is important that planning policy continues to support the operational needs of farming enterprises.

1.2 Applications for planning permission for a new house on a farm where the occupant will work mainly on that farm, and it is essential for him, or her, to live at the site of their work, will ordinarily be afforded sympathetic consideration. Whether a house is essential, in any particular case, will however depend on the specific needs of the farm concerned and not the personal preferences or circumstances of the individuals involved.

Houses for necessary workers in a rural business

1.3 The council also acknowledges that there are particular circumstances when a new house in a countryside location is sometimes required to accommodate a full time worker who is employed in a necessarily rural based business, where the nature and demands of the work concerned make it essential for one person engaged in the enterprise to live at, or very close to the site of their work. Examples of such rural businesses would include riding stables and liveries, kennels and catteries where animals may require essential care at short notice or fisheries, intensive poultry breeding and nurseries where the failure of automatic systems requires someone to deal quickly with emergencies that could otherwise cause serious damage or loss of products.

1.4 The presence of a business in the countryside is however not, of itself, sufficient justification for a new house. The material factors which will determine whether there is a genuine need for a new house include:

- The scale, viability and detail of the farming / business operations;
- The labour requirements, including the need for specialist workers and the level of attention needed outside normal hours; and
- The existing residential accommodation available to the farm or business and other development opportunities on the farm or land holding.

General criteria to be satisfied

1.5 In either instance, favourable consideration will only be afforded to those proposals where the applicant is able to satisfactorily demonstrate that:

- A new house is essential for the proper functioning of the farm / rural business and there is a clearly established need for a worker to be readily available at most times rather than in other available accommodation in the locality;
- There is clear evidence that the proposed enterprise has been planned on a sound financial basis and that the farm / rural business is economically viable;
- The need relates to a **full-time** farm worker or one who is mainly involved in agriculture or the running of the rural business;
- There is no appropriate alternative accommodation or *development opportunities* available on the landholding associated with the farm or rural business; and

- The need for a house is not a direct consequence of the recent severance of a house from the agricultural holding and its resultant loss to agriculture or the rural business.

Justification

1.6 Farm operations and rural businesses are varied and complex. In order to fully assess need it will be necessary for the applicant to provide detailed information about the operations. The assessment of need will include among other things:

- The extent and nature of the enterprise; the planning history of the land;
- The occupations of those residing on the land;
- The occupation and present address of the proposed occupier of the new house and the change in circumstances requiring a new house.

1.7 It will be necessary to establish that it is essential for the proper functioning of a farm or business for a worker to live on the farm or land holding and to be readily available at most times. The man-hour requirements of a farm or business will indicate the numbers of workers required to run it, but this does not necessarily mean that it is essential for all those workers to live on site. Factors such as the precise nature of the business, the type of livestock, the level of attention needed out of normal hours, the need for specialist workers, the distance of animal accommodation or the business premises from the main farm house, vulnerability to dangers such as theft and vandalism are all material in deciding the need for a worker to live on the farm.

1.8 New houses on farms and for necessarily based rural businesses will only be justified when the farm or business is shown to be viable and sustainable. In order to assess viability, it will usually be necessary for the applicant to provide a business plan containing financial information on the level of investment and commitment to the business. The information submitted will be subjected to an independent appraisal by an advisor, nominated by the council, and a financial test will be undertaken which specifically looks at the profitability of the farm or business and includes a commentary on the sustainability of the enterprise. This information will be made available to the applicant prior to any decision being taken.

1.9 A farm or business will require to demonstrate that it generates sufficient income to meet current operators and workers earnings, taking into account imputed rental for the existing land and buildings, general overhead expenses, paid and casual labour, machinery costs and the capital charge on the cost of new houses and buildings with a sufficient excess of income over expenditure (profit) to ensure the future viability of the enterprise. The level of income to support a full time job will be assessed against the average scottish agricultural salary, as published by the Scottish Government.

1.10 Proposals for houses associated with *hobby* farms, part time employment or enterprises where the proposed occupant's main source of income is from another job or where he or she is semi-retired, will generally fail because of the viability test.

1.11 The onus will be on the applicant to show that the proposed occupant is sufficiently involved in farming or the rural business, to be considered mainly working on the farm or in the business and that it is essential he or she should live there, for the working of that farm or rural business.

1.12 Planning permission will not usually be granted for a new house on a farm or associated with a rural business if there are either existing houses or other reasonable *development opportunities* available on the land holding which could meet the need for accommodation; or if any houses or sites have been sold off from the farm holding within the previous three years. In this context, *development opportunities* would include

- An existing house which is capable of renovation or replacement;
- Where it is practical to sub-divide or extend an existing house by forming an annexe; where it is practical to buy a house in the immediate vicinity of the farm or rural business;
- Where there are existing permissions (not time expired) for a house that have not been taken up or developed and where the farm or business already embraces land within a settlement boundary.

Detailed requirements and restrictions

1.13 If the aforementioned tests are met, the proposal can then be assessed in terms of its physical characteristics, i.e. location, siting and design. These matters are discussed in greater detail in separate guidance entitled *Planning and design considerations relative to new housing in the countryside*.

1.14 Generally, new houses should be sited to integrate into the surrounding landscape and not cause a detrimental change to the rural character of the area. In most cases this will mean that the new house is located adjacent to and integrated with the principal group of any existing buildings. In any event, applicants will be required to provide a detailed description of the landscape character of the site and its wider context and to demonstrate that this will not be adversely affected as a consequence of the proposed development.



1.15 Houses should also be of a size commensurate with the functional requirements of the farm or the business enterprise. Houses that are unnecessarily large in relation to the agricultural needs of the farm or business and cannot be justified accordingly, or, houses that bear no relation to the income the farm or business can sustain in the long-term, will not be supported.

1.16 When a house is approved for a worker in agriculture or a rural industry, on a site that would not otherwise be acceptable, the applicant may be required to set aside a significant area of land in the vicinity of the house for tree and shrub planting. It is also important for the integrity of planning policy that there is no abuse of the concessions granted to farms and rural businesses. It needs to be clearly understood that the new house is being

permitted to serve the needs of the particular farm or rural business and is not intended to become part of the ordinary housing market.

1.17 A house, approved on the basis of agricultural or legitimate business need, will therefore be subject to a legal agreement restricting its occupation to a person mainly working or last working full-time in agriculture in the locality and to any resident dependants. It can usually only ever be sold, subject to the restrictions contained in the planning agreement, to someone else working in agriculture or a designated rural business. Agreements may also be used to tie existing houses and buildings to the specific land holding they are intended to serve.

1.18 It may also be necessary for the council to impose an occupancy condition on an existing house that is not already subject to a planning agreement where there is an established case for a full time worker on a business unit. Where the existing house does not form part of the planning application then an occupancy condition will be negotiated as part of a legal agreement.

1.19 If the requisite legal agreement is not signed within a reasonable period of time following the formal resolution to approve, nominally three months but capable of being extended by agreement, the council reserves the right to reconsider the application as one where the applicant has refused to sign up to a legal agreement with the possibility that permission may be refused.

1.20 A house that is subject to a planning agreement will have a lower asset value when compared to a conventional house which is not subject to a planning agreement. This will have important consequences for financing and mortgage arrangements which applicants need to be aware of from the outset. Alternative or specialised funding mechanism may therefore be required.

1.21 Where an occupancy condition has been imposed, it will only be appropriate to remove it on a subsequent application, if it is shown that changes have occurred since the granting of the original permission and the long term need for accommodation for rural workers, both on the particular farm / business premise and in the locality, no longer warrants a house for that purpose. Sufficient time will need to have elapsed to reasonably assess this.

1.22 Removal of occupancy conditions will also only be considered favourably when the council is satisfied that the property has been made available on the property market and advertised with the occupancy condition in place in the relevant trade sectors (e.g. agents and publications specialising in the agriculture or other rural industry sectors) for an appropriate period of time (usually about one year) and at a realistic value that reflects its status as being subject to a planning agreement.

1.23 In exceptional circumstances where the council deems that the viability of a proposed rural business is unproven or marginal, but recognises that, through time, the business may become viable and a new house is essential to support it, planning permission for temporary residential accommodation may be forthcoming in order to facilitate the establishment of the rural business, usually for a period not exceeding three years. In these circumstances the council will usually require the submission of an annual monitoring

report.

1.24 The siting of a residential caravan or mobile home will be subject to the same planning and environmental considerations as a permanent house. Permission will be dependent on the ability to visually integrate the caravan or home and screen it from public view. Planning permission will not be given for a residential caravan or mobile home on an isolated site or occupying a prominent location.

1.25 If permission for temporary accommodation is granted this does not of course bind or oblige the council to grant permission for a permanent house at a later date. A permanent house may be consented to if and when the viability of the proposed rural business has been established as set out above and all other siting and detailed requirements have been satisfied.



HOUSING FOR RETIRING FARMERS

2.1 The council recognises that there are instances where special, personal or domestic circumstances may justify a new house being built in the countryside. In particular, for farming families who have had a key role in sustaining the rural community, often over many generations. Where a farmer is retiring from farming or dies, an application for planning permission for a new house may be afforded favourable consideration in order to facilitate the orderly transfer or sale of the farm and to enable the farmer, or the surviving partner of the farmer, to continue to live on that land.

General criteria to be satisfied

2.2 Favourable consideration will however only be afforded to those proposals it can be satisfactorily demonstrated that:

- The applicant last worked mainly as a farmer, or is the surviving partner of someone who last worked mainly as a farmer;
- The applicant is of retirement age and has recently retired or is about to retire; or has to retire prematurely from farming because of ill-health; or is a surviving partner, as in the above criterion;
- The site for the new house is on the land which the applicant, or, in the case of a surviving partner, her/his partner, farmed until retirement;
- The farm is viable as set out above and can demonstrate that it is capable of supporting a farmer in full-time employment;
- The farm holding is being sold or transferred as a going concern;
- The existing farmhouse will continue to be used as the main farmhouse on the farm and there are no existing *development opportunities* available on the farm;
- The site meets the planning and environmental criteria set out in policies *ENV 32* and *ENV 33* of the adopted *West Lothian Local Plan 2009*.

Justification

2.3 Retirement in itself does not automatically justify an additional house on an agricultural holding. The future of the holding and the existing farmhouse are also important considerations. The applicant will have to demonstrate that a new house is a necessary response to the particular circumstances of the case and that genuine hardship would be caused if planning permission were refused. The test is whether a house on a particular site is needed for special, personal or domestic reasons, as against a general need or desire to live in the countryside.

2.4 Planning permission will not be granted for a new house on a farm if there are either existing houses or other reasonable *development opportunities* available on the land holding which could meet the need for accommodation; or if any houses or sites have been sold off from the farm holding within the previous three years. In this context, *development opportunities* would include an existing house which is capable of renovation or replacement; where it is practical to sub-divide or extend an existing house by forming

an annexe; where it is practical to buy a house in the immediate vicinity of the farm or rural business and where there are existing permissions (not time expired) for a house that have not been taken up or developed.

Detailed requirements and restrictions

2.5 If the aforementioned criteria are met, the proposal can then be assessed in terms of its physical characteristics, i.e. location, siting and design. These matters are discussed in greater detail in separate guidance entitled *Planning and design considerations relative to new housing in the countryside* and *Planning and design considerations relative to the conversion and reuse of rural buildings*.

2.6 Applications for planning permission should be accompanied by information on the farming activities and the applicants or where the applicant is the surviving partner of a deceased farmer. It will not for example be sufficient to have been involved in farming on a part-time basis for the applicant to have received their main income from full-time employment outside agriculture.

2.7 If approved, it will ordinarily be the case that a new house, granted on retirement from farming, should be integrated with the existing farm building group, particularly when a farm is being transferred within a family or where the farmer intends to retain some kind of working link with the land holding.

2.8 Applicants will be required to provide a detailed description of the landscape character of the site and its wider context and to demonstrate that this will not be adversely affected as a consequence of the proposed development.

2.9 Approvals under this policy will in any event usually be subject to an agricultural occupancy condition set out in legal agreement that will have the effect of restricting occupation of the new house to the person concerned, including any dependants living with that person, or to a person engaged in a full time occupation in agriculture or an acceptable rural business, as set out elsewhere in this guidance. It will be a requirement that a house built to occupy a retiring farmer should not on his demise automatically become part of the normal open housing market.

2.10 If the requisite legal agreement is not signed within three months of the formal resolution to approve the planning application (or within a period subsequently agreed in writing with the council) the application may be reconsidered and possibly refused.

RE-DEVELOPMENT OF INTRUSIVE RURAL BROWNFIELD SITES

3.1 The definition of *brownfield land* is essentially land that has previously been developed. The term is taken to encompass vacant or derelict land; infill sites and land occupied by redundant or unused buildings. However it excludes private and public gardens, sports and recreation grounds, woodlands and amenity open space, and for the purposes of this policy, it should also be read as excluding the site of redundant poultry sheds and intensive livestock rearing units for which specific and separate policy guidance has been prepared and adopted.

3.2 Planning Advice Note 73 *Rural Diversification* states that development plan policies should encourage rehabilitation of brownfield sites in rural areas and defines these as sites that are occupied by redundant or unused buildings or land that has been significantly degraded by a former activity.

3.3 While Policy HOU 2 of the *Edinburgh and the Lothians Structure Plan 2015* does not explicitly refer to rural brownfield sites, it does nevertheless, support diversification of an appropriate scale and character, the re-use of appropriate redundant rural buildings and development which affects landscape improvement.

3.4 When these sites fall into disuse, are abandoned or become derelict, some have the potential to detract seriously from the visual and environmental amenity of an area. In some cases these sites may also be affected by the presence of contamination due to historic industrial or agricultural processes that could unless treated represent either an immediate, or long-term threat to health.

3.5 It is recognised that their re-development could, therefore, serve to enhance landscape quality by reducing the physical mass and presence of intrusive buildings within the countryside and simultaneously provide an opportunity to recycle land, clean up contaminated land, and assist environmental, social and economic regeneration. It would also make the best use of existing infrastructure and services, encourage more sustainable lifestyles and help relieve pressures to build on greenfield land, thus helping to protect the character of the countryside.

General criteria to be satisfied

3.6 Favourable consideration will only be afforded to those proposals where the applicant is able to satisfactorily demonstrate that:

- There are significant environmental and / or community benefits to be gained as a consequence of existing buildings being demolished and the site re-developed;
- The existing buildings can be evidenced as being beyond economic repair and retention;
- The new development will be in keeping with the main features of the landscape and will have regard to the need to integrate with its surroundings;
- There will be no significant detrimental impact on the amenity of existing neighbours as a consequence of the proposed new development;
- There are no infrastructure constraints and the development does not require excessive resource commitment from the council.

Justification

3.7 The **conversion and reuse** of the existing buildings on rural brownfield sites should always be the first option. Policy ENV 3 of the *Edinburgh and the Lothians Structure Plan* and Policy ENV 34 of the adopted *West Lothian Local Plan 2009* explicitly support this and there is a wealth of helpful advice on this subject contained in Planning Advice Note 36 - *Siting and Design of New Housing in the Countryside* and Planning Advice Note 72 - *Housing in the Countryside* in particular. Only where conversion and re-use is not practicable or desirable will the re-development of sites be considered.

3.8 The redevelopment of a rural brownfield site is one of the very few instances where new residential development is permitted in the countryside without the usual occupancy constraints. It is important not to lose sight of the fact that the underlying justification for making an exception to general planning policy is to secure the removal of inappropriate buildings and to improve the visual and environmental amenity of the countryside. As a consequence, the new development must be of the very highest standard in terms of design and appearance and must make a positive and significant contribution to the landscape setting of the site. Only proposals that clearly demonstrate this will be afforded favourable consideration.

3.9 It is extremely important that it is understood that not every rural brownfield site is appropriate for re-development and there is no blanket or unfettered support for such proposals. Only those sites which are demonstrably intrusive, visually or environmentally, and where there is no realistic prospect of them being returned to agricultural land or woodland, particularly for reasons that might include contamination, will be considered suitable candidates for re-development.



3.10 Even then, sites which have considerable biodiversity or which make a significant contribution to the cultural and historic landscape value will be excluded from consideration, as will proposals which could result in suburbanisation, coalescence with a neighbouring settlement, ribbon development, the overloading of local services such as school and health care facilities, the loss of architecturally valuable buildings, prime agricultural land, important areas of woodland, landscape or significant wildlife habitat.

3.11 The definition of what constitutes circumstances necessary to justify re-development can only, realistically, be assessed by the council on a case by case basis. The onus will be on applicants to demonstrate why an exception should be made to general planning policy and why permission should be granted in the particular circumstances of their site. A supporting statement must be submitted with every planning application relating to such sites.

3.12 There is a potential for a large number of such planning applications to come forward and if all were approved the character of the rural landscape would be fundamentally altered. The council is, therefore, obliged to be extremely discerning when considering proposals for re-development.

Detailed requirements and restrictions

3.13 Proposals for sites which satisfy the initial screening process described above and which are concluded to be suitable for re-development will also require to satisfy all of the

following criteria if they are to be supported:

- New buildings will ordinarily require to occupy the same position on a site as those that are to be replaced;
- The physical footprint of new buildings shall be no greater than that of the existing buildings and will, in most instances, require to be significantly less. This is particularly likely to be the case when considering the re-development of a very large building or a group of buildings;
- The scale of new development shall be minimised to what is absolutely necessary to secure the rehabilitation of the site. As a consequence developers will be required to submit appropriate financial information to justify their proposals and to enable an appraisal of this aspect of their development to be made by the council. The council reserves the right to have any financial appraisal submitted scrutinised for accuracy by a third party at the developer / landowners expense. Consent will not be granted unless the developer can show and demonstrate to the satisfaction of the council that there is a sound business case for the proposed development and for that business case to address and take into account all matters that pertain to the development.
- All planning applications shall be accompanied by a statement setting out the history of previous land uses or activities, and, where relevant, a scheme of investigation and remediation for dealing with contaminated land;
- The council will require the demolition of the original buildings and, where relevant, the satisfactory remediation of contaminated land **prior** to the construction of any replacement buildings;
- The new development will have to comply with all other relevant policies of the local plan and supplementary planning guidance approved by the council. This will include the council's various contribution policies such as affordable housing policy and education contribution policies;
- Development which cannot be serviced by existing infrastructure including, but not exclusively, education, roads / transportation, water and drainage will not be permitted unless funding for necessary infrastructure improvements is fully committed;

3.14 For the integrity of the policy it is important to guard against opportunist developers deliberately cultivating the degradation and dereliction of brownfield sites in order to engineer the circumstances that might support their re-development. Where there is evidence of such manipulation having taken place, or where landscape degradation or impoverishment has resulted from a breach of planning control, sites will not be eligible for consideration under this policy.

3.15 There are, of course, other mechanisms available to the council for remedying the condition and appearance of derelict land and buildings, such as the service of Amenity Notices, Defective and Dangerous Building Notices. Planning contravention and enforcement notices also have a part to play in cases where there has been a breach of planning control and, in some instances, it may be that the council concludes that this course of action would be a more appropriate response.

REPLACEMENT OF EXISTING HOUSES

4.1 There are many existing houses in the countryside that pre-date the introduction of the planning system and are therefore quite legitimately located there. Other properties have been the subject of planning applications down the years, and for a multitude of different reasons, have been consented to and share that legitimacy.

4.2 As time has gone by, some of these properties have inevitably aged to the point whereby they no longer meet the requirements for modern living, have fallen into a poor state of repair, have become dilapidated or have been affected by adverse structural conditions. Others, mainly post war properties, were inappropriately located from the outset or are of a form, construction or appearance that makes them jar with their surroundings. Collectively, there are a small but significant number of existing houses which detract from the appearance and the landscape setting of the countryside and whose removal would be beneficial.

4.3 Policy ENV 31 of the adopted *West Lothian Local Plan 2009* has recognised this problem. While planning policies generally set out to regulate new housing in the countryside and by and large require such proposals to be allied to agriculture, forestry, necessarily located rural businesses, recreation, tourism, sport and other uses normally located in the countryside, an exception has been identified which makes conditional allowance for the replacement of such houses where this would result in a more environmentally acceptable and sustainable development and where the replacement building would bring about an environmental improvement in terms of the impact of the development on its surroundings and the landscape.

General criteria to be satisfied

- The redevelopment of such sites can only be on a one-for-one basis. Additional houses will not be permitted;
- The redevelopment of such sites should not ordinarily result in any extension to the *residential curtilage* unless it can be satisfactorily demonstrated that this will achieve significant environmental improvements. The *residential curtilage* is effectively the developed land associated with the existing house and includes the site of the existing house together with its related outbuildings, garden ground etc;
- The size of a new house should sympathetically reflect the original house and must not result in a building that is disproportionately larger than the one it is replacing. Ordinarily, and unless the council is convinced that exceptional circumstances prevail, the volume of the replacement house should not be more than 25% larger than the existing house and of a comparable height (or less) – the aim should be to achieve a level of accommodation consistent with meeting the reasonable aspirations of occupants while safeguarding the countryside from unnecessary and out-of scale development. The council may seek to prevent any subsequent increase by removing permitted development rights by condition;



- The replacement house should be on or close to the site of the original house, unless it can be satisfactorily demonstrated that this will achieve significant environmental improvements or road safety benefits. In such cases it will be necessary to demonstrate that there is no increase in the overall visual impact of the building in the landscape;

Justification

4.4 The replacement of an existing house is one of the very few instances where new residential development is permitted in the countryside without the usual occupancy constraints. It is important not to lose sight of the fact that the underlying justification for making an exception to general planning policy is to secure the removal of inappropriate buildings in the countryside and to improve the visual and environmental amenity of the countryside.

4.5 As a consequence, the replacement house must be of the very highest standard in terms of design and appearance and must make a positive contribution to the landscape setting of the site. The accepted definition of a replacement house for the purposes of this policy is a house that is to be built on the site of an existing house, being a house that is still in situ. Planning permission will not be granted for a replacement house where a house has already been demolished.

4.6 Neither does the existence of a substantially ruinous structure establish any right to a replacement house being consented to. At the very least the existing building must be seen to exhibit all of the essential characteristics of a house, including reasonably sound and complete walls and roof.

4.7 The council will need to be convinced that the house to be replaced has a lawful use for residential purposes. Where the building is still occupied or has only recently been vacated this should not present any difficulty. The situation can be more complicated however where the building has been empty for some time, or is in an uninhabitable condition, or has been used for some other purpose since it was last used as a house. In such cases, the residential use may have been 'abandoned' and a replacement house will not ordinarily be supported.

4.8 For the integrity of the policy it is also important to guard against opportunist developers deliberately cultivating the dereliction of existing houses in order to engineer the circumstances that might support the re-development of a particular site. Where there is evidence of such manipulation having taken place, sites will not be eligible for consideration under this policy.

4.9 Permission will not normally be granted to replace a house that is listed as having special architectural or historic interest. It is in any event necessary for listed building consent to be obtained for any works for the demolition or partial demolition of a listed building, or for its alteration or extension, in any manner which would affect its character as a building of special architectural or historic interest, and this is very rarely given.

4.10 The replacement of non-residential buildings with residential development in the countryside will continue to be treated as new housing development in accordance with policies ENV 31 and ENV 32 of the adopted *West Lothian Local Plan 2009*.

Detailed requirements and restrictions

4.11 If the aforementioned tests are met, the proposal can then be assessed in terms of its physical characteristics, i.e. location, siting and design. These matters are discussed in greater detail in separate guidance entitled *Planning and design considerations relative to new housing in the countryside*.

4.12 Applications for planning permission in principle for a replacement house are not acceptable as they would contain insufficient information for the council to assess the impact of the proposals. Instead, the submission of a full detailed application is necessary. These applications should be accompanied by:

- A survey report on the structural condition of the existing house;
- Plans and elevations (or photographs) of the existing house;
- A detailed description of the landscape character of the site and its wider context in order to demonstrate that this will not be adversely affected as a consequence of the proposed development.
- Plans and schedules indicating areas of demolition and rebuilding;
- Plans of the new house and other structures/works;
- Details of existing and proposed site levels;
- Landscape plans;
- A flood risk assessment (where the site lies within a flood risk area)

4.13 Some older buildings may contain roosts for bats and owls which are protected by the *Wildlife & Countryside Act 1981*. In such cases, the applicant will need to undertake a pre-determination survey and submit a mitigation strategy. Steps can be taken in the detailed designs of roofs to provide suitable habitats and access for bats and owls and these should be incorporated within any scheme where the presence of these species is evident or likely.

INFILL DEVELOPMENT

5.1 Hamlets and even some small clusters of houses in rural locations can accommodate some modest development without damage to their character or to the countryside and some new housing can help to economically sustain such communities by providing the basis for maintaining local services.

5.2 The pattern of new development is primarily determined through the development plan process, and the aim is to ensure that it is well related in scale and location to existing development. Both national and local planning policy aims to prevent sporadic development in the countryside, and to concentrate on focusing development within settlement boundaries wherever possible.

5.3 Development is therefore not acceptable in a sporadically sited, loosely related spread of houses or outbuildings / other buildings in the open countryside or where the development constitutes the extension of a ribbon form of development or will contribute to the coalescence of settlements. New house building and other new development in the open countryside, away from established settlements or from areas allocated for development in development plans is not supported, regardless of whether a particular site would be unobtrusive.

5.4 National Planning guidance does however recognise that there are occasions where the infilling of small gaps within a cohesive group of houses may be acceptable.

5.5 Appropriate infill development, in the context of Policy *ENV 31* of the adopted *West Lothian Local Plan 2009*, means sensitive development within small groups of houses or minor extensions to groups, depending on the character of the surroundings and the number of such groups in the area, and developing single plot width gaps, usually between existing houses, and in an otherwise continuous built-up residential frontage within a clearly identifiable cohesive group of houses in the countryside.

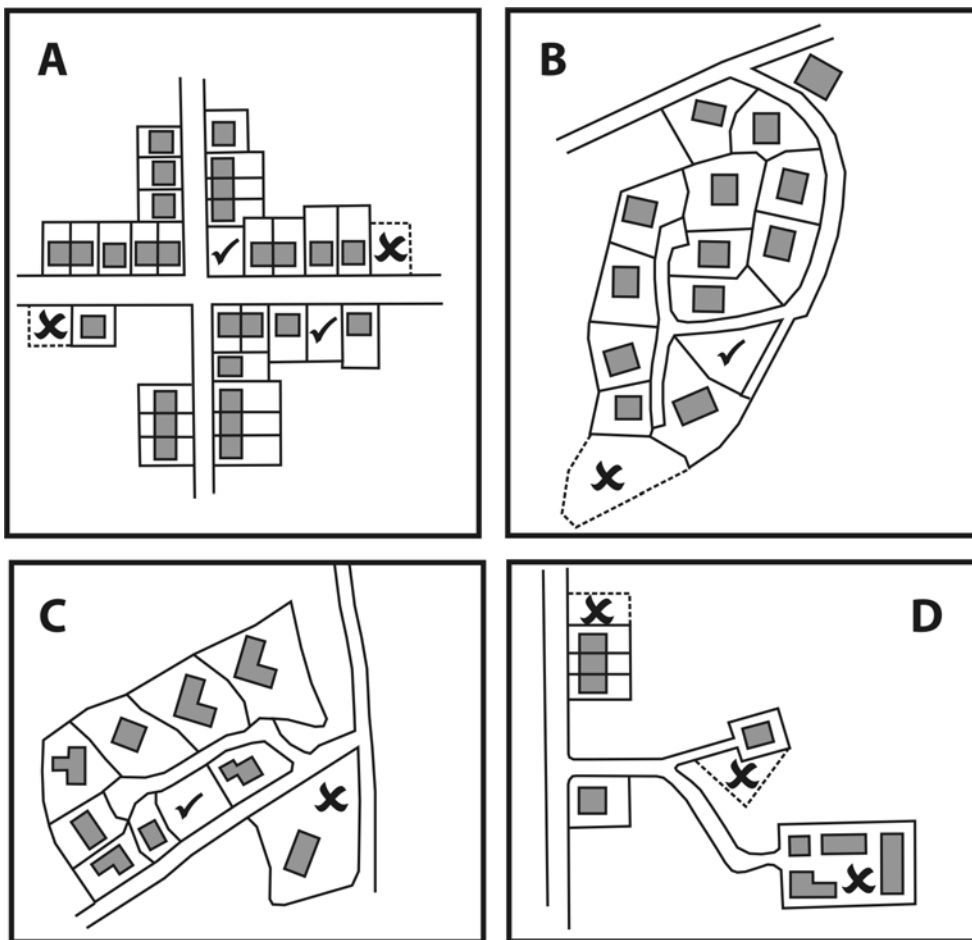
General criteria to be satisfied

5.6 The acceptability of proposals will depend on the following factors and must satisfy all the following criteria:

- The building group must consist primarily of houses forming a clearly identifiable nucleus with strong visual cohesion and sense of place;
- There is not a definitive size for a gap. This will be considered in relation to the character of the surrounding houses, in particular the size of both the house and garden curtilage and frontage;
- An extension to a building group will not normally be acceptable except in those rare circumstances where the actual layout of the existing group of houses allows the infill of a small area up to a natural boundary for example, one which does not result in significant enlargement of the area covered by the group of houses;
- Infill housing should be well related in scale and siting to existing development. It should respect the principles of good design, such as responding to local distinctiveness (including building traditions or materials) without ruling out equivalent materials that are not local;

- If the existing character of the area is one with wide frontages containing side gardens as opposed to rear gardens, then infill housing will not be considered appropriate if it means the loss of gardens as it would result in a material change in the character of the area;

5.7 Examples of what may be considered to be acceptable infill in a recognisable group of houses in the countryside and examples of what are not are set out in the diagram below. In any event, applicants will be required to demonstrate that their proposals have taken into account an analysis of the existing built form, the landform and the local landscape character.



Detailed requirements and restrictions

5.8 If the aforementioned criteria are met, the proposal can then be assessed in terms of its physical characteristics, i.e. location, siting and design. These matters are discussed in greater detail in separate guidance entitled *Planning and design considerations relative to new housing in the countryside*.

5.9 Generally, the design, appearance and the materials of the proposed house should be complementary to the character of the existing built frontage, and have regard to the best examples of local distinctiveness, vernacular styles and materials found in the surrounding area.

5.10 Applicants will be required to provide a detailed description of the landscape character of the site and its wider context and to demonstrate that this will not be adversely affected as a consequence of the proposed development.

5.11 It is preferable that a full planning application is submitted for consideration in these circumstances. However if an application for permission in principle is submitted, details of siting should be included as part of this outline application together with details of access arrangements, scale, design and materials.

5.12 If it is concluded that insufficient details have been submitted to enable the council to determine the application then a formal Notification to submit details of reserved matters may be made by the council under *Part 4 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008*.

5.13 Proposals for sites that are concluded to be suitable for re-development will require to satisfy all of the following criteria if they are to be supported:

- Provision must be made for a private amenity space for the house comparable to adjoining properties in the built up frontage;
- The special character of the area must not be compromised in relation to house size to plot ratio comparable to adjoining properties in the built up frontage;
- Separation between houses for the infill plot shall be comparable to adjoining properties in the built up frontage;
- The proposal must not unsatisfactorily prejudice the amenity space available to any existing house which has use of the infill site or would have had use of the infill site if not for the proposed development;
- The proposal must not take up any existing public recreation open space;
- The special character of the landscape must not be compromised by the development and must have regard to the landscape backdrop, topographical features and levels;
- The proposal must have regard to the existing character of the built frontage (e.g. a two storey house if the built frontage comprises of two storey houses);
- The proposal shall take account of natural landscape features and have regard to the pattern of planting including hedging, walling and other boundary treatments;
- Safe and satisfactory provision shall be made for access and parking within the infill plot;
- There may be different considerations relevant to applications in conservation areas and in close proximity to listed buildings. Development in conservation areas, or development which affects the setting of such areas, will only be permitted where it will preserve or enhance its character or appearance. Furthermore, outline applications will not be accepted for development in these circumstances;
- Where infill development is allowed for employment uses (rather than housing) it will ordinarily be restricted to business uses falling within Class 4 of the Use Classes (Scotland) Order 1997 (or its successor equivalent);
- All new development will have to comply with all other relevant policies of the local plan and supplementary planning guidance approved by the council.



HOUSES WHICH MAKE EXCEPTIONAL CONTRIBUTIONS TO THE COUNTRYSIDE

6.1 Very occasionally the exceptional quality and innovative nature of the design of a proposed, isolated new house may provide special justification for granting planning permission.

6.2 Scottish Planning Policy 15 - *Planning for Rural Development* (SPP15) is supportive of contemporary designed new buildings in circumstances where the new development fits the landscape and there are justifiable economic reasons for promoting the development.

6.3 Such a design must however be truly outstanding and exemplary, for example, in its use of materials, methods of construction or its contribution to protecting and enhancing the environment, so helping to raise standards of design more generally in rural areas. The value of such a building will be found in its reflection of the highest standards in contemporary architecture, the significant enhancement of its immediate setting and its sensitivity to the defining characteristics of the local area.

6.4 In circumstances where the justification for a house is substantially based on its quality and innovative design, the council will as a matter of course seek to validate and appraise the proposals by consulting with Architecture and Design Scotland (A&DS), the national champion for good architecture, design and planning in the built environment.

6.5 As a consequence of the particular importance of matters of detail and design, applications for planning permission in principle are not considered acceptable as they would contain insufficient information for the council to properly assess the impact of the proposals. Instead, the submission of a full detailed application is necessary.

6.6 A *design statement* must also accompany applications. This should explain and illustrate the design principles and design concept of the proposed layout; landscape; scale and mix; details and materials; and maintenance. It should show, as briefly as necessary, how these will help to achieve the qualities which are outlined in *Designing Places - A Policy Statement for Scotland*.



FARM DIVERSIFICATION

7.1 Diversification is important for farmers in order to reduce reliance on agricultural production as a source of income. Changes in agriculture in recent decades have resulted in a decline in farm-related jobs, and an increase in the stock of land and buildings no longer required for agricultural purposes. Changes to the structure and type of farms in the UK have been against a backdrop of declining farm incomes and increased environmental pressures.

7.2 The Scottish Government recognises that diversification into non-agricultural activities is vital to the continuing viability of many farm enterprises by supplementing



traditional farm incomes and encourages the introduction of new business activities in rural areas whilst at the same time taking account of the need to protect natural resources. It acknowledges that diversified uses can help broaden the economic base in rural areas and provide additional facilities and services for local communities and visitors.

7.3 Scottish Planning Policy 15 – *Planning for Rural Development* (SPP15) sets out the national guidance for farm diversification. Councils are encouraged to support well thought out and targeted business opportunities that are in scale with their rural location.

7.4 Diversification should not however result in excessive expansion and encroachment of building development into the countryside and it is likely to be most appropriate in locations where access, particularly by public transport, drainage capacity and other infrastructure exist or can be provided at reasonable cost.

7.5 Developments with the added value of employment generation or community benefits are especially welcome, particularly in the less populated areas of the countryside and where they involve the imaginative and sensitive re-use of previously used land and buildings. In the more accessible and densely populated rural areas most new development will continue to be in, or adjacent to, existing settlements.

7.6 The adopted *West Lothian Local Plan 2009* is supportive of small-scale farm diversification, or other appropriate business proposals, where the rural economy can be sustained or significant social or community benefits can be derived. Diversification proposals are especially welcome where they can be operated at a small scale and do not generate large traffic movements or generate noise and pollution.

General criteria to be satisfied

7.7 Favourable consideration will only be afforded to those proposals where the applicant is able to satisfactorily demonstrate that they:

- Help to support, rather than replace, farming activities on the rest of the farm;
- Stimulate new economic activity, improve the relative sustainability of rural areas;
- Support the use of farming practices that are sensitive to the environment.

7.8 In broad terms *diversification* activities can be divided into two areas. Firstly proposals that may have little effect on the landscape and allow farming to continue largely unchanged or unaffected, for example farm shops and direct sales of manufactured farm goods, the re-use of some redundant farm buildings for tourism e.g. B & B and low key business uses such as kennels or catteries.

7.9 There are however other less benign diversification schemes which can have a much greater detrimental impact on the environment and ecology of the countryside. These include the change of use of farm land for haulage, storage and distribution purposes, the establishment of riding stables and equestrian facilities, particularly those which incorporate major proposals for new build indoor facilities and all weather surfaces, external caravan storage, clay pigeon shooting, floodlit golf driving ranges, motor sports and paintball. Such uses are rarely compatible with ongoing farming activity.

7.10 The ways in which farmland can be used are many and varied, and not all are subject to planning control. Generally speaking, planning permission is not required for the use of land and existing buildings for agricultural operations, although a notification to the council is usually necessary for new farm buildings and other structures. The definition of agriculture (*Section 277 of the Town & Country Planning (Scotland) Act 1997*) includes: horticulture, fruit growing, seed growing, dairy farming; the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of the land); the use of land as grazing land, meadow land, osier land, market gardens or nursery grounds; and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes.

For the avoidance of doubt it is important to note that this definition does not include the keeping of horses for equestrian purposes and that such a use will require planning permission in its own right.

7.11 Planning permission will be needed for projects to diversify the use of farmland and buildings for non-agricultural activities. Many projects can work in conjunction with existing agricultural activities and provide additional income. These include:

- Converting empty buildings to workshops, storage facilities, offices or food processing units;
- Commercial development related to animals such as catteries and kennels;
- Farm-based tourism such as bed and breakfast or camping sites;
- Renewable energy sources such as biomass or wind turbines;



- Leisure pursuits including fishing, motor-sport or golf;
- Equine related commercial activities such as stabling or riding-centres

7.12 The council is anxious to ensure that farm diversification does not lead to a reduction in the landscape quality of the countryside and does not create problems such as access, congestion, noise, pollution and loss of amenity. It is therefore important that:

- The scale, location, design and nature of the proposed use is not detrimental, either individually or cumulatively, to the character of the locality;
- The proposed activity is compatible with agricultural operations on the farm and neighbouring agricultural holdings;
- The proposal does not unacceptably impact on the amenities of neighbouring residents;
- The proposal does not cause an unacceptable level of pollution (noise, light, air or water), or an unacceptable impact on water quality;
- The proposal does not involve a significant, irreversible loss of the best and most versatile agricultural land;
- The proposed access and level of traffic generated by the proposal is within the capacity of existing approach roads, and would not be detrimental to the amenity of the locality, or prejudice road and pedestrian safety;
- The proposal does not result in demonstrable harm to the landscape, nature conservation interests, cultural heritage features and/or the use and enjoyment of public rights of way.

7.13 Diversification schemes should remain additional to the main agricultural function of the land and agriculture should remain the dominant land use, in order to preserve the landscapes that have resulted from farming activity. As a consequence, not all proposals will be appropriate in all circumstances.

7.14 A frequent source of misunderstanding between applicants and the council can be what constitutes farm diversification. Applicants can feel that any activity or development that injects funds into a farm is valid diversification and will automatically receive support. However, merely injecting income into a farm may not necessarily achieve the underlying objective of sustaining existing farm business in a manner which enables them to continue to deliver wider environmental, economic and social benefits. Schemes, which can show the connection between on-going farm activity and any consequential benefits to the local economy or environment, are more likely to be considered favourably.

7.15 It is also important to make clear that new houses in the countryside are not considered to be an appropriate form of farm diversification! Unless there is very special justification planning permission for residential development in the countryside is likely to be refused. One exception is *lowland crofting*, which is a stand alone initiative described in a later section but which in practice is more allied to a fundamental restructuring of an agricultural land holding than a diversification of farming activities. The other exception is where it is essential for the proper functioning of an agricultural enterprise for a worker to be readily available on site and a house in the nearest village is either unavailable or inappropriate. Further guidance on this is contained in the preceding section entitled *New housing for an agricultural worker or to support a rural business*.

Detailed requirements and restrictions

7.16 Applications for farm diversification schemes will be subject to the normal considerations common to all proposed developments which try to balance private interests with the interests of the wider community and environment. There are however four key planning issues that should be addressed in every farm diversification scheme;

- Planning policy;
- Access and traffic activity;
- The impact on neighbouring and nearby properties including noise and light;
- Possible environmental consequences.

7.17 When submitting a planning application for a diversification scheme, it will be necessary to include a *farm business plan*. Farm business plans are a recognised tool for a farmer to support development proposals. The *farm business plan* should include the following:

- A farm *profile* which provides a physical site description including details of size, soil what type of farm it is, how it operates a description of past and current management practice, including details of existing and previous activities of the farm including, stock, forestry and other enterprises;
- A general description of the landscape character;
- Details of known biological and historic environment survey information;
- Details of what wildlife exists on the farm;
- Details of why there is a need for diversification, of what problems are being encountered and the way in which the proposals relate to the wider farm business;
- An explanation of the specific proposal with additional information including landscape plans, traffic data, structural survey of buildings to be converted etc;
- An explanation of what the implications of the proposal are for the environment and the rural economy.



7.18 Applicants are also required to provide a detailed description of the landscape character of the site and its wider context and to demonstrate that this will not be adversely affected as a consequence of the proposed development.

7.19 Many diversification schemes can be advantageous to the local area. They could include opportunities for new jobs, planting and landscaping, building renovation or public access, for example. It is however important to stress that none of these would make an inappropriate scheme acceptable but they can help to make a broadly acceptable scheme better in terms of local reaction and offering wider benefits.

THE CONVERSION AND REUSE OF RURAL BUILDINGS

8.1 Traditional rural buildings are an integral part of West Lothian's attractive countryside and add greatly to its character, rural heritage and distinctiveness.

8.2 The majority of rural buildings are linked to existing or former agricultural uses and have been used either as barns for the storage of hay, grain and farm equipment or for the keeping of animals. Some of these are listed or have some architectural merit, but many are newer structures of poorer quality design.

8.3 There is in particular, a significant legacy of farm steading buildings which were constructed under the enlightened agricultural reforms of the early and mid-nineteenth century and many of the small farms which they relate to are still worked as individual units, though some are still owned by the estates for which they were originally built. The nature of agriculture and changes in the rural economy means that these buildings are no longer needed for their original purpose and there is a growing need to find new suitable uses for them. They are a finite resource and once their character has been eroded or lost, they cannot be replaced and the appearance and character of rural areas will be diminished as a consequence.

8.4 It is widely acknowledged that the re-use and adaptation of such buildings can play an important role in meeting the needs of rural areas for commercial, industrial and residential development and can at the same time reduce the need for new build development, as recognised in Scottish Planning Policy 3 - *Planning for Housing* (SPP3), Scottish Planning Policy 15 - *Planning for Rural Development* (SPP15) and Planning Advice Note 72 *Housing in the Countryside* (PAN72).

8.5 Policy ENV 34 of the adopted *West Lothian Local Plan 2009* explicitly supports the conversion, sub-division and re-use of existing buildings in the countryside which are deemed to be of sufficient architectural or historic merit and providing the conversion is sensitive to the site and the surrounding countryside.



8.6 Modern farm buildings on the other hand, are practical, functional and economic and generally bear no relation to the character and quality of the traditional buildings found in the countryside. Although these buildings invariably meet the needs of current agricultural practices, they lack the basic charm of older traditionally constructed farm buildings, are inappropriate for conversion and are not embraced by this policy.

8.7 In exceptional circumstances an additional element of new build (enabling development) may be permitted but only when it can be rigorously demonstrated that the benefits of the scheme clearly outweigh any harm to the character of the existing buildings and their environment. The demonstration should include a transparent and thorough disclosure of all financial aspects of the scheme. It will also have to be evidenced that the new development is minimal and at the same time integral in design terms and necessary to the proposals.

8.8 The conversion of traditional buildings in the countryside can however be difficult to achieve in practical terms and sympathetically without detrimentally affecting their character. It is, for example, a challenge to achieve adequate sound insulation to comply with modern day buildings standards in subdivided older buildings and early liaison with the relevant officials is encouraged.

8.9 The structure, form, historic and architectural integrity of the buildings must remain as unaltered as possible and their overall setting must be respected and preserved. The aim is to ensure that traditional farm buildings should remain substantially unaltered and remain looking like farm buildings after conversion. The details of the conversion require to be strictly controlled and the works must be handled with care and sensitivity. In some instances proposals may have to be refused simply because of the detrimental effect on the fabric of the building that would result.

8.10 Other material considerations which demand to be taken into account of when determining an application for planning permission include the effect on the rural character of the area (this impact will be particularly important in Areas of Great Landscape Value and designated Countryside Belt; the adequacy of service provision; the amenity of existing neighbours and occupiers; the adequacy of the access and services and the effect on wildlife.

8.11 Candidate buildings for conversion must firstly be of local visual or historical merit. As a general guide, this means traditionally constructed stone buildings. It specifically does not extend to brick/block structures of the late 19th and 20th century, for example piggeries and poultry houses, pole barns and more contemporary agricultural buildings.

8.12 Buildings should be of a permanent and substantial construction and should not be so derelict that they could only be brought back into use only by substantial rebuilding, tantamount to the erection of a new building. Planning consent for the conversion of a building does not authorise its demolition and replacement, even if the replacement is an exact replica, and in these circumstances the validity of the planning consent may well be extinguished.

There are other buildings that are not generally suitable for conversion, including those that are:

- Structurally unsound;
- Of temporary construction;

- Eyesores that should be removed in the interests of landscape conservation;
- Unsuitable in terms of size and form of construction;
- At risk of flooding.

8.13 It is also important that buildings for conversion are located within reasonable accessibility to local services. Proposals for the conversion of isolated buildings for residential purposes are generally unacceptable in so far as they run counter to the principles of sustainability.

8.14 Very often, older traditionally constructed farm buildings have been abandoned, suffer from neglect and in some cases have become structurally unsound due to the effects of subsidence, foundation failure, instability, adverse weathering, rot and decay.

8.15 In order to establish the condition and physical suitability of a building for conversion, an independent structural engineer's report will require to be submitted with the planning application. The report should include an assessment of the extent to which works or repairs are necessary and the amount of new structural work needed to enable the conversion. Additionally, the application plans should make it clear which parts of the building are to remain, and which parts are new build. If the structural survey reveals that the building is beyond conversion without substantial demolition and rebuilding, the council will normally accept that the building is lost and resist an application for its conversion.

8.16 The relationship of the conversion scheme to other buildings is also an important consideration. Often there will be houses nearby and the conversion scheme must take account of privacy and amenity issues. It is also important that it does not create disturbance to the agricultural management of adjoining land. It is unlikely that permission will be forthcoming for the formation of houses within a working steading, except perhaps where the accommodation is required for a full time farm worker.

8.17 Rural buildings generally have no facility for foul drainage. It is therefore necessary for developers to discuss proposals for sewage disposal with SEPA at an early stage in the design process. The installation of septic tanks may not always be appropriate in rural



areas and other more environmentally acceptable methods of waste disposal should be considered. Foul and surface water drainage must in any event be managed in such a way as to protect existing watercourses from pollution and excessive run off and there is a general requirement for developers to fully grout any existing land drainage system to prevent the passage of ground surface and ground water beneath infrastructure. New development will not be allowed to proceed unless foul sewers or sewage treatment works of adequate capacity and design can be provided. Proposals must also be carefully designed to ensure that there is no

increase in the rate and volumes of surface water run-off leading to increased flooding and physical damage to any river environment. If the rural building lies within a flood risk area the application should be accompanied by a flood risk assessment.

8.18 The availability and quality of a potable water supply should also be clarified and applicants must provide evidence, in the case of a public supply, that consultation has taken place with the SEPA and Scottish Water, and with the council's Environmental Health team in the case of a private supply.

8.19 The responsibility for ensuring that all necessary infrastructure and services are available is the responsibility of the applicant. A proposed development may have to be refused planning permission if essential services cannot be made available or it would impose an excess resource commitment on the council.

8.20 In terms of access and traffic, the advice of the council's Transportation Manager will be sought in each instance. Where the existing access is deemed satisfactory in terms of road safety it may nevertheless require to be upgraded and resurfaced to a standard suitable for adoption, provided this is compatible with the nature of the development.

8.21 Generally, sites requiring the formation of a new access from a classified road will be discouraged as this could contribute to the suburbanisation of the countryside. Where sub standard roads, located close to dangerous junctions, serve sites or would cause a significant increase in traffic generation proposals will not be supported.

8.22 Any structural or buried features of historic or archaeological importance may have to be recorded before they are altered or demolished, to provide a public record of the finite and fragile elements of the historic environment. A comprehensive photographic record should therefore be made of the buildings to be converted, internally and externally, and a copy should be provided with the planning application. The council may also direct that an archaeological survey should be undertaken and submitted as part of any planning application.

Detailed requirements and restrictions

8.23 Applications for planning permission in principle for the conversion and reuse of rural buildings are not acceptable as they would not contain sufficient information for the council to properly assess the impact of the proposals. The submission of a full detailed application is instead necessary, and should include:

- A standing building assessment. This should include:
 - an archive assessment; a general description of the building;
 - an annotated plan of the building and;
 - a photographic record of the building's exterior and, where appropriate, the interior.
- A structural survey, prepared by an architect, a chartered building surveyor or a chartered structural engineer in order to determine the structural condition of the buildings and the structural requirements and works required to accommodate the proposed use. The report will require to demonstrate to the satisfaction of the council that the building is suitable for conversion. The council will rely on the structural survey as evidence of the building's suitability for conversion. Applications submitted without such details are unlikely to be acceptable and may be refused on the grounds that insufficient information has been submitted, for them to be properly assessed;

- Detailed surveys to a scale of at least 1:100, and in some instances 1:50, showing all existing and proposed elevations, floor layout plans and sections. Any particular feature of special interest such as the roof structure, ventilation openings etc should be clearly identified. The plans should also clearly indicate which parts of the building are being retained or rebuilt and areas of new work. An applicant may also be requested to submit detailed drawings, at a scale of 1:10 or 1:20, of joinery profiles, mouldings, type of glazing and ventilation arrangements. Drawings should also be fully annotated to indicate all materials to be used. The types of heating and foul drainage proposed should be indicated so that the size and location of any proposed flues and soil pipes can be assessed;
- Plans and layouts of the site at a scale of 1:200 which indicate garden areas, parking spaces, boundary treatments, external storage areas, landscaping and existing and proposed accesses. Details of how the proposal will be served in terms of electricity, telephone and the location of external fuel tanks (oil, biomass, liquid gas etc) should also be submitted. Where there are adjacent buildings, which are to remain in agricultural use, details of the existing and proposed use of such buildings will be required;
- A statement setting out the history of previous land uses or activities, and, where relevant, a scheme of investigation and remediation for dealing with contaminated land;
- The new development will have to comply with all other relevant policies of the local plan and supplementary planning guidance approved by the council. This will include the council's affordable housing policy and education contribution policies;
- Development which cannot be serviced by existing infrastructure including, but not exclusively, education, roads / transportation, water and drainage will not be permitted unless funding for necessary infrastructure improvements is fully committed;

8.24 Applicants should ensure when submitting planning applications that the requirements of Building Standards have also been taken into account. Later amendments to planning permissions and listed building consents arising from requirements under the Buildings Standards, such as means of escape, ventilation arrangements, access for the disabled and drainage, will not automatically be approved if such amendments result in unacceptable changes to the character of the building.

8.25 These documents will provide a detailed appraisal of the current buildings and their potential for development. In addition, they will provide a record of the building and its features prior to any works being undertaken. Whilst the documents are essentially historical and technical, they should be written in a manner that is capable of being understood easily by all, not just those involved in the construction industry. It is accepted that technical terms cannot be avoided but these should be explained, where necessary, in a glossary.

8.26 The degree of recording required will vary from building to building. In order to ensure that an appropriate level of recording is carried out, the council may ask for one of the following levels of survey:

SURVEY LEVEL	DRAWINGS	PHOTOGRAPHIC RECORD	WRITTEN REPORT
STANDARD	Annotated plans and elevations	Elevations	Basic description and archive assessment
DESCRIPTIVE	Annotated plans and elevations with main features described	Elevations, interiors and features	Detailed description and archive research
ANALYTICAL	Measured plans and elevations showing phases of historical development and noting all features and materials	Elevations, interiors, features and details	Fully detailed description and archive research
COMPREHENSIVE	Measured plans, elevations and sections showing phases of historical development and describing all features and materials	Comprehensive record of the exterior and interior elevations, features, details, materials, roof etc	Comprehensive description and archive research

8.27 Additionally, some buildings will require an archaeological investigation to be undertaken. Prior to any works taking place on site, a written scheme of investigation will need to be agreed and approved in writing with the council's and its archaeological service.

8.28 Some buildings that are the subject of conversion proposals are listed as being of architectural or historic interest. (The listing also applies to fixtures and other buildings within the same curtilage). Others may fall within conservation areas. A separate application for listed building consent or conservation area consent must be made for any alterations or extensions that would affect the character of these buildings. There may be cases where the special architectural and historic character of a listed structure and its setting are so sensitive that conversion is not possible without compromising this architectural or historic value. In these instances planning permission, listed building consent and or conversion consent will not be granted.

8.29 Rural buildings may be the habitat of bats and owls. Roosts for these creatures are protected by the provisions of the Wildlife and Countryside Act 1981 and conversion works must therefore be designed and undertaken without endangering these legally protected species and their nesting or roosting sites. Buildings should be surveyed by a qualified professional and, where appropriate, proposals for wildlife mitigation measures should be included in a pre-determination survey submitted with the application for planning permission. Where a nest or roost can be retained, developers will be required to incorporate features such as bird boxes, owl holes or an undisturbed loft space. If protected species are found, work must not be commenced until Scottish Natural Heritage (SNH) has been consulted on the results of the survey and mitigation required.

Renewable energy

8.30 Attention is drawn to Scottish Planning Policy 6 *Renewable Energy* (SPP6), which sets out how the planning system should manage the process of encouraging, approving and implementing renewable energy proposals when determining planning applications. It identifies a requirement to incorporate micro-generation into new and existing developments and the council has interpreted this by introducing a specific requirement for all applications for new rural housing and for building conversions which propose a development with a cumulative floor space of 500 square metres or more to embrace on-site appropriate renewable energy generation source/s contributing an extra 15% reduction in carbon dioxide emissions beyond the 2007 Building Regulations standard.

8.31 Furthermore, an Energy Efficiency Statement setting out how the necessary reduction in carbon dioxide emissions can be achieved through on-site renewable energy production; and detailed plans and a Design Statement to show how on-site renewable energy measures will be incorporated sensitively and innovatively throughout the overall scheme must be submitted with applications.

8.32 Sustainable Scotland, the Scottish Government's housing and regeneration agency, has also produced the *Sustainable Housing Guide for Scotland 2007* which is a useful reference source providing comprehensive and user friendly information on ways of incorporating sustainability principles into housing development and rehabilitation schemes.

NEW FARM BUILDINGS

9.1 While traditional farm buildings are usually small and built of local materials and in a local style, modern farm buildings are generally larger and as cheap and maintenance free as possible, reflecting the need for better performance and greater efficiency. They are often manufactured from materials that are not only artificial but also *foreign* to an area and as a result have an unfortunate tendency to stand out in the countryside more than they need to. However there is much that can be done, at little or no additional cost, to integrate them more sensitively into the landscape.

9.2 It is important to consider the proposed site in terms of its effectiveness and convenience in relation to the farm as a whole. This includes the movement of machinery, materials and stock from the surrounding road system and to and from the fields and other buildings on the farm.

9.3 It is also necessary to determine the obvious view points from which the proposed building would normally be seen, for example, from roads, footpaths, nearby villages and towns, picnic sites, car parks, etc. From the various vantage points the impact of a proposed building can be assessed and alternative sites compared. It is often possible to make relatively minor changes to siting and layout, which can result in considerable improvements to the appearance of the building in the landscape.

9.4 The objective should not be to hide or to camouflage the building but to fit it into the lie of the land, and where possible, sited within an existing group of buildings rather than standing in isolation unless they would be unduly dominant in relation to the farm.

9.5 A single, large building will have a greater impact on the countryside than a cluster of smaller buildings, which can be more easily incorporated, into their surroundings. The apparent bulk of a building can often be effectively reduced by breaking it into smaller components, by keeping the overall height to a practical minimum, by careful choice of materials and colour, and by introducing tree planting of a standard appropriate to the existing landscape character.

9.6 Traditional buildings in the countryside are 'earth' coloured because they were often built of materials from a quarry nearby. The colours of the local building materials are usually the most suitable for new buildings to help them blend into the surroundings. Dark colours are generally preferable as they make objects appear smaller especially at a distance; light colours on the other hand make them appear larger and more conspicuous. The use of dark coloured



sheeting can help to prevent large expanses of roof and walls becoming too prominent and assertive. Dark colours, drawn from the following suggested list of British Standard colours, are recommended for sheeted buildings: 08 B 29 (dark brown); 10 B 25 (dark khaki green); and 00 A 13 (dark grey) /18 B 29 (dark grey). For external walls the use of lighter shades of the colour employed on the roof can help reduce the apparent scale of a building. The following colours may, therefore, be appropriate in construction of external walls of individual buildings: 18 B 25 (slate grey) and 08 B 25 (muddy brown).

9.7 Timber boarding, often dark-stained, is usually the best option for wall panels as it assimilates well into the landscape. The use of reflective materials on external elevations and walls should always be avoided.

9.8 Lower sections of walls are often finished in concrete blockwork and it may sometimes be necessary to paint blockwork to complement the panelling above and to achieve a better quality of finish. Where buildings will be prominent from important public vantage points (for example, within a designated conservation area, sited close to a listed building, or in an area important for its view) there may be justification for external elevations to be finished in rendered brick or even stone dependent on local building traditions.

9.9 Maximum use should always be made of existing natural features to help absorb new farm buildings into the landscape. This could involve setting a building into an existing slope or utilising existing woodland cover as a screen, though new buildings will not necessarily be expected to be totally hidden. New tree and shrub planting can also help to soften the outline of farm buildings: associated landscaping is therefore to be welcomed.



LOWLAND CROFTING / VERY LOW DENSITY RURAL HOUSING AND WOODLAND DEVELOPMENT

10.1 Lowland crofting, or to use its proper title *Very low-density rural housing and woodland development* was a concept originally pioneered by the former West Lothian District Council in the early 1990's and is compliant with national and local planning policies relating to development in rural areas.

10.2 In particular, Scottish Planning Policy 15 *Planning for Rural Development* (SPP 15) provides guidance on the circumstances when appropriate development in the countryside should be supported and is more permissive than the previous Scottish Government guidance, SPP 15 has a vision of allowing people to live and work in the countryside to bring new life to many places that have had years of decline. This could be seen as applying in some parts of West Lothian where there is a preponderance of degraded landscapes. Planning Advice Note 60 *Planning for Natural Heritage* (PAN 60) also recognises and supports lowland crofting as an initiative for harnessing the demand for rural living to secure an improved landscape.

10.3 Policy ENV 3 of the approved *Edinburgh and Lothian Structure Plan 2015* specifically supports lowland crofting by name. It allows for development in the countryside which is compatible with the rural character of an area and which can contribute to rural diversification. Specifically, the policy states that diversification of an appropriate scale and character on agricultural land, including lowland crofting, can contribute to the support and diversifying of the rural economy, maintaining communities and services and effecting landscape improvement.



10.4 Chapter 3 of the adopted *West Lothian Local Plan 2009*, entitled *The countryside of West Lothian* explains the background to the initiative and policy ENV 35 identifies the detailed criteria against which proposals will be considered on receipt of a planning application.

10.5 Lowland crofting does not in fact have anything to do with traditional Scottish crofts under the crofting legislation and there is no expectation or requirement that people will work the land in order to make their living.

10.6 Ostensibly, lowland crofting offers individuals an opportunity for rural living, a not unattractive proposition in so far as it is ordinarily very difficult to secure planning permission to build a new house in the countryside unless it is for an agricultural worker or someone

employed in a necessarily based rural businesses.

10.7 However the fundamental purpose of the initiative is to secure lasting change to the landscape of some of the bleaker and more degraded parts of the West Lothian countryside through the comprehensive restructuring of farms, mainly through new woodland planting as a contribution to the development of the Central Scotland Forest, and by securing improvements to natural heritage and public access to the countryside.

10.8 Essentially, it provides for the subdivision of some of the most marginal farms in the south and west of the district, areas which are recognised as being of poor environmental quality, and for the formation of an agreed number of serviced building plots within a restructured landscape incorporating substantial areas of new woodland.

10.9 The initiative is designed to apply to the restructuring of whole farms where a number of *crofts* may be formed. An individual croft holding can range between 1 hectare (2.5 acres) and 4 hectares (10 acres) but at least 50% of the ground around a new house must be devoted to native woodlands, public access, biodiversity, conservation and enhancement. Typically, lowland crofting developments shall ordinarily be for a whole farm or other area large enough for comprehensive treatment, normally not less than 40 hectares (98.8 acres).

10.10 Implementation of the scheme is achieved through a combination of planning conditions and legal agreements. The legal agreements do not allow for sub division of plots in order to maintain the density approved and the strategic planning and environmental objectives and ultimately, the landscape character of the locality. However, not every site or farm, even within the geographical area identified in the adopted *West Lothian Local Plan 2009*, will prove suitable for lowland crofting.

10.11 The appearance of some parts of the countryside within this area is perfectly satisfactory and is not demonstrably detrimental to visual or environmental amenity. The landscape is not considered to be sufficiently degraded in nature to warrant the scale of improvement and remediation which crofting is designed to deliver and simply does not require the degree of intervention that would necessitate a significant element of new housing to achieve this.



10.12 There are also some specific locations that are especially sensitive to new development and are embraced by local landscape designations, e.g., Areas of Great Landscape Value, Areas of Special Landscape Control and Countryside Belt. Within these areas lowland crofting is not considered to be appropriate. Only in very exceptional circumstances, and only where exceptional improvements to the landscape, biodiversity and access opportunities can be secured will an

exception be considered.

10.13 It is also the case that lowland crofting has to some extent become a *too successful* in so far as the take up over the last decade has meant that the capacity of the remaining

landscape to benefit from this type of development has become much reduced in places.

10.14 Those parts of the countryside that have already absorbed a significant number of crofts cannot satisfactorily accommodate any more. The coalescence of neighbouring crofting schemes, while beneficial in terms of facilitating public access and woodland development, does have a down side in that the cumulative impact can adversely skew the density of built development in a particular geographic area and thus seriously undermine the character of the landscape. In view of the foregoing it is now the council's stated policy that a new, more focused and more discerning approach should be adopted when considering and selecting candidate sites. This will focus primarily on the existing landscape character of an area and its potential to benefit from additional woodland planting and the need to avoid the suburbanisation of the countryside.

10.15 When assessing new schemes, The Landscape Character Assessment for West Lothian by ASH Consulting Group (SNH Review No 91, 1998) will therefore be used to inform understanding of local landscape character. New schemes should prove that they will not adversely affect local landscape character or visual amenity. There will be a requirement on applicants to submit a landscape and visual impact assessment with their planning application in order to demonstrate that the proposal will yield a clear benefit in terms of enhancing the local landscape character and visual amenity. A biodiversity assessment will also be required as part of the planning process.

10.16 While the justification for and the legitimacy of lowland crofting schemes is quite specific, it is the case that much of the siting and design criteria for new housing that is contained elsewhere in this SPG is equally applicable and should be referenced by parties engaged in the design of houses on lowland crofts.

10.17 When the lowland crofting policy was first adopted in the 1990's the council produced the *Draft Lowland Crofting Handbook* to accompany it, and despite this never having been formalised, it has provided comprehensive and relevant guidance for anyone contemplating undertaking this kind of development.

10.18 This document has now been updated to reflect current planning policy, legislative and organisational changes and the handbook continues to offer the most authoritative guidance on the council's policy relative to lowland crofting. It is strongly recommended that prospective applicants obtain a copy of the handbook prior to making any substantive commitment to pursuing a lowland crofting scheme. A copy of the handbook can be obtained from Planning Services or can be viewed on the council's web site at **www.westlothian.gov.uk**

10.19 The council is also keen to encourage applicants and agents to take advantage of the opportunity to have pre-application discussions with a planning officer about such a proposal, and where appropriate, other relevant parties including statutory and non-statutory consultees, can be brought into this process.

10.20 Pre-application discussions can be particularly useful in helping applicants and agents identify the issues to be covered and information that will be needed to support any application for planning permission, which in turn can help minimise delays later in processing the application. To arrange an appointment or to obtain further information and please contact the council on 01506 280000 or email dpgeneral@westlothian.gov.uk

PLANNING AND DESIGN CONSIDERATIONS RELATIVE TO THE CONVERSION AND REUSE OF RURAL BUILDINGS

11.1 It is accepted that a certain amount of alteration work will be necessary to accommodate modern living or working conditions. However, this work must be balanced with the need to retain those important features, which give buildings their distinctive agricultural identity.

11.2 Because of the diverse nature and form of buildings it is not possible to set down a definitive approach to design and there may be individual buildings where bespoke advice needs to be sought from appropriate council officers. There are, however, a number of general guidelines which should be adhered to and these are set out below.

Retention of original features

11.3 Original features such as fixed machinery, cart arches, lintels, weather vanes, stone steps, ventilation slits, carved stones, stone troughs, cobbled areas etc should be retained in situ or sensitively adapted.

11.4 Where openings need to be blocked up a sympathetic material should be used and recessed to emphasise the original opening. The treatment of full height cart doors in particular requires careful consideration. Those should generally be expressed as large openings either glazed or in timber infill, with a slight recess.

Density / number of residential units

11.5 Where it is proposed that a single building is to be split into multiple units, the design should retain the original unified character and style and this should predominate over considerations of internal floor planning. It is an unfortunate fact that some steadings, which have previously been converted, have lost their character because of the insertion of too many residential units. The number of units to be provided should therefore be kept to the absolute minimum to limit alterations and safeguard the character of the building. Experience also suggests that the fewer the units the easier it is to retain the original character and it appears that steadings which contain fewer units are in fact often more sought after and marketable.

Internal division and alterations

11.6 By the nature of their intended purposes, many rural buildings are open plan internally and the existing internal volumes and spaces of buildings are a very important part of their character. The subdivision of a large internal space will not be appropriate if the space forms an integral part of the character of the building (for example, the threshing bay of a barn or the loft of a granary). Every effort should be made to retain these original spaces and volumes as far as possible. This may necessitate the acceptance of unconventional layouts.

11.7 The insertion of partitioning should be kept to a minimum. For instance, in the case of residential use it would be more sympathetic to use a space as a single large living room rather than divide it up to form several smaller ones or siting bedrooms at ground floor level with a living room open to the roof above. Where partitioning is necessary it should follow existing bay divisions such as the line of roof trusses.

11.8 Internal features that form part the building's character (for example, exposed beams, rafters and purlins; floor joists; roof trusses; solid room partitions; floorboards; tiled or stone floors; and original fittings) should be retained and incorporated in the conversion.

Form

11.9 Farm buildings have a functional simplicity that is part of their appeal. The council believes that farm buildings should be preserved in their original form. The building should, therefore, be large enough for conversion without the need for substantial and alien new extensions. If an addition to the building is unavoidable, extensions should be a subsidiary element of the original building that can be achieved by keeping the extension small scale, simple and unobtrusive. Acceptable designs could include single storey lean-to, gable end, or flank extensions. An alternative may be a neutral link to another simple form.

Materials

11.10 Many old buildings are not compatible with the use of modern materials such as cement, UPVC, cement fibre slates etc., often resulting in problems associated with damp, condensation, fungal growth, brick spalling, structural cracking etc. For these reasons, and in order to maintain the authenticity and integrity of the conversion, the use of traditional materials is ordinarily demanded.

Roofs

11.11 Roofs are an important feature of traditional farm buildings. Roofs dominate elevations and can be seen from over a wide area. Unbroken roof slopes are a characteristic feature of traditional farm buildings and they should therefore not be raised nor the roof pitch altered. Only in exceptional cases will this be permitted, and even then these must be kept to the minimum in order to ensure that the overall character of the building is not changed.

11.12 Where the roof covering is damaged and in need of repair as much of the existing material should be retained as possible including the timber-supporting frame, with gaps being replaced by salvage materials. Where new materials are used, these should match the existing and their use should be restricted to the less prominent elevations, as it may be difficult to provide a perfect match due to the differences caused by weathering. Where it is necessary to replace an entire roof only traditional clay pantiles or natural slate should be used. These should match the existing in terms of size, colour, etc.

11.13 Barge boards should not be added to gables with plain verges. Fascia boards should not be added to eaves with exposed rafter ends. Vents, waste pipes and flues should be placed at lower locations or within the roof structure itself, as these are alien features on traditional farm buildings.

Dormers and rooflights

11.14 Dormers are not usually found on agricultural buildings and they can be disproportionately responsible for a change in the building's character. It is less visually damaging to disrupt walls than the roof and where necessary it may be preferable to supplement the level of light by forming an opening in the gable end.

11.15 Roof lights can also be disruptive as they can catch the eye by reflecting open sky and sunlight. However, if positioned as unobtrusively as possible, for example on inside roof slopes and at lower levels and used sparingly, vertically proportioned, flush fitting conservation roof lights which have the appearance of cast iron, with glazing bars and with non-reflective glass may be allowed.

Chimneys

11.16 The addition of chimneystacks can damage the agricultural appearance of the farm buildings by creating a domestic image. Where no chimney exists, then a small metal flue pipe finished in black may be acceptable, provided it is located on the roof slope and set away from prominent facades.

Rainwater goods

11.17 Traditionally, rain was allowed to run off the eaves of farm buildings, there being no roof drainage system. New gutters and down pipes should therefore be as few as possible and located on less prominent elevations. On more recent buildings black painted cast iron is used to deal with rainwater. The guttering is held on by rise and fall brackets which are embedded into the masonry. Cast iron has, therefore, become a traditional feature and for this reason is the council's preferred choice of material. However, the use of other more modern materials, which can achieve the same effect, will not necessarily be ruled out.

Walls

11.18 Stone walls should always be retained and repaired / rebuilt in a manner to match the original and should not be roughcast unless there is good reason to do so. Where roughcast is acceptable only a traditional wet dash harl should be used. Where an approved element of rebuilding forms part of the conversion scheme, then the existing materials should be re-used. The use of modern materials will be immediately noticeable; therefore new work should blend in harmoniously with old. New stonewalling should always be reclaimed and in good condition. Stonework should be regular, coursed or brought to horizontal courses if rubble type. Mortar mix and pointing / re-pointing is also important. Pointing should be flush with the wall surface with *brushing* when the mortar is almost dry. Traditional lime based mortars are now readily available and are desirable for the stonework. Analysing surviving samples can often identify an exact match for original pointing relatively easily.



The Lime Centre at Charlestown in Fife can provide this service to work out the original composition of the mortar in terms of lime and sand composition. This is important in terms of protecting original stonework from damage. They can be contacted by telephone on **(01383) 872722** or by e-mail at **SLCT@scotlime.org**. Care should be taken not to smudge the face of stone or brickwork and the aggregate used should be selected to match the original mortar.

Window and door openings

11.19 A difficulty experienced in conversion schemes is to enable sufficient natural light into a building, without the creation of a considerable amount of new openings that can seriously damage its existing character. Wherever possible, existing openings should be retained. Agricultural buildings are characterized by few window and door openings. Therefore, keeping new opening to an absolute minimum in number and size should retain the simplicity of the building. Where new windows and doors are unavoidable, they should be sympathetic in design, proportions and materials and reflect the proportions and detailing of the existing openings. Factory made doors and windows may not be appropriate and may need to be purpose made. The use of UPVC will generally be unacceptable and all external timber should be painted rather than stained. Patio doors and other details of an obviously domestic character are generally unsympathetic and are unlikely to be acceptable.

11.20 All timber frames, doors, windows and roof trusses should be preserved as completely as possible, where appropriate. The repair and adaptation of existing features is preferred to their replacement. However where new joinery is necessary it should be of materials and finishes to match the existing.

11.21 Where original details are painted this should be followed and maintained as such in future.

11.22 Stained or varnished tropical hardwoods are inappropriate. Many external paint manufacturers now offer a heritage range of paint colours that are more sympathetic to old farm buildings than modern, brilliant white. The use of brilliant white paint finishes will be resisted.

Extensions

11.23 The emphasis in any conversion scheme must be upon demonstrating that the building in its present form is suitable for the proposed new use. There is thus a general presumption against large extensions to existing buildings which would significantly change their appearance and character.

11.24 Ordinarily, extensions will only be given favourable consideration when there is a clear and demonstrable design justification and when such works would not be detrimental to the architectural integrity of the building(s). This will mostly be confined to instances where there is a requirement to unify or link buildings together or to re-instate lost elements of the original building(s). Extensions, which are simply proposed for the purpose of increasing the floor area of a particular unit, are unlikely to secure support. The overarching consideration will at all times be to ensure that extensions do not detract from the authentic form and character of the building(s).



Curtilage

11.25 In order to protect the character and setting of buildings their surroundings should be kept as non-domestic as possible. Patios, formal gardens and domestic type gates, walls and fences are not normally acceptable.

11.26 The treatment of the curtilage of rural buildings (the land immediately surrounding a building and directly related to it) is crucial to the retention of its rural character, particularly in areas of elevated and open countryside. The expansion of the original curtilage of a building into the surrounding area for garden use and car parking should generally be avoided. It should remain open and uncluttered and should not be divided up to provide small domestic gardens. Hard surfaces should be avoided where none previously existed and permeable materials used to reduce surface water run-off.

11.27 Modern ground surface materials such as tarmac and concrete are sometimes out of keeping with the character of traditional rural buildings, although there are instances when tarmac may be suitable. Wherever possible, existing stone sets, cobbles or other suitable/sympathetic materials should be retained or re-used and supplemented where necessary.

11.28 Where there is scope for private areas in residential conversions these should be screened with hedging and walls of stone and should follow existing natural or manmade boundaries such as hedge lines or farmyard boundary walls. The treatment of boundaries should reflect the building's rural character with simple post and rail fences stone walls and timber gates being acceptable.

Landscaping

11.29 Generally, hard landscaping will be appropriate to courtyards and soft landscaping appropriate elsewhere. Existing landscape features should be retained where possible. Planning applications should be accompanied by a fully detailed landscaping scheme.

11.30 Existing original surfacing materials such as brick paviors, flagstones or cobbles should be retained or re-used. Any new areas of surfacing should be in matching or appropriate traditional materials. Modern ground surface materials such as tarmac and concrete are sometimes out of keeping with the character of traditional rural buildings.

11.31 It is important to identify suitable areas for tree planting for privacy, enclosure, integration or shelter. Off-site tree planting can be used, where feasible, to mitigate the effects of new development from distant views.

11.32 An analysis of trees, hedgerows etc in the broader vicinity of the development is likely to provide a good indicator of species which will enhance the local landscape character and in order to maintain local habitats and conserve the distinctive natural heritage of the countryside it is important that new tree, hedge and shrub planting should be of native, predominantly deciduous species. Conifers, particularly Leylandi hedging and ornamental tree species should be avoided.

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11.34 It is of most value to wildlife if planting is undertaken in substantial belts or groups of trees linked to existing hedgerows or copses to provide wildlife corridors. Planting within existing hedgerows and new hedge planting is also important and, if space permits, woodland planting of native species will be encouraged though the design of planting should be in keeping with the local landscape character. The following species are appropriate for their wildlife value.

11.35 Ash, Aspen, Beech, Silver Birch, Downy Birch, Bird Cherry, Wild Cherry, Crab Apple, Field Maple, Small-leaved Lime, Large-leaved Lime, Common Oak, Sessile Oak, Scots Pine, Rowan, Whitebeam, Blackthorn, Broom, Dogwood, Gorse, Guelder Rose, Hawthorn, Hazel, Holly, Dog Rose, Field Rose and Grey Willow.

11.36 It is strongly recommended that a recognised landscape or forestry contractor be engaged to do the planting and initial maintenance. Any deficiencies during this period will then be made good under the contract.

11.37 Planning applications should be accompanied by a fully detailed landscaping scheme, including proposed plant species, ground preparation, planting specification, protection measures and maintenance arrangements.

Boundaries

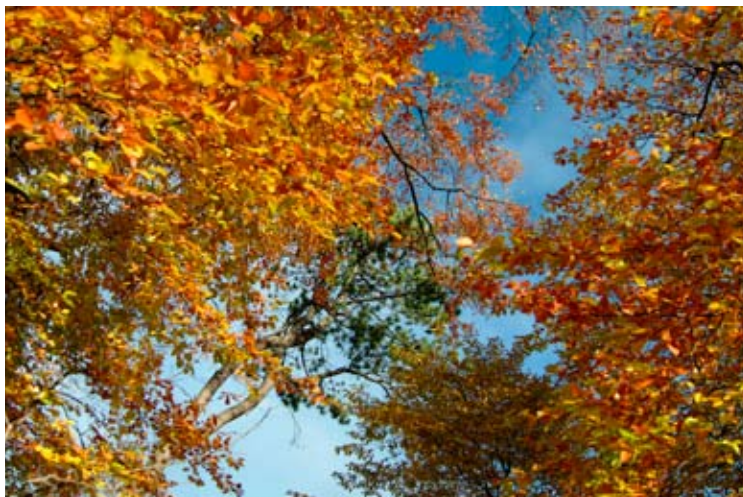
11.38 The boundaries to traditional rural houses often have drainage ditches, hedges and walls located along the perimeter. Boundary walls are traditionally constructed with rubble. Such treatments gave shelter, provided drainage and blended the property into the surrounding countryside. This should be replicated.

11.39 Where there are existing boundaries, e.g. hawthorn or beech hedging, stone walls and other significant landscape features, they should be retained and protected during construction. When it is necessary to remove such features for example in the provision of visibility splays, they should be reinstated.

11.40 Particular attention should be paid to the hard landscaping of surfaces such as driveways and to the treatment of walls and fences. Traditional field fences are post and wire and new developments should adopt the same. Suburban boundary features including concrete block walling and larch-lap or ranch fencing cost more, need more maintenance, are less robust, and will always appear alien and are inappropriate in the rural landscape. If tighter fencing is needed, a wire grid such as rylock serves well, or rabbit mesh to protect woodland plantations, perhaps with one top rail. Beech and hawthorn hedges will be warmly encouraged, and repay the time and effort needed to establish them.

Protection of existing woodlands, trees and hedgerows

11.41 It is expected that conversions or new development will protect existing on site vegetation wherever possible. Applicants are nevertheless required to provide a location plan and appropriate details of all existing vegetation on site. Additionally, further



information on the methods for retention and protection of vegetation on site during construction should be put forward. This should accord with the principles of *BS 2837 (2005) - Trees in Relation to Construction*.

11.42 Where existing vegetation is proposed for removal the applicant should clearly show on a plan the location of the vegetation and should provide written justification for its removal.

After-care and management of planting and habitat features

11.43 Failure by developers to deliver aftercare and an appropriate maintenance regime is a recurring problem and one the council is committed to addressing. While this matter is potentially more significant in relation to larger developments including steading conversions and lowland crofting schemes, the omission of more modest works allied to improving the siting of single houses is just as important.

11.44 The council will seek to secure an ongoing programme of maintenance through the imposition of planning conditions and, where necessary, a legal agreement under *Section 75 of the Town and Country Planning (Scotland) Act 1997*. These will be reinforced by robust monitoring and enforcement.

Access and parking

11.45 In terms of access and parking, the advice of the council's Transportation Manager will be sought in each Instance.

11.46 Access to traditional farm buildings usually follows field boundaries along the lines of hedges and walls. As a result they are usually discreet, blending in naturally with the landscape. Proposals for the conversion of farm buildings should wherever possible retain existing access points. If the existing access cannot be retained, any new access should follow natural boundaries and must avoid crossing the middle of the fields.

11.47 Sites requiring the formation of a new access from a classified road will generally be discouraged as this could contribute to the suburbanisation of the countryside. However, in circumstances where a new access is deemed necessary it should follow natural boundaries and must avoid crossing the middle of the fields. It is also important that it is not *over engineered*. Individual entrance driveways off the public road can make or break the appearance of a development. Traditional farm entrances are simple and practical. Their beauty is in what they do not have - no gate, no lampposts, no big signs, no kerbing, no special surfacing, no elaborate walling or fencing. Just openings off the road, with the field fences or hedges returning neatly up either side of the track. Any elaboration beyond this should be carefully considered and detailed to avoid suburban tendencies.

11.48 Regardless of what arrangements are made, it is important that all public rights of way are respected and not impeded and applicants will be encouraged to facilitate and or improve, where practicable and reasonable, access to and from existing rights of way and core paths.

11.49 Parking should be provided in accordance with the council's general guidelines. This states that houses with up to two bedrooms ordinarily require one residents space + 50% visitors parking and houses with three or more bedrooms require two residents spaces + 25% visitors parking.

11.50 Parked vehicles significantly detract from the appearance of farmyards and contribute towards the creation of a domestic appearance. Careful consideration must therefore be given to the sensitive siting and design of car parking and garaging and it is usually preferable if vehicles can be kept out with the converted building group. Where integrated parking is deemed to be appropriate garaged cars should be accommodated in buildings with former loading bays and barn doors. Storage space, internal and external, should be accounted for at the design stage. As with car parking, careful consideration should be given to the siting and screening of any external storage areas, ensuring that there is a minimal impact upon the building and its surroundings by utilising screening through existing or new walls or through landscaping measures.

Water supply and drainage arrangements

11.51 Applicants will be required to agree detailed arrangements for the supply of water at an early stage in the design process. This will necessitate consultation with Scottish Water, SEPA, council planning officers, and, in the case of a private supply, the council's environmental health officers.

11.52 Applicants will be required to agree detailed arrangements for the treatment of foul and surface water drainage an early stage in the design process. This will necessitate consultation with Scottish Water, SEPA, council planning officers, and, when appropriate, the council's Flood Prevention Manager and Transportation Manager.

11.53 The council, as planning authority, will be seeking an innovative strategy for sustainable drainage that complies and, ideally, exceeds the minimum standards laid out in contemporary guidelines and regulations. It is advised that SEPA require drainage proposals for all new developments to comply with the requirements of the Water Environment (Controlled Activities)(Scotland)Regulations 2005. Furthermore, foul discharges which are not connecting to a Scottish Water sewage network will require SEPA authorisation and surface water drainage will be required not to result in pollution of the water environment and can be accessed via the SEPA website at www.sepa.org.uk/pdf/publications/wdf/suds_leaflet.pdf



11.54 Applicants will ordinarily be required to submit a site specific Drainage Impact Assessment (DIA) as part of their planning application. The Assessment must be comprehensive and must address the issues of foul and surface water and, where applicable, ground water including land drainage. It must detail the measures that are proposed to deal with quality, quantity, environmental and amenity issues associated with surface and ground water pre and post development. In preparing their DIA, applicants are referred to the document *Drainage Impact Assessment – A Guide for Scotland* published by SEPA.

11.55 There is a general requirement for developers to fully grout any existing land drainage system to prevent the passage of ground surface and ground water beneath infrastructure.

Flood risk

11.56 It is also important that flood issues are adequately addressed in terms of *SPP7 Planning and Flooding* by developers when formulating proposals. Particular attention is drawn to Section 3(b) of the risk framework which states that undeveloped and sparsely developed areas in medium to high risk areas are generally not suitable for development, as are greenfield sites within the 1 in 200 year return period flood envelope. SEPA's website on flooding, which includes links to the Flood Map and SEPA policy, can be accessed via the SEPA website at www.sepa.org.uk/flooding. The council has also produced a separate SPG on *Flood risk and sustainable drainage* which is currently obtainable on request and will at a future date be downloadable from the council's website at www.westlothian.gov.uk

11.57 The council recommends that all applicants adopt a precautionary approach with regard to the matter of flood risk. However where a development site is adjacent to a watercourse, including one or more culverted watercourses, ponds or a functional flood plain, there will ordinarily be a requirement to submit a full Flood Risk Assessment complying with Annex B of the Scottish Environment Protection Agency Policy No 4 *A SEPA Planning Authority Protocol* and CIRIA Report C624 *Development and Flood Risk : Guidance for the Construction Industry* (ISBN:096017624x). A suitably qualified and experienced hydrologist or chartered civil engineer must carry out such a study.

Soil

11.58 The council has a *Soil Sustainability* plan, Due to the heavy local soils and the typically poor drainage characteristics, applicants must strip topsoil and store it in accord with guidelines / conditions issued by the planning authority.

Services

11.59 Particular care needs to be given to services that can have a damaging visual effect. Gas, oil and biomass storage tanks, refuse storage, septic tanks, water pumping stations etc. must be sensitively sited and well screened so as not to detract from the character of the buildings whilst utility control boxes, alarm boxes, satellite dishes and flues etc., should be positioned on less prominent elevations.

11.60 At the design stage, provision should also be made for the accommodation of garden equipment, refuse and fuel storage in a similarly unobtrusive manner.

11.61 Any external lighting that is required should be minimalised to what is absolutely essential and should be controlled by a timing device in order to reduce the negative effect of the character and setting of rural areas and on wildlife. It should in any event accord with *Scottish Government Guidance (2007) Controlling Light Pollution and reducing Energy Consumption*. The council will be producing supplementary planning guidance on this subject during the course of 2009.

11.62 Ground, air and water source heat pumps should be considered as a mechanism for providing space heating and to pre-heat domestic hot water. Installing them with other building works at the time of construction can substantially reduce costs.

11.63 Sustainable Scotland, the Scottish Government's housing and regeneration agency, has produced the *Sustainable Housing Guide for Scotland 2007* which is a useful reference source providing comprehensive and user friendly information on ways of incorporating sustainability principles into housing development and rehabilitation schemes.

Renewable energy

11.64 Attention is drawn to Scottish Planning Policy 6 *Renewable Energy* (SPP6) which sets out how the planning system should manage the process of encouraging, approving and implementing renewable energy proposals when determining planning applications. It identifies a requirement to incorporate micro-generation into new and existing developments and the council has interpreted this by introducing a specific requirement for all applications for new rural housing and for building conversions which propose a development with a cumulative floor space of 500 square metres or more to embrace on-site appropriate renewable energy generation source/s contributing an extra 15% reduction in carbon dioxide emissions beyond the 2007 building regulations standard.

11.65 Furthermore, an Energy Efficiency Statement setting out how the necessary reduction in carbon dioxide emissions can be achieved through on-site renewable energy production; and detailed plans and a Design Statement to show how on-site renewable energy measures will be incorporated sensitively and innovatively throughout the overall scheme must be submitted with applications.

Disability compliance

11.66 An inclusive design approach is required to incorporate facilities for disabled people in compliance with the Disability Discrimination Act 1995.

Permitted development rights

11.67 Where planning permission is granted for residential conversions permitted development rights may be removed by the imposition of a planning condition. All subsequent alterations and extensions to the existing building and the erection of additional buildings/structures such as garages and sheds will require to be made the subject of an application for planning permission. This is to avoid the loss of a building's character through a series of small changes that, cumulatively, can have an adverse effect.

Miscellaneous

11.68 In residential conversions, conservatories, pools, shed, interwoven fences and ornate entrances etc. may detract from the character of the building and its setting. The incorporation of agricultural land into a building's curtilage constitutes a change of use and will require planning permission but will normally be discouraged.

11.69 The conversion of traditional farm buildings to residential use is one of the very few instances of where new residential development in the countryside is allowed without the usual occupancy constraints. In any conversion scheme, it must be remembered that one of the reasons why the council allows this to happen, it that it secures the retention of buildings of local heritage and landscape importance for future generations.

11.70 The responsibility for ensuring that all necessary infrastructure and services are available is the responsibility of the applicant. A proposed development may have to be refused planning permission if essential services cannot be made available or it would impose an excess resource commitment on the council.

Further guidance

11.71 The following publications are recommended to applicants and agents who are seeking further guidance on this subject. If you are having difficulty in sourcing them please contact the council's Planning Services who may be able to help.

- ***Scottish Government Planning Policy Guidance***

- SPP 3 Planning for Housing

- SPP 15 Planning for Rural Development

- ***Scottish Government Planning Advice Notes***

- PAN 36 Siting and Design of New Housing in the Countryside

- PAN 67 Housing Quality

- PAN 68 Design Statements

- PAN 72 Housing in the Countryside

- PAN 73 Rural Diversification

- ***Scottish Government Guidance***

- Designing Places - A Policy Statement for Scotland

- Guide to Farm Diversification and Planning Permission in Scotland

- ***Historic Scotland***

- Rural Buildings of the Lothians : Conservation and Conversion – Guide for Practitioners

- Farm Architecture – The Listing of Farm Buildings

- ***Scottish Civic Trust***

- New Uses for Old Buildings in Scotland

- ***West Lothian Council***

- The Farm Steadings of the Bathgate Hills

PLANNING AND DESIGN CONSIDERATIONS RELATIVE TO NEW HOUSES IN THE COUNTRYSIDE

12.1 The purpose of this guidance is to improve the quality of design and to help to ensure that when new houses are approved in the countryside they achieve a better fit in the landscape.

12.2 The countryside is one of our greatest assets whose character and quality stems from the presence of a range of traditional buildings, local styles and local materials. Buildings have evolved in response to their setting and their function on the land and have become familiar features of the rural environment.

12.3 There is an unfortunate tendency for proposals for new houses in the countryside to seek to replicate the style and appearance of typical suburban development. Much of the unsatisfactory new housing which is evident in the countryside today has resulted from the adoption of catalogue or *identikit* type housing where such houses have been randomly located on a site with no relation to orientation, aspect, site surrounds, local characteristics and the needs of the individual. This has resulted in buildings that are incongruous in their rural setting and the effect has been to debase the distinctive local character and to blur the contrast between town and country. Inappropriately designed houses can also prove to be an expensive mistake for the owner with the result that no one is really satisfied with the end product.

12.4 The local vernacular tradition and landscape setting of the countryside demands a different scale and form of building and vocabulary of architectural detail from the urban or suburban setting. Rarely will *off the peg* standard house types prove satisfactory and developers are therefore encouraged to resist the temptation to use a standard house plan or a house type cloned from an urban development. While this might seem an opportune way to reduce design costs, such house types are not suitable for rural locations in so far as they do not take satisfactorily account of the wholly different and sometimes unique character of the site and its surroundings and are consequently inappropriate.

12.5 Experience suggests that where new buildings have been tailored specifically to fit countryside locations and respect the rural context and the long-established link between buildings and the landscape they are more readily integrated, thus avoiding detrimental change to the rural character of the area.

12.6 This does not mean however that new houses need to be reproductions of traditional rural buildings. Genuinely innovative and contemporary designs that demonstrate an informed use of traditional references and a sympathetic understanding of the existing



landscape will be very much welcomed. It is recognised that both traditional and modern design can develop interesting and attractive buildings that contribute to the landscape and character of an area.

Key considerations

12.7 It is important that the character, scale and design of any new buildings and associated works, including access, are sympathetic to the a rural location, are of a high quality, innovative in design and compatible with the landscape, archaeological and nature conservation policies of the adopted *West Lothian Local Plan 2009*.

12.8 The main forms of design that contribute to the successful and attractive integration of rural houses into the landscape are discussed below.

Location and siting

12.9 The character and physical attributes of the landscape and the form of existing rural buildings in the area should be studied before selecting a specific site. Consideration should be afforded to whether a proposal will be compatible with the surrounding landscape and building

12.10 Where possible, the most sensitive areas of the countryside, e.g.; those designated as Areas of Great Landscape Value (AGLV), Countryside Belt, sites of known archaeological importance and sites in close proximity to listed buildings, conservation areas, scheduled



ancient monuments and historic designed landscapes/ gardens should be avoided as should all areas where there are established woodland and wildlife habitats or which are less able to absorb development without significant impact upon their character, integrity and uniformity.

12.11 Traditional houses often hug the contours of a site, running along a slope, stepping down a slope, or enclosing spaces such as yards or gardens, and use native planting for shelter. A rural building would rarely be located in an elevated or exposed location.

12.12 A site where natural features or the presence of trees and mature planting is therefore preferred as it will

help to minimise the visual impact of a building in the landscape. Proposals should avoid breaking the skyline when the building is viewed from a distance. This can incidentally also help in reducing future maintenance and heating costs). They should always work with existing contours and avoid dramatic cutting and filling into hills which can leave the landscape scarred.

12.13 Sites which are capable of being viewed from well frequented public vantage points, immediately adjacent to main roads, rights of way, core paths, the Union Canal, railway lines, or which constitute ribbon development on the edge of settlements should also be avoided.

12.14 There are of course other practical considerations, not least the propensity of a site to be affected by flooding, and SEPA are particularly anxious to ensure that flood issues are adequately addressed in terms of Scottish Planning Policy 7 *Planning and Flooding* (SPP7) by developers when formulating proposals. Attention is drawn to Section 3(b) of the risk framework which states that undeveloped and sparsely developed areas in medium to high risk areas are generally not suitable for development, as are greenfield sites within the 1 in 200 year return period flood envelope.

Shape / form

12.15 There are only a limited number of forms that characterise traditional rural buildings and these can be readily distinguished from their suburban counterparts. Rural buildings tend to follow a simple linear / rectangular plan, are long, narrow and low and have a pitched roof. New buildings that embrace these characteristics will be more readily absorbed within the landscape. A common design mistake is to try to implant suburban shapes in the rural context. Houses that deviate from the traditional plan forms or run across contours, necessitating extensive underbuilding, should in most circumstances be avoided. The form, bulk and general design of the building should always be in keeping with its surroundings.

Proportions

12.16 For the most part, established rural buildings have an attractive appearance and are pleasing to the eye. Aside from setting, this can usually be attributed to pleasing proportions as defined by the wall height / length, roof type and pitches, chimney position, porches and openings such as windows and doors. These proportions were originally linked to considerations such as availability of materials, optimising natural heating and daylight, shelter and the practicalities of daily living along with the influences of particular architectural styles of the time. New houses should respect and imitate these proportions.

Materials

12.17 Employing appropriate and sympathetic finishing materials can have a significant bearing on the success or otherwise of a project, although the poor siting or design of a house cannot be disguised and indeed is usually emphasised by, the use of multitudinous and modern finishing materials.

12.18 In traditional buildings most roofs are covered with local slate or clay pantiles. Walls are constructed of locally quarried stone and rendered internally and externally with lime burned in limekilns. The materials used would generally be from the locality and would blend with the existing landscape.

12.19 Much of the character of the landscape has derived from this limited range of traditional materials and colours. A restrained use of materials is therefore also appropriate for a modern house and is in keeping with this tradition. A carefully sited and well-designed house does not benefit from the use of a proliferation of external finishes, nor does it need them in order to look attractive.

12.20 In most cases, where the predominant building materials are stone and render, these should be used in the construction of new houses. However only one principal wall finish should be used and developers should seek to avoid breaking up elevations with *feature panels* of different materials. Facing brick on the other hand should generally be avoided, as should dry dash render. Where rendering is appropriate only a traditional wet dash harl should be used.

12.21 The colour and texture of the walls and roof should be carefully chosen to blend in, rather than compete with, the surrounding colours of the countryside. Walls should be warm and subdued, in the manner of the local buff sandstone. White should be used with caution. It is eye-catching and not so characteristic in this area as in other parts of Scotland and also harder to maintain. Strong, bright colours can, however, be successfully employed to great effect if used with skill and on small areas such as doors and external joinery.

12.22 Roofs should generally be slate grey, with touches of red restricted to small buildings or wings: clay pantiles are less common in West Lothian, and rarely used on two storey buildings.

Windows

12.23 Unless the location and physical characteristics of the site permit or suggest a design of house that incorporates extensive areas of glazing, it is preferable to keep the total area on each elevation occupied by doors and windows small in relation to the area of solid wall. The treatment of windows and doors should be simple and as a general rule, the width of all windows should not exceed their height. This does not preclude the use of patio doors or picture windows in appropriate situations, but such features should be minimised and restricted to elevations that are not overly prominent from public view.

12.24 In some modern schemes, where energy efficiency is a priority, large glazed walls may be an integral feature but these should be designed as part of the overall form of the building and given a vertical emphasis.

Chimneys

12.25 Chimneys form a strong vertical contrast to the horizontal shape. They should be placed on the ridge and be visually robust. Lightweight flues can be relatively unobtrusive and may be located on the roof slope, if carefully detailed.

Eaves and verges

12.26 In the countryside, eaves and verges were by tradition plain and simple. In particular the projecting verge or the flush verge and the slightly projecting eaves are *rural* details that respect local styles.

Curtilage

12.27 In order to protect the setting of buildings their surroundings should be kept as non-domestic as possible.

12.28 The treatment of the curtilage of new houses in the countryside is crucial to the retention of its rural character, particularly in areas of elevated and open countryside. It should remain open and uncluttered and should not be divided up to provide small domestic gardens. Where there is scope for private areas these should be screened with hedging and walls of stone and should follow existing natural or manmade boundaries such as hedge lines or farmyard boundary walls.

12.29 Modern ground surface materials such as tarmac and concrete are sometimes out of keeping with the character of rural areas, although there are instances when tarmac may be suitable. Wherever possible, existing stone sets, cobbles or other suitable/sympathetic materials should be retained or re-used and supplemented where necessary.

Boundaries

12.30 The boundaries to rural houses often have drainage ditches, hedges and walls located along the perimeter. Boundary walls are traditionally constructed with rubble. Such treatments gave shelter, provided drainage and blended the property into the surrounding countryside.

12.31 Where there are existing boundaries, e.g. hawthorn or beech hedging, stone walls and other significant landscape features, they should be retained and protected during construction. When it is necessary to remove such features for example in the provision of visibility splays, they should be reinstated.

12.32 Particular attention should be paid to the hard landscaping of surfaces such as driveways and to the treatment of walls and fences. Traditional field fences are post and wire and new developments should adopt the same. Suburban boundary features including concrete block walling and larch-lap or ranch fencing cost more, need more maintenance, are less robust, and will always appear alien and are inappropriate in the rural landscape. If tighter fencing is needed, a wire grid such as rylock serves well, or rabbit mesh to protect woodland plantations, perhaps with one top rail. Beech and hawthorn hedges will be warmly encouraged, and repay the time and effort needed to establish them.

Protection of existing woodlands, trees and hedgerows

12.33 It is expected that conversions or new development will protect existing on site vegetation wherever possible. Applicants are nevertheless required to provide a location plan and appropriate details of all existing vegetation on site. Additionally, further information on the methods for retention and protection of vegetation on site during construction should be put forward. This should accord with the principles of *BS 2837 (2005) - Trees in Relation to Construction*.

12.34 Where existing vegetation is proposed for removal the applicant should clearly show on a plan the location of the vegetation and should provide written justification for its removal.

Landscaping

12.35 It is important to identify suitable areas for tree planting for privacy, enclosure, integration or shelter. Off-site tree planting can be used, where feasible, to mitigate the effects of new development from distant views.

12.36 An analysis of trees, hedgerows etc in the broader vicinity of the development is likely to provide a good indicator of species which will enhance the local landscape character and in order to maintain local habitats and conserve the distinctive natural heritage of the countryside it is important that new tree, hedge and shrub planting should be of native, predominantly deciduous species. Conifers, particularly Leylandi hedging and ornamental tree species should be avoided.

12.37 It is of most value to wildlife if planting is undertaken in substantial belts or groups of trees linked to existing hedgerows or copses to provide wildlife corridors. Planting within existing hedgerows and new hedge planting is also important and, if space permits, woodland planting of native species will be encouraged though the design of planting should be in keeping with the local landscape character. The following species are appropriate for their wildlife value.

12.38 Ash, Aspen, Beech, Silver Birch, Downy Birch, Bird Cherry, Wild Cherry, Crab Apple, Field Maple, Small-leaved Lime, Large-leaved Lime, Common Oak, Sessile Oak, Scots Pine, Rowan, Whitebeam, Blackthorn, Broom, Dogwood, Gorse, Guelder Rose, Hawthorn, Hazel, Holly, Dog Rose, Field Rose and Grey Willow.

12.39 It is strongly recommended that a recognised landscape or forestry contractor be engaged to do the planting and initial maintenance. Any deficiencies during this period will then be made good under the contract.

12.40 Planning applications should be accompanied by a fully detailed landscaping scheme, including proposed plant species, ground preparation, planting specification, protection measures and maintenance arrangements.

After-care and management of planting and habitat features

12.41 Failure by developers to deliver aftercare and an appropriate maintenance regime is a recurring problem and one the council is committed to addressing. While this matter is potentially more significant in relation to larger developments including steading conversions and lowland crofting schemes, the omission of more modest works allied to improving the siting of single houses is just as important.

12.42 The council will seek to secure an ongoing programme of maintenance through the imposition of planning conditions and, where necessary, a legal agreement under *Section 75 of the Town and Country Planning (Scotland) Act 1997*. These will be reinforced by robust monitoring and enforcement.

Access and parking

12.43 In terms of access and parking, the advice of the council's Transportation Manager will be sought in each Instance.

12.44 Access to traditional farm buildings usually follows field boundaries along the lines of hedges and walls. As a result they are generally discreet, blending in naturally with the



landscape. Proposals for new houses should wherever possible share an existing access point. Where the existing access is deemed satisfactory in terms of road safety it may nevertheless require to be upgraded and resurfaced to a standard suitable for adoption provided this is compatible with the nature of the development. In other cases, the access road will usually require to be upgrade to provide at least a five-year maintenance free period.

12.45 Sites requiring the formation of a new access from a classified road will generally be discouraged as this could contribute to the suburbanisation of the countryside. However, in circumstances where a new access is deemed necessary it should follow natural boundaries and must avoid crossing the middle of the fields. It is also important that it is not "over engineered". Individual entrance driveways off the public road can make or break the appearance of a development. Traditional farm entrances are simple and practical.

12.46 Their beauty is in what they do not have - no gate, no lampposts, no big signs, no kerbing, no special surfacing, no elaborate walling or fencing. Just openings off the road, with the field fences or hedges returning neatly up either side of the track. Any elaboration beyond this should be carefully considered and detailed to avoid suburban tendencies.

12.47 Regardless of what arrangements are made, it is important that all public rights of way are respected and not impeded and applicants will be encouraged to facilitate and or improve, where practicable and reasonable, access to and from existing rights of way and core

paths.

12.48 Parking should be provided in accordance with the council's general guidelines. This states that houses with up to two bedrooms ordinarily require one residents space + 50% visitors parking and houses with three or more bedrooms require two residents spaces + 25% visitors parking.

12.49 Parked vehicles significantly detract from the appearance of built development in the countryside and further contribute to suburbanisation and an erosion of its character. Careful consideration must therefore be given to the sensitive siting and design of car parking and garaging and it is usually preferable if vehicles can be kept separate and at a short distance from the house. Stand alone garaging, when designed to look like a traditional outbuilding, or a landscape screened parking area is almost always preferable to integral garages, off the peg sectional garages or parking in driveways or forecourt areas.

Water supply and drainage arrangements

12.50 Applicants will be required to agree detailed arrangements for the supply of water at an early stage in the design process. This will necessitate consultation with Scottish Water, SEPA, council planning officers, and, in the case of a private supply, the council's environmental health officers.

12.51 Applicants will be required to agree detailed arrangements for the treatment of foul and surface water drainage an early stage in the design process. This will necessitate consultation with Scottish Water, SEPA, council planning officers, and, when appropriate, the council's Flood Prevention Manager and Transportation Manager.

12.52 The council, as planning authority, will be seeking an innovative strategy for sustainable drainage that complies and, ideally, exceeds the minimum standards laid out in contemporary guidelines and regulations. It is advised that SEPA require drainage proposals for all new developments to comply with the requirements of the Water Environment (Controlled Activities)(Scotland)Regulations 2005.

Furthermore, foul discharges which are not connecting to a Scottish Water sewage network will require SEPA authorisation and surface water drainage will be required not to result in pollution of the water environment. The SEPA website provides useful downloadable advice on http://www.sepa.org.uk/water/water_publications/suds.aspx

12.53 Applicants will ordinarily be required to submit a site specific *Drainage Impact Assessment (DIA)* as part of their planning application. The Assessment must be comprehensive and must address the issues of foul and surface water and, where applicable, ground water including land drainage. It must detail the measures that are proposed to deal with quality, quantity, environmental and amenity issues associated with surface and ground water pre and post development. In preparing their DIA, applicants are referred to the document *Drainage Impact Assessment – A Guide for Scotland* published by SEPA.

12.54 There is a general requirement for developers to fully grout any existing land drainage system to prevent the passage of ground surface and ground water beneath infrastructure.



Flood risk

12.55 It is also important that flood issues are adequately addressed in terms of *SPP7 Planning and Flooding* by developers when formulating proposals. Particular attention is drawn to Section 3(b) of the risk framework which states that undeveloped and sparsely developed areas in medium to high risk areas are generally not suitable for development, as are greenfield sites within the 1 in 200 year return period flood envelope. SEPA's website on flooding, which includes links to the Flood Map and SEPA policy, can be accessed via the SEPA website at www.sepa.org.uk/flooding. The council has also produced a separate SPG on *Flood risk and sustainable drainage* which is currently obtainable on request and will at a future date be downloadable from the councils website at www.westlothian.gov.uk

12.56 The council recommends that all applicants adopt a precautionary approach with regard to the matter of flood risk. However where a development site is adjacent to a watercourse, including one or more culverted watercourses, ponds or a functional flood plain, there will ordinarily be a requirement to submit a full Flood Risk Assessment complying with Annex B of the Scottish Environment Protection Agency Policy No 4 *A SEPA Planning Authority Protocol* and CIRIA Report C624 *Development and Flood Risk: Guidance for the Construction Industry* (ISBN:096017624x). A suitably qualified and experienced Hydrologist or Chartered Civil Engineer must carry out such a study.

Soil

12.57 The council has a *Soil Sustainability Plan*. Due to the heavy local soils and the typically poor drainage characteristics, applicants must strip topsoil and store it in accord with guidelines / conditions issued by the planning authority.

Services

12.58 Particular care needs to be given to services that can have a damaging visual effect. Gas, oil and biomass storage tanks, refuse storage, septic tanks, water pumping stations etc. must be sensitively sited and well screened so as not to detract from the character of



the buildings whilst utility control boxes, alarm boxes, satellite dishes and flues etc., should be positioned on less prominent elevations.

12.59 At the design stage, provision should also be made for the accommodation of garden equipment, refuse and fuel storage in a similarly unobtrusive manner.

12.60 Any external lighting that is required should be minimalised to what is absolutely essential and should be controlled by a timing device in order to reduce the negative effect of the character and setting of rural areas and on wildlife. It should in any event accord with Scottish Government Guidance (2007) *Controlling Light Pollution and reducing Energy Consumption*.

12.61 Ground, air and water source heat pumps should be considered as a mechanism for providing space heating and to pre-heat domestic hot water. Installing them with other building works at the time of construction can substantially reduce costs.

12.62 Sustainable Scotland, the Scottish Government's housing and regeneration agency, has produced the *Sustainable Housing Guide for Scotland 2007* which is a useful reference source providing comprehensive and user friendly information on ways of incorporating sustainability principles into housing development and rehabilitation schemes.

Renewable energy

12.63 Attention is drawn to Scottish Planning Policy 6 (SPP6) *Renewable Energy* which sets out how the planning system should manage the process of encouraging, approving and implementing renewable energy proposals when determining planning applications. It identifies a requirement to incorporate micro-generation into new and existing developments and the council has interpreted this by introducing a specific requirement for all applications for new rural housing and for building conversions which propose a development with a cumulative floor space of 500 square metres or more to embrace on-site appropriate renewable energy generation source/s contributing an extra 15% reduction in carbon dioxide emissions beyond the 2007 building regulations standard.

12.64 Furthermore, an Energy Efficiency Statement setting out how the necessary reduction in carbon dioxide emissions can be achieved through on-site renewable energy production; and detailed plans and a Design Statement to show how on-site renewable energy measures will be incorporated sensitively and innovatively throughout the overall scheme must be submitted with applications.

Disability compliance

12.65 An inclusive design approach is required to incorporate facilities for disabled people in compliance with the *Disability Discrimination Act 1995*.

Miscellaneous

12.66 The form, scale and location of chimneys, dormer windows, windows, doors and porches greatly determine the extent to which a new house complements local building traditions. Detailed design of these elements should be based on local examples. In general, simple, straight-forward design and detailing produce the most satisfactory and visually effective results, as well as reducing initial costs and future maintenance problems.

12.67 A common feature of badly designed schemes is the attempt to enliven a dull layout and standard blocks with the random addition of architectural bric-a-brac, which shows a lack of response to the rural setting and should be avoided. Simplicity of elevations is a familiar characteristic of rural buildings and modern schemes should retain this. Where *add-on* elements such as dormers or porches are part of the design they should be sparingly used.

12.68 The responsibility for ensuring that all necessary infrastructure and services are available is the responsibility of the applicant. A proposed development may have to be refused planning permission if essential services cannot be made available or it would impose an excess resource commitment on the council.

Further guidance

12.69 The following publications are recommended to applicants and agents who are seeking further guidance on this subject. If you are having difficulty in sourcing them please contact the council's Planning Services who may be able to help.

- **Scottish Government Planning Policy Guidance**

- SPP 3 Planning for Housing

- SPP 15 Planning for Rural Development

- **Scottish Government Planning Advice Notes**

- PAN 44 Fitting New Housing Development into the Landscape

- PAN 67 Housing Quality

- PAN 68 Design Statements

- PAN 72 Housing in the Countryside

- PAN 73 Rural Diversification

- **Scottish Government Guidance**

- Designing Places - A Policy Statement for Scotland



For further information contact the council on 01506 280000

For site specific and planning related enquiries:

Email: planning@westlothian.gov.uk

For planning policy related enquiries:

Email: dpgeneral@westlothian.gov.uk



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