

SG

supplementary
GUIDANCE



Development in the Countryside

2018



West Lothian
Council

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Map 1 : The countryside of West Lothian



PURPOSE OF GUIDANCE

1. This supplementary guidance has been produced by West Lothian Council to supplement and support the policies and proposals of the West Lothian Local Development Plan (LDP) in relation to new development in the countryside, specifically development embraced by policies:

- ENV 2 Housing development in the countryside
- ENV 3 Other development in the countryside
- EMP 3 Employment development outwith settlement boundaries
- EMP 7 Tourism
- HOU 5 Sites for Gypsies, Travellers and Travelling Show People

The guidance also has particular regard to policies:

- DES 1 Design principles
- ENV 1 Landscape character and special landscape areas
- ENV 4 Loss of prime agricultural land
- ENV 7 Countryside Belts and settlement setting
- ENV 8 Green Network
- ENV 17 Protection of international nature conservation sites
- ENV 18 Protection of National and local nature conservation sites
- ENV 19 Protection of local biodiversity sites and geodiversity sites; and
- ENV 20 Species protection and enhancement

It **does not** however apply to proposals relative to policies:

- NRG 3 Wind energy development
- NRG 4 Other renewable energy technologies
- INF 2 Telecommunications
- MRW 1 Mineral resources and safeguarding; and
- MRW 2 Supporting principles for mineral extraction

2. The countryside is integral to the character of West Lothian and is defined as the largely undeveloped area lying out with the settlement boundaries of the towns and villages shown on the LDP Proposals Map and not just land identified as part of the designated 'Countryside Belt'.

3. Through the West Lothian Local Development Plan, and elaborated in this guidance, the council has identified a number of exceptional circumstances to general planning policy which supports sustainable development in West Lothian's rural areas whilst recognising and maintaining the need to protect the landscape and productive farmland.

4. The policy provision for development in the countryside looks to provide opportunities and minimise potential impacts. Opportunities are essentially based on agricultural and rural business's needs, reclaiming brownfield sites, managing infill development and responding to tourism/recreational demand in situations where the landscape and visual impact of the aforementioned developments can be ameliorated.

5. The guidance seeks to assist those who may be considering particular forms of development within the countryside of West Lothian with practical information and advice and to help ensure a consistent application of planning policy. Council officers and elected members will use this guidance when assessing and determining planning applications, as will local communities and others when being consulted on new development in their locality.

6. As statutory supplementary guidance (SG) it forms part of the adopted LDP and can be legitimately regarded as a material planning consideration when the council, Planning Reporters and Scottish Ministers determine planning applications and appeals.

7. For each type of rural housing development, this guidance establishes the principles and main design issues that will be considered in determining planning applications.

8. A key priority of West Lothian Council is to sustain and grow the local economy and proposals which create employment opportunities and contribute to economic growth are also embraced.

9. The LDP provides a diverse range and quality of employment land for anyone wishing to invest and do business in West Lothian and the overarching strategy is for new business developments to locate on identified sites *within* established settlements as this strengthens their viability and vitality, reduces transport costs and maximises use of existing infrastructure.

10. A significant part of West Lothian is however characterised as rural and it is therefore necessary to simultaneously address and accommodate the employment needs of people living there.

11. Scottish Planning Policy (SPP 2014) recognises that the planning system has a significant role to play in supporting sustainable economic growth in rural areas. Planning authorities are encouraged to take a positive approach to new development with the goal being to enable development which supports prosperous and sustainable communities whilst at the same time protecting and enhancing the environmental quality.

12. Therefore, if an applicant can clearly demonstrate that a rural location is (1) essential for their business (and no suitable alternative site is available within a nearby settlement), (2) can support their proposal with a compelling business case and (3) can identify a satisfactory site capable of accommodating the business without negatively impacting on the character of the environment or giving rise to any disturbances, the proposal is more likely to be supported.

13. The council does however require that a 'sequential approach' is applied in selecting a site ahead of any new green field land release being considered. This requires it to be demonstrated that consideration has been afforded to potential rural brownfield sites (previously developed land), the conversion and reuse of existing buildings and rural infill sites in that order and within at least a 5km radius of a proposed site.

14. Within the "countryside" income from tourism and recreational activities is also recognised as an important part of the rural economy and the guidance seeks to address how sustainable development can be accommodated while balancing it with the need to protect the countryside as an asset in its own right.

15. This guidance must be read alongside the LDP and must also take account of national and strategic policy in relation to rural development. The guidance may be amended through future revisions to take account of changes to national guidance and the changing needs of individuals and communities.

PLANNING POLICY CONTEXT

16. This planning guidance has had regard to and is compliant with all relevant national planning policies, policies which are set out in the Strategic Development Plan and policies of the LDP in relation to rural development.

National Policy

17. The national policy framework for development in the countryside is set out in the [Scottish Planning Policy](#) (SPP 2014), and principally supplemented by Planning Advice Note (PAN 72 [2005]) - [Housing in the Countryside](#). Other relevant PANs include: PAN 73 [2005] - [Rural Diversification](#), PAN 44 [2005] - [Fitting New Housing Development into the Landscape](#) and PAN 39 [2008] - [Farm and Forestry Buildings](#).

18. SPP 2014 sets out the expectations of the planning system to create places with a high standard of design and encourages a positive approach to development in rural areas with the overarching aim of enabling development which supports thriving and sustainable communities. It does not however lose sight of the need to also protect and enhance environmental quality and there is a requirement to ensure that any new development respects and responds to specific local circumstances and is in keeping with the character of an area. SPP 2014 is quite clear that it is not the intention to see the suburbanisation of the Scottish countryside, and in more accessible and densely populated rural areas, particularly where there are environmental assets such as sensitive landscapes or good quality agricultural land, it remains the case that there is a continuing need to protect the countryside and most new development should continue to be in or adjacent to settlements.

19. PAN 72 - [Housing in the Countryside](#), recognises that the rural landscape is evolutionary, not static, and is for the most part able to accommodate some degree of change providing it is well planned. PAN 72 is particularly helpful in relation to the location and design of new housing development in the countryside. It regards high quality design as being essential if new development is to be successfully integrated into the local landscape and sympathetic with established building traditions.

Strategic policy

20. The first [Strategic Development Plan for Edinburgh and South East Scotland](#) (SDP) was adopted in 2013 and sets out a spatial strategy which recognises existing development commitments and promotes a sustainable pattern of growth.

21. Policies 12 and 13 reference the fact that there are a range of countryside designations within the SDP area including 'Countryside Belts' in West Lothian and that these provide a similar function to Green Belts. The SDP explicitly supports such designations and the purposes which they serve, namely:

- to maintain the identity and character of Edinburgh and their neighbouring towns, and prevent coalescence, unless otherwise justified by the LDP settlement strategy;
- to help direct planned growth to the most appropriate locations and support regeneration;
- to maintain the landscape setting of these settlements; and
- to provide opportunities for access to open space and the countryside.

22. SESplan's second [Proposed Strategic Development Plan](#) was submitted to Scottish Ministers for examination on Monday 26 June 2017. The examination of the Plan commenced in August 2017. On the 20 July 2018, the Planning and Environmental Appeals Division (DPEA) completed their examination. The Report was submitted to the Scottish Ministers whose responsibility was to determine whether to approve the plan in whole or in part, with or without modifications or to reject it. At the time of publication of this SG a decision had not been issued.

Local Development Plan policies

23. It is an objective of the LDP is to protect the character and environmental quality of West Lothian's attractive and diverse countryside from development pressures whilst facilitating well designed development in the right places and where it is justified and necessary.

24. In particular, Policy ENV 2 identifies the specific circumstances where new housing in the countryside may be supported:

- to facilitate the rehabilitation/restoration of a brownfield site;
- to replace an existing house;
- where development constitutes infill within an existing building group;
- the conversion/rehabilitation of an existing rural building;
- as part of a 'lowland crofting' scheme (this only applies to the western part of West Lothian, the boundaries of which are shown on the LDP Proposals Map); and
- as an exception where by virtue of its design, location and landscape setting, the proposed house would make an exceptional contribution to the appearance of the countryside.

Policy ENV 3 similarly sets out when proposals for non-residential development (including new small scale business uses) will be supported on sites in the countryside:

- for the purposes of agriculture, horticulture, forestry, countryside recreation or tourism or other rural business use;
- to facilitate the rehabilitation/restoration of a brownfield site;
- to replace an existing building;
- where development constitutes infill within an existing building group;
- the conversion/rehabilitation of an existing rural building;
- as an exception where by virtue of its design, location and landscape setting, the proposed building would make an exceptional contribution to the appearance of the countryside.

Policy EMP 3 also relates specifically to new small scale business development in the countryside and requires applicants for planning permission to satisfactorily demonstrate that:

- there is no suitable alternative site available for the proposed development **within** the settlement boundary; or
- there is a site specific locational need/ justification for the development to be in the countryside; or
- the proposed development constitutes a legitimate farm diversification enterprise; or
- the proposals would help sustain the rural economy or create significant social benefits.

In addition to satisfying these requirements, Policy EMP 3 also requires that:

- the scale, layout and design of any proposed buildings shall be appropriate to the character of the site and the surrounding area and shall not adversely impact on any special architectural, natural heritage designations or landscape interests;
- the proposal will be compatible with the use and operation of neighbouring land;
- the proposal shall have no unacceptable traffic, amenity or environmental impact and the site is accessible, or could be made accessible by public transport and footway connections to the surrounding area; and
- any infrastructure deficiencies or requirements are capable of being satisfactorily remedied.

25. Notwithstanding the above, proposals which rely on the construction of large or intrusive new buildings or structures, embrace elements of open storage, constitute retail use or are likely to generate significant additional traffic on rural roads are not considered appropriate and are not supported by this policy.

26. Even when a proposal may appear to be embraced by one of the categories of development described in policies ENV 2, ENV 3 or EMP 3, it cannot be guaranteed that planning permission will be granted. There may be specific locational circumstances/reasons why development may not be appropriate and there is always the requirement to have regard to all of the other LDP policies.

In particular:

- Policy ENV 1 of the LDP identifies a presumption against development within any of the 'Special Landscape Areas'(SLAs) shown on the LDP Proposals Map where it would undermine the landscape and visual qualities for which the SLAs were designated. Proposals for sites which lie out with SLAs but which affect their setting from strategic viewpoints are also subject to the same requirement for a detailed landscape character and visual impact assessment to be submitted to evidence that the proposals would either have benign consequences or that they could be satisfactorily mitigated.
- Policy ENV 4 of the LDP identifies a presumption against the development of prime agricultural land (specifically Land Capability Classes 1, 2, and 3.1 as defined by the James Hutton Institute) unless the proposal is necessary to meet a locational need or is directly linked to a rural business.
- Policy ENV 7 of the LDP identifies a presumption against development within any of the five designated 'Countryside Belts' shown on the LDP Proposals Map where it would (a) fail to comply with the criteria of policies ENV 1 to ENV 6; (b) undermine the strategic purposes of policies ENV1 to ENV 6; (c) give rise to visual or physical coalescence between settlements, sporadic development, or the expansion of existing clusters of houses by more than 20% of the number of houses within that group; and (d) fail to demonstrate a specific locational need for the proposed development that could not be met elsewhere.

- Policy ENV 13 of the LDP identifies a presumption against development within the Pentland Hills Regional Park (shown on the LDP Proposals Map) or in an area which contributes to the landscape setting of the Park, unless the development is shown to be essential for the purposes of agriculture (including farm diversification) forestry, outdoor recreation, tourism or other rural activities which are compatible with the aims of the Regional Park.

Notwithstanding the above, there is also a requirement to satisfactorily demonstrate that proposals; (a) would contribute to the amenity of the park in terms of design and landscaping; (b) would not be visually obtrusive or necessitate visually obtrusive constructions; (c) would be compatible with existing adjoining and neighbouring developments and uses; (d) would be capable of being served by an adequate and appropriate access; (e) could be serviced at reasonable cost and with no unacceptable discharge to watercourses.

Where proposals involve the conversion of an existing building(s) it is necessary that this can be achieved without substantial rebuilding and that the original character and attractiveness of the building(s) are retained.

- Policy ENV 14 of the LDP identifies a specific presumption against the development of intrusive tourist developments, including static caravan and camping sites within the Pentland Hills Regional Park (shown on the LDP Proposals Map) or in an area which contributes to the landscape setting of the Park.

27. In any event, the council reserves the right to determine each planning application on its merits and in the light of all relevant material considerations.

SUBMITTING AN APPLICATION AND SUPPORTING INFORMATION

28. Guidance on how to submit a planning application is available on the council's website at [How to submit a Planning Application](#)

29. In order to enable the council to fully assess proposals for new development in the countryside it will often be necessary for applicants to provide supporting information with their planning application. The council reserves the right to specify this on a case by case basis but it will typically include some or all of the following as well as any additional information that the council may require in the circumstances:

- 1 a statement detailing the history of previous land uses and/or activities on the site;
- 2 a description of the extent and nature of an existing farm/business;
- 3 mapping information relative to an existing and/or proposed farm/business;
- 4 details of the employment status of the owners and employees of an existing farm/business and clarification as to whether they have other employment (full or part time);
- 5 details of existing and proposed labour requirements;
- 6 details of any other farming activities outwith a farm or if any other farms are in the control of an applicant;
- 7 an assessment of a farm or business enterprise to evidence that it is operating on a sound financial basis and can, as far as is reasonably practicable, be shown to be economically viable and sustainable;
- 8 a business development plan including pertinent financial information relative to operational costs and investment;

- 9 a 'farm management plan' which explains any diversification proposal and clearly identifies the implications for the continued operation of the whole farm and includes pertinent financial information relative to operational costs and investment;
- 10 a statement demonstrating that a countryside location is essential for a new business enterprise and how it would benefit the local economy;
- 11 a site selection report explaining and illustrating how the site for the proposed new development has been chosen;
- 12 a design statement which should explain and illustrate the design principles and design concept of the proposed layout; landscape; scale and mix; details and construction materials; and maintenance. It should show how these will help to achieve the qualities which are outlined in the Scottish Government's Policy Statement on [Architecture and Place Creating Places \[2013\]](#); Further guidance on the need and preparation of the Statement can be found in [PAN 68 \[2003\] - Design Statements](#);
- 13 a detailed landscape character and visual impact assessment to evidence that the proposals would either have benign consequences or that they could be satisfactorily mitigated through landscaping, shelter belt planting or positioning within the landscape. This should consider the topography, views to the site and the existing development pattern in the wider area;
- 14 a landscape structure and management plan;
- 15 a wildlife management plan;
- 16 a masterplan which provides a clear and structured framework for the comprehensive planning of the whole site and includes details of the development concept, including present and future land uses, design and landscaping, built form, infrastructure, circulation and service provision;

- 17 a Flood Risk Assessment (FRA) where sites are located within a flood risk area or close to a watercourse. The FRA is site specific and the scope will depend on the nature of the watercourse and the proposed development. The FRA should seek to demonstrate that the development is suitably flood resilient, including safe access and escape routes where required, and that any residual risk can be safely managed;
- 18 a comprehensive Drainage Impact Assessment (DIA) which addresses the issues of foul and surface water and, where applicable, ground water including land drainage. It must typically 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. The scope and detail required will depend on the scale and type of development and the sensitivity of the area. In preparing their DIA, applicants are referred to the [Water Assessment and Drainage Assessment Guide](#), published by SUDSWP;
- 19 a Noise Impact Assessment (NIA) where proposals raise issues of disturbance by noise to occupants of nearby existing properties, and for developments that are considered to be noise sensitive themselves. The scoping of the assessment must be agreed in advance with the council's Environmental Health service;
- 20 a Transport Assessment (TA) where the development is likely to have significant transport implications. The scoping of the assessment must be agreed in advance with the council's Roads & Transportation Manager;
- 21 an Access and Movement plan (for more modest proposals) which demonstrates that access to the public road will not prejudice road safety or significantly inconvenience the flow of traffic and which supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way, core paths and provides adequate and convenient access to public transport;
- 22 a proportionate Retail Impact Assessment (RIA) where a proposal embraces an element of retail development of sufficient scale where it is considered likely by the council that it will have an appreciable impact on the trade of existing or committed retail outlets or centres and the surrounding area. The scoping of the assessment must be agreed in advance with the council's Development Management service: and
- 23 a contaminated land assessment if the site is known to be or is suspected of being contaminated. This should identify the nature, extent and types of contaminants on or suspected to be on the site, describe the land contamination investigations undertaken (including methodology), and report the findings and the remediation measures proposed. The scoping of the assessment must be agreed in advance with the council's Contaminated Land officer;
- 24 an audit and an analysis of the ecology and biodiversity value of the site, and if the site is within or adjacent to a site designated as a Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC) or Special Protected Area (SPA) there may be a separate requirement for a Habitats Regulations Appraisal to be submitted as part of a planning application. The survey(s) required will depend on the particular site and the type of development. The minimum requirement is however a Phase 1 Habitat Survey. This will be required to identify wetland habitats on a site using the guidance 'A Functional Wetland Typology for Scotland', a [National Vegetation Classification \(NVC\)](#) survey should be completed for any wetlands identified and the results of these findings should be submitted, including a map with the entire proposed development overlain on the vegetation maps, to clearly show which areas will be impacted and avoided. Where this identifies important habitats on site, a more detailed survey will be required. Where a potential adverse impact is identified, details of proposed mitigation will require to be submitted;

- 25 an Environmental Impact Assessment (EIA) under the provisions of the [Town and Country Planning \(Environmental Impact Assessment\) \(Scotland\) Regulations 2017](#) should the scale and nature of the proposals demand one. Schedule 2 of the Regulations lists a number of categories of development, including defined tourism and leisure related projects, which will be likely to require an EIA if they meet or exceed the thresholds specified in the Schedule; EIA requirements are set out in the [Scottish Government Circular 1/2017](#);
- 26 an archaeological survey of the site to establish whether it has any historic and archaeological interest. The scoping of the survey must be agreed in advance with the council's archaeology advisors ([West of Scotland Archaeology Service](#));
- 27 a comprehensive photographic record of existing buildings, both internally and externally (provided digitally);
- 28 an analysis of the historic environment value of the site;
- 29 a structural engineer's report relative to all buildings on the site in order to establish their current condition and physical suitability for retention/conversion or otherwise. Buildings which have been disused and abandoned for some time can be found to suffer from neglect and in some cases may have become structurally unsound due to the effects of subsidence, foundation failure, instability, adverse weathering, rot and decay. The council will rely on the structural report as evidence of the building's suitability for conversion and it should be noted that applications submitted without a structural engineers report will not be processed until such information is provided.

Should the report conclude that a building cannot be converted without a substantial element of demolition and reconstruction and rebuilding, proposals are unlikely to be supported. The policies relating to the conversion of rural buildings do not sanction wholesale demolition and replacement of buildings. Where any element of demolition is proposed, however modest, evidence demonstrating the necessity for such works must be submitted. If a building being converted does require to be demolished and it is subsequently proposed to be replaced, this aspect of the proposal no longer constitutes the conversion of an existing building and will instead be assessed as a new development in the countryside.

- 30 evidence that the proposals have been designed on sustainable principles to achieve a low carbon impact by virtue of scale, design, construction, materials and sources of energy and heating.

The following examples of supporting information are specific to particular types of proposal.

For proposals relating to a replacement house.

- 31 financial evidence demonstrating that the existing house is beyond economic repair and that its retention is not viable;
- 32 a detailed landscape character and visual impact assessment to evidence that the new house would have a significantly improved environmental and visual impact than the existing house;

For proposals relating to new private sites for Gypsies, Travellers and travelling Showpeople.

- 33 a statement detailing proposed land uses and/or activities on the site (some Gypsies and Travellers operate their businesses from the site on which their caravans are stationed and where joint commercial and residential use is proposed for a site it is important that this is declared so that the compatibility of both these uses with the surrounding land uses can be afforded consideration.

DEVELOPMENT IN THE COUNTRYSIDE

1 The re-development of rural brownfield sites

30. The definition of brownfield land is essentially land and buildings that have previously been developed and are no longer required for their original purpose. In rural areas this usually means sites that are occupied by redundant or unused buildings or where the land has been significantly degraded by a former activity.

31. When a site falls into disuse, is abandoned or becomes derelict, it has the potential to seriously detract from the visual and environmental amenity of the area. In many cases these sites may also be affected by contamination due to historic industrial or agricultural processes that could, unless effectively treated, present either an immediate or long-term threat to health.

32. [Planning Advice Note 73 \[2005\] - Rural Diversification](#) states that development plan policies should encourage rehabilitation of brownfield sites in rural areas and, in appropriate locations, allow for their re-development in order to deliver environmental enhancements or much needed community benefits.

33. The Vision Statement, the Spatial Strategy and Policies ENV 2 and ENV 3 of the LDP support the sensitive redevelopment or reuse of sites which can significantly enhance landscape quality through the removal of dilapidated or intrusive buildings or their replacement by new development of an appropriate scale, mass and design while simultaneously providing an opportunity to recycle land, clean up contaminated land, and assist environmental, social and economic regeneration. It can also help to make the best use of existing infrastructure and services, encourage more sustainable lifestyles and relieve pressures to build on greenfield land, thus helping to protect and enhance the character of the countryside.

34. The redevelopment of a rural brownfield site is one of the very few instances where new build residential or business development may be permitted in the countryside and it is important to keep in mind 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 council requires new development to be of the very highest standard in terms of design and appearance and it must make a positive and significant contribution to the landscape setting of the site. **Only proposals that clearly demonstrate this will be supported.**

35. It is important to be aware that not every rural brownfield site will be appropriate for re-development and the council is unable to guarantee that every proposal will be successful.

36. Disused and abandoned buildings are not uncommon in the countryside and they may be regarded as an accepted and non-contentious element of the established landscape character of an area. Consequently, their presence and impact may not always be perceived negatively. In some instances redevelopment could actually have a profound urbanising effect upon the existing countryside and which could be potentially more damaging than if the site had been left alone.

37. Given West Lothian's industrial heritage there is also potential for a significant number of proposals to re-develop rural brownfield sites coming forward and a realisation that if all were to be approved the character of the rural landscape would be irrevocably changed. The council will therefore exercise discretion and care when considering proposals for the re-development of rural brownfield sites. For example: sites which make a significant contribution to the cultural and historic landscape, incorporate architecturally valuable buildings, have significant biodiversity value, contribute to the green network or whose re-development could result in the loss of prime agricultural land or important areas of woodland or contribute to suburbanisation, ribbon development, coalescence with neighbouring settlements or, in

the case of residential development, overload local services (including school and healthcare facilities), will generally be deemed unsuitable candidates for re-development and will not be supported.

Justification

38. All applications for planning permission to re-develop a rural brownfield site will be scrutinised thoroughly, and in the first instance it will be necessary for applicants to satisfactorily demonstrate that:

- A the site is no longer required for its original purpose;
- B the site is significantly visually and/or environmentally intrusive;
- C the site has been significantly degraded by a former activity to the point where it can no longer be used productively without substantial investment and remediation;
- D existing buildings are beyond economic repair and retention;
- E there is no realistic prospect of the site being returned to agricultural land or woodland;
- F the site has negligible ecological or biodiversity value and re-development proposals will have no adverse impact on biodiversity (including the European wide network of protected Natura 2000 sites, Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC), Special Protected Areas (SPAs), protected species, or features which make a significant contribution to the cultural and historic landscape value of the area;
- G there will be significant environmental, visual and/or community benefits to be had by redevelopment as opposed to retaining the site in its current state;
- H the proposal takes account of the LDP's sustainability strategy; and
- I the site meets all of the planning and environmental criteria set out in policies ENV 1, ENV 2, ENV 3, ENV 4, ENV 7, EMP 3, EMP 7 and DES 1 of the LDP.

Detailed requirements

- any existing buildings or structures on the site that have architectural and/or historic merit may require to be retained and incorporated into the new development where this is desirable and practicable;
- residential development will only be supported on rural brownfield sites which have previously been occupied by substantive buildings. If a site has never accommodated buildings (e.g. a storage yard) only appropriate non-residential uses will be considered;
- the scale of new built development shall be minimised to what is absolutely necessary to secure the rehabilitation of the site. As a consequence, applicants may be required to submit appropriate financial information to justify their proposals;
- new buildings are required to occupy the same general position on a site as those that are to be replaced unless it can be satisfactorily demonstrated that repositioning elsewhere within the existing curtilage will significantly improve visual amenity and better harmonise with the locality, achieve significant environmental improvements (for example, alleviate a flooding risk) or resolve a road safety issue;
- where approval is given to erect new buildings in a different location to the original, the council will require the demolition and clearance of the existing buildings and satisfactory remediation of the land, including the removal of any contaminants, to an agreed condition and specification and prior to the construction of any new buildings;
- the physical footprint of new buildings must 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 the re-development of a very large building or a group of buildings is under consideration;

- the curtilage of the proposed development must be wholly contained within the defined rural brownfield site. Extending development onto adjoining greenfield land will not be supported unless there is sufficient justification;
- the housing element of a proposal must be modest (ordinarily not more than three houses). Proposals for a larger number of houses will only be permitted where it can be satisfactorily evidenced that there are overwhelming social, economic or environmental reasons of overriding public interest for requiring such a scale of new residential development in a rural location;
- the siting, scale and design of new buildings, individually or cumulatively, must not adversely affect the landscape character of the site and its surroundings, nor the amenity of nearby residential property;
- the design of new buildings must respect the character of existing development and proposals should also respond to local distinctiveness (including building traditions or materials);
- the proposed development must be of a scale appropriate to the services and infrastructure available at the location. Development which cannot be serviced by existing infrastructure, including education, roads/transportation and water and drainage, will not be supported unless funding for any necessary infrastructure improvements is fully committed;
- environmental mitigation measures, including new structural landscaping, may be required to enhance the setting of the new development through the creation of a positive landscape framework. Where appropriate, green network environmental improvements such as woodland and hedge planting or wetland habitat creation may be required to be implemented across an applicant's entire landholding and not confined to the immediate environs of the new development;
- the level of traffic generated by the proposal must be within the capacity of local roads, and must not be detrimental to the environmental amenity of the locality, or prejudice road and pedestrian safety, noise and air quality;
- safe and satisfactory provision must be made for access and parking to serve the site; and
- proposals must comply with all other relevant policies of the local development plan and other planning guidance approved by the council. This will include the council's various contribution policies such as affordable housing and education policies.

Miscellaneous

1. For the integrity of the LDP and other planning policies, it is important to guard against landowners/developers deliberately cultivating the degradation and dereliction of brownfield sites in order to engineer the circumstances that might support re-development. Where there is clear evidence of such manipulation having taken place, or where landscape degradation or impoverishment has resulted from a breach of planning control, sites will be excluded from consideration.
2. There are of course other mechanisms available to the council for remedying the condition and appearance of rural brownfield land, such as the service of Amenity Notices and 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 is a more appropriate response.
3. [Separate consent is required under the Building Regulations](#). This will cover a range of important issues including energy efficiency, fire safety and structural stability.

2 The conversion and re-use of existing rural buildings

39. There is a significant legacy of farm steading buildings which were constructed under the enlightened agricultural reforms of the early and mid-nineteenth century and these traditional buildings are a familiar and integral part of the West Lothian rural landscape, adding greatly to the heritage, character and local distinctiveness of the countryside.

40. The nature of agriculture and changes in the rural economy has however meant that many traditional buildings are no longer suitable or needed for their original purpose and there is an imperative to find new uses for them if they are to be preserved for future generations. They are a finite asset and are at risk of falling into disrepair because they are not being used.

41. While the majority of redundant rural buildings have an agricultural heritage, as described above, there are also disused churches, mills, schools, and others for which alternative uses may similarly be appropriate.

42. Policies ENV 2, ENV 3 and EMP 3 of the LDP explicitly support the retention, conversion, subdivision and reuse of existing buildings in the countryside which are held to be of sufficient architectural or historic merit providing the conversion works manage to retain the significant features of the building and are in all other respects sensitive to the site and the surrounding countryside.

43. It is recognised that the adaption and reuse of such buildings can relieve the pressure for new green field land releases while at the same time making a positive contribution to the character and appearance of the countryside, securing the future of heritage assets, providing housing opportunities and helping to sustainably support economic development, tourism and recreational demands.

44. However, not every disused rural building will be appropriate for conversion. Many were built for functional agricultural purposes and are of a very basic construction and are often situated in locations that do not integrate well with the landscape.

Some buildings would require major or complete reconstruction, alteration or extension to allow their re-use. Such works would effectively represent the creation of a new building in the countryside which would in most circumstances be contrary to rural area planning policies. Other buildings were constructed at a time before there were any planning controls and may, for example, be located in areas that are at risk of flooding or visually prominent in the landscape.

45. There are also many utilitarian buildings in countryside such as metal clad barns, sheds and shelters, which, due to their lightweight construction, do not readily lend themselves to conversion and, once redundant, are best demolished. Also, and for the avoidance of doubt, modern/contemporary industrialised agricultural buildings are also deemed inappropriate for conversion and are explicitly excluded from consideration under the aforementioned policies.

46. The purpose of this detailed guidance is to identify key principles and requirements, which if observed, will assist prospective developers in bringing forward proposals for the conversion and rehabilitation of redundant rural buildings in the West Lothian countryside which are appropriate in terms of the character and function of the building and its context.

47. There are a wide variety of alternative uses for rural buildings, and some are considered more appropriate than others. The best uses that will lead to the most successful conversion are those which respect the original character and appearance of the building and its individual structure and features.

48. For any conversion to be acceptable, it is essential that the established character of the building remains in keeping with its surroundings. Decisions on conserving, retaining and converting traditional farm and other rural buildings should be based on a good understanding of their architectural and historic interest and their contribution to the character and appearance of the area.

49. The character of a rural building is derived from its original function and every effort should be made to retain the original simplicity of scale and form and to alter the building as little as possible, both internally and externally. In order to respect the character of the building, the new use should be designed around the constraints of the building rather than the use being imposed upon the building.

50. An insightful overview of agricultural buildings and advice on how to treat West Lothian specific building traditions can be found in an archived publication of the former West Lothian District Council entitled 'The Farm Steadings of the Bathgate Hills' [1991]. Although no longer in print it is available to download from the council's website.

Justification

51. All applications for planning permission to convert an existing rural building will be scrutinised thoroughly, and in the first instance it will be necessary for applicants to satisfactorily demonstrate that:

- A the building is no longer required for its original purpose;
- B the building possesses sufficient visual, local or historical merit to justify its retention and conversion;
- C the building is of a permanent and substantial construction, structurally sound, largely intact and physically capable of being retained, converted/reused for the proposed new use without the need for any substantive demolition and rebuilding and/or reliance on large or intrusive extensions;
- D the site has negligible ecological or biodiversity value and re-development proposals will have no adverse impact on biodiversity (including the European wide network of protected Natura 2000 sites, Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC), Special Protected Areas (SPAs), protected species, or features which make a significant contribution to the cultural and historic landscape value of the area;

- E the proposal takes account of the LDP's sustainability strategy; and
- F the site meets all of the planning and environmental criteria set out in policies ENV 1, ENV 2, ENV 3, ENV 4, ENV 7, EMP 3, EMP 7 and DES 1 of the LDP.

Specific planning application requirements

52. Only applications for full planning permission will be accepted for the conversion and reuse of rural buildings. Applications for planning permission in principle are deemed not to contain sufficient information for the council to properly assess the impact of such proposals.

53. Full measured survey drawings are required and should include all existing and proposed elevations, floor layout plans and sections at a scale of not less than 1:100 and be clearly annotated to indicate all materials to be used. Applicants may be requested to submit additional and more detailed drawings of particular features of a building, for example, ventilation openings, mouldings, joinery profiles etc.

54. To avoid any ambiguity, drawings must clearly differentiate between those parts of the candidate building which are to be retained and those which are to be taken down and rebuilt or which constitute entirely new construction.

55. Drawings should also include existing and proposed site layouts at a scale of not less than 1:200. They should provide details of access, parking provision, external storage (including the location of oil, liquid gas, bio-mass fuel tanks), the delineation of gardens, boundary treatments and landscaping proposals.

Detailed requirements

Accessibility and location

- it is important that candidate buildings for conversion (particularly to housing) have reasonable accessibility to local facilities and services. Proposals for the conversion of isolated buildings will not be supported if they are shown to run counter to the principles of sustainability;
- the relationship of a conversion scheme to other existing buildings is also an important consideration. Where there are houses nearby, proposals must take account of privacy and amenity issues. It is also essential that it does not create disturbance to the agricultural management of adjoining land or to other rural businesses. Proposals to convert buildings within a working steading to residential accommodation will not ordinarily be supported unless the accommodation is being occupied by a full time farm worker or it can be satisfactorily demonstrated that the amenity of the residents of the converted buildings would not be adversely affected or impacted upon.

Retention of original features

- it is important that the original features of traditional farm architecture, disused churches, mills, schools, and other buildings are retained in situ or sensitively adapted. Typically, this would include fixed machinery, threshing stones, cart arches, stone troughs, cattle tethering points, ventilation slits, stone and timber lintels, stone steps, carved date stones, stained glass windows, cobbled areas and bespoke ironmongery such as weather vanes;
- where openings need to be closed off a sympathetic material should be used and recessed to help interpret 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 infilled with timber and with a slight recess, with a slight recess;

- other internal features that form part a building's character, for example, exposed beams, rafters and purlins; floor joists; roof trusses; floorboards; tiled or stone floors and original fittings and fixtures should as a general rule be retained and incorporated in the conversion.

Form

- traditional farm buildings (and some of the other rural buildings previously referenced) have a form and functional simplicity which the council wishes to see respected and preserved;
- extensions will only usually 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. In most cases extensions should be confined to circumstances where there is a requirement to unify or link buildings together or to sometimes re-instate lost elements of the original building where it makes sense to do so. In any event, where an addition to a building is to be proposed, it must be subordinate to the original structure and executed sympathetically. Conventional solutions could include single storey lean-to, gable end, or flank extensions while a more imaginative approach may be to create a neutral link to another building;
- only in exceptional circumstances will an additional element of new build (enabling development) be permitted. It would have to be rigorously demonstrated that the benefits of such a proposal clearly outweighed any harm to the character of the existing buildings and their environment. The demonstration would typically have to include a transparent and thorough disclosure of all financial aspects of the scheme and it would also have to be evidenced that the new development was at the same time integral in design terms and necessary to the proposals;

- the overarching consideration will at all times be to ensure that the structure, form and historic architectural integrity of the building remains as unaltered as possible and that its overall setting is respected and preserved so that it retains much of its traditional appearance after conversion.

Internal division and alterations

- where it is proposed that a single building is to be split into multiple housing units, the design must retain the original unified character and style and must take precedence over considerations of numbers and layout. It is an unfortunate fact that some traditional steadings buildings which have previously been converted have lost much of their character because of there being too many units. Experience suggests that 'less is more' in so far as steadings which contain fewer units are often more sought after by prospective buyers and are thus more marketable;
- internally, many buildings are of an open plan construction, consistent with their functional and agricultural heritage, for example, the threshing bay of a barn or the loft of a granary, and such spaces are therefore an important and integral part of their character. As a consequence, the subdivision of large and distinctive internal spaces will not ordinarily be appropriate and developers are encouraged to think more creatively and to consider less conventional layouts;.
- as a general rule, internal partitioning should be kept to a minimum, but where partitioning is necessary it should at least follow existing bay divisions such as the line of roof trusses.

Materials

- the success, or otherwise, of most conversions will for many observers be judged by its external and visual appearance and central to this is the selection of building materials employed to effect repairs. On the whole, modern materials such as concrete tiles, cement fibre slates and PVCu windows are best avoided as they can often result in problems associated with damp, condensation and fungal growth and they are not generally considered sufficiently sympathetic for use on older and traditional buildings. In order to maintain the authenticity and integrity of a conversion, the use of traditional materials is prescribed.

Walls

- existing stone walls should always be retained and repaired/rebuilt in a manner which matches the original and should not be rendered unless there is a very good reason to do so. However, in situations where external rendering is deemed appropriate it will generally be the case that only a traditional wet dash harl should be employed;
- where an element of rebuilding forms part of an approved conversion scheme, the existing stone should be salvaged and reused. If new stone is required it is important that it is carefully sourced to match the existing as far as possible. The use of alternative walling materials will be highly conspicuous and should be avoided. 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 commercially available and should always be used. Analysing surviving samples can often identify an exact match for repairing original pointing relatively easily. The Scottish Lime Centre Trust at Charlestown in Fife can provide this service to establish the original composition of the mortar in terms of lime and sand composition. This is important in terms of protecting original stonework from damage and can be contacted via its website at www.scotlime.org/en/contact-us/

Roofs

- the roof of a traditional farm building is its most visible feature and forms a key part of the building's character and authenticity. Unbroken roof slopes are a typically characteristic feature of traditional farm buildings and they should not as a rule be raised in height nor the roof pitch altered. Only in exceptional cases will this be permitted;
- where the roof covering on a building is found to be damaged it is important that as much of the surviving material is retained and conserved, including the timber-supporting frame. Gaps should subsequently be replaced as far as possible with the salvaged materials, but where new material is unavoidably required, it must match the existing and be applied to the less prominent elevations as it can often be difficult to achieve 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 (preferably re-claimed Scottish slate). These must be selected to match the existing in terms of size, profile, colour, etc;
- 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 and intrusive features on traditional farm buildings.

Dormers and roof lights

- dormers are features which are not usually found on traditional agricultural buildings and their introduction into a conversion can be disproportionately responsible for a change in the building's character. They should, therefore, generally be avoided. It is less visually intrusive to disrupt walls than the roof and where necessary it would be preferable to supplement the level of light by forming an opening in a gable end;
- roof lights can be similarly disruptive as they are prone to catching the eye by reflecting open sky and sunlight. However, if positioned on inside roof slopes and at lower levels and used sparingly, the use of vertically proportioned, flush fitting conservation type roof lights (with glazing bars and non-reflective glass) are generally less problematic.

Chimneys

- the addition of chimneys to farm buildings serves to domesticate them and can significantly detract from their agricultural character and appearance. Where no chimney exists, they should be avoided, but an acceptable compromise may be the installation of a small metal flue pipe, finished in black and located on the roof slope and set away from prominent facades.

Rainwater goods

- traditionally, rain was allowed to run off the eaves of farm buildings, there being no roof drainage system. While this is clearly no longer a tenable option given current day building standards, it is nevertheless important that the addition of new gutters and down pipes is addressed with care. Potential solutions could include fixing them on the least prominent elevations of buildings or hiding them in roof valleys and in terms of materials, black painted cast iron is preferred with guttering being held on by rise and fall brackets embedded into the masonry. There are modern alternatives which are capable of achieving an acceptable outcome in less sensitive and demanding circumstances and these will be considered on a case by case basis.

Windows

- one of the most common challenges encountered when converting/reusing traditional farm buildings, particularly to housing, is achieving sufficient natural lighting. These buildings typically have few window and door openings and what damages the character of a traditional farm building is the formation of new openings and a corresponding reduction in the surface area of external walls. It is therefore vital that the number of new openings are restricted to an absolute minimum and are at the same time sympathetic in design and materials and reflect the proportions and detailing of the existing openings;
- 'off the shelf' windows and doors are not always appropriate to conversions and developers should be alert to the possibility that they may instead require to be purpose made and with the attendant costs and time delays that this can involve. The use of PVCu manufactured windows is generally unacceptable. A traditional timber construction is preferred and all external timber should be painted rather than stained. Many paint manufacturers offer a heritage range of paint colours and these tend to be more authentic and sympathetic to traditional farm architecture than the ubiquitous application of brilliant white.

External lighting

- any external lighting, particularly when associated with non-domestic conversions, should be minimised and controlled by a timing device in order to reduce the negative effect of the character and setting or rural areas and on wildlife. It should in any event accord with Scottish Government guidance - [Controlling Light Pollution and reducing Energy Consumption \(2007\)](#).

Curtilage and boundary treatments

- in order to protect the character and setting of converted rural buildings, particularly in areas of elevated and open countryside, it is important that their curtilage (the land immediately surrounding them) is kept as non-domestic as possible. The introduction of car parking, patios, decking, formal gardens, concrete block walling and larch-lap and ranch fencing are inappropriate and should generally be avoided. Ideally, the curtilage should remain open and uncluttered. Rural gardens should aim to be natural in appearance and in harmony with the landscape character of the site location. Suburban garden styles should be avoided. In the majority of cases, planting should be of native species - these not only respect and reinforce the character of the landscape but also support wildlife and help to meet bio-diversity targets;
- where conversion to business use is proposed, the impact of any associated external storage or parking requirements on the character and appearance of the immediate locality and the surrounding countryside will be a particularly important consideration.
- the incorporation of adjacent agricultural land into a building's curtilage constitutes a change of use and would require planning permission in its own right, however such a proposition allied to proposals for converting redundant farm buildings will not usually be supported;
- hard surfaces should be avoided where none previously existed and contemporary ground surfacing materials such as tarmac and concrete are also rarely sympathetic to the setting of traditional rural buildings. Existing original surfacing materials such as flagstones, stone sets, cobbles and other traditional materials should be salvaged and reused where appropriate;

- where there is scope for private areas in residential conversions these are best defined with indigenous hawthorn or beech hedging or natural stone walls while the treatment of external boundaries should reflect the building's rural character using a simple timber post and rail fence if required.

Landscaping

- proposals to convert rural buildings must take account of their integration within the landscape through landform and planting and planning applications must be accompanied by a comprehensive landscaping scheme which should include details of proposed plant species, ground preparation, planting specification, protection measures and maintenance arrangements. This should be prepared by a suitably qualified and experienced landscape specialist, preferably an accredited member of a recognised professional body. It is also recommended that their commission be extended to supervise the implementation of the landscape works on site to ensure full compliance with the approved landscape plan and ensure that any deficiencies during this period are made good under the contract;
- it will be important to identify suitable areas for new tree planting to mitigate the visual impact of the development from distant views and for the purposes of integration, shelter, enclosure and privacy;
- 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. Off-site tree planting can also make a valuable contribution and this will be encouraged wherever feasible and under the control of the applicant;

- an analysis of the existing trees and hedgerows in the broader vicinity of the development site will provide a good indicator of species which are likely to enhance the local landscape character, 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 *Leylandii* hedging and other ornamental tree species must be avoided.

Protection of existing woodlands, trees and hedgerows

- provision requires to be made to protect existing trees and other landscape features and wildlife habitats. Details of the proposed methods for retention and protection of vegetation on site during construction should be submitted with the planning application and should accord with the principles of [BS 5837 \(2012\) - Trees in Relation to Construction](#);
- 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

- failure by developers to deliver aftercare and an appropriate maintenance regime is a recurring problem and one the council is prepared to address via the planning enforcement process if necessary. 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 equally important;
- the council will seek to secure an ongoing programme of maintenance through the imposition of planning conditions and, where necessary, a planning obligation. These will be reinforced by robust monitoring and enforcement.

Ecology

- rural buildings may provide important habitats for wildlife, including species protected by law, such as bats, and an ecological assessment, prepared by a suitably qualified and experienced professional, should be undertaken prior to the submission of a planning application for the conversion and rehabilitation of existing buildings and/or the removal of trees and vegetation in their vicinity;
- the assessment must identify the habitats and species impacted by the proposals, including any sites (Special Areas of Conservation, Special Protection Areas, Sites of Special Scientific Interest), locally designated nature conservation sites or species, for example, bats, otters and badgers which have statutory protection and the mitigation measures required to reduce impacts to an acceptable level. Survey work must be carried out at an appropriate time of the year for the species concerned. 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 any mitigation required.

Recording and archaeology

- detailed plans, together with a comprehensive photographic record of the buildings to be converted (internally and externally) should be submitted with a planning application as a matter of course. The council may also direct that an archaeological survey should be undertaken and submitted. In that event, a written scheme of investigation will be negotiated and agreed between the council's archaeological advisors, [West of Scotland Archaeology Service](#), and the applicant;
- any structural or buried features of historic or archaeological importance would also have to be recorded before works commenced on site in order to provide a public record of any finite and fragile elements of the historic environment;

- 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 lie 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 and in these instances proposals would not be supported.

Access and parking

- with regard to the suitability of access arrangements and parking provision, the advice of the council's Roads and Transportation Manager will be sought on a case by case basis;
- the vehicular access to traditional farm buildings often follows field boundaries or along the lines of hedges and walls, and, as a result, is usually quite discreet and integrates seamlessly within the landscape. It is anticipated that proposals for the conversion of buildings will ordinarily retain any existing access arrangements, however, if this is not the case, it is important that any new access is not visually intrusive and specifically avoids crossing the middle of fields. Sites which require the formation of a new access from a classified road will also 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 would not be supported;

- it is important that new roads and accesses are not 'over engineered' and a lesser specification than that which may ordinarily apply in an urban setting may be sought. Surface materials should be sympathetic to the rural character of the site (such as gravel with soft edges as opposed to tarmac with pre-cast concrete kerbs). Any unnecessary elaboration beyond this risks suburbanising the site;
- parking must be provided to accord with the council's prevailing guidelines but there does need to be heightened sensitivity as to where it is located relative to the converted/reused buildings. Experience suggests that the visual impact can be significantly ameliorated if it can be kept separate and at a modest distance from the converted building group;
- proposals to convert/reuse rural buildings must respect and not in any way impede recognised public rights of way and core paths. Where it is practicable and reasonable to do so, developers will be encouraged to facilitate and or improve access to and from existing rights of way and core paths.

Infrastructure

- the responsibility for ensuring that all necessary infrastructure and services are available to a property is the responsibility of the applicant and a proposed conversion may be refused planning permission if essential services cannot be made available or it would impose an excess resource commitment on the council;
- given their rural location, it is not always possible to be able to easily supply converted buildings with the services required to support their new uses, for example mains drainage, water, gas and hi-speed broadband. While alternative means of provision can usually be sourced, these can nevertheless have a potentially intrusive and damaging visual impact and they require to be thoughtfully considered. In particular, care needs to be given to the siting and screening of installations such as propane gas, oil and biomass storage tanks, water pumping stations, septic tanks and satellite dishes in order to minimise any detractor from the rural character an appearance of buildings;

Flood risk

- it is also important that flood issues are understood and adequately addressed. A risk of flooding, especially in rural areas, can have significant implications for the siting, design and in some case the overall principle of development. SEPA's web site should be the starting point as it includes links to flood maps and other technical guidance for addressing and managing flood risk. The council has undertaken to prepare separate guidance on the subject of flooding.
- proposals must be designed to ensure that there is, at the very least, no increase in the rate and volume of surface water run-off leading to increased flooding and physical damage to the river environment. The provision of SuDS apparatus is likely to be a requirement and should form part of the design process. If the site lies within a flood risk area the application must be accompanied by a Flood Risk Assessment. Early discussion with the council's Flood Risk Management Team is encouraged;
- it is recommended that applicants always adopt a precautionary approach with regard to the issue 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 with any planning application. In these circumstances a suitably qualified and experienced hydrologist or chartered civil engineer must author/endorse such an assessment.
- developments should in the first instance avoid unnecessary engineering works in the water environment and in particular the culverting of watercourses. However, where this is proposed, SEPA will assess this activity under [The Water Environment \(Controlled Activities\) \(Scotland\) Regulations 2011](#) (as amended) (CAR). Applicants are advised to consult SEPA's Practical Guide to the Controlled Activities Regulations for further advice.

Water supply and drainage arrangements

- the availability, reliability and quality of a potable water supply must be established at an early stage in the design process. Developers may be required to submit a hydrology report and to provide evidence, in the case of a public supply, that consultation has taken place with Scottish Water, SEPA and the council's Environmental Health service;
- similarly, rural buildings often have no mains facility for foul drainage and it is essential that developers discuss proposals for sewage disposal with SEPA and Scottish Water at the earliest opportunity;
- development within and reasonably close to the publicly sewered area should connect to the public sewer. Where a public sewer connection is to be made, evidence that the treatment works serving the development site has sufficient capacity must be provided.
- for development which is at distance whereby it is not reasonable to connect then the principle of private foul drainage systems are generally acceptable. The applicant should provide information to SEPA to demonstrate compliance with site investigation in [Section 3.9 of Domestic Technical handbook](#), including distance from drains, wells, boreholes and consideration of the depth to seasonally highest water table and suitable percolation rates for the system proposed.
- 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. New development will not be allowed to proceed unless foul sewers or sewage treatment works of adequate capacity and design can be guaranteed;
- the council will be seeking an innovative strategy for sustainable drainage that complies and, ideally, exceeds the minimum standards laid out in contemporary guidelines and regulations. The [SUDS Manual \(C753\)](#) published by the Construction Industry Research & Information Association (CIRIA), is a highly regarded source of guidance and has recently been updated to incorporate the latest technical advice and adoptable processes to assist in the planning, design, construction, management and maintenance of good SuDs;
- 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 [Water Assessment and Drainage Assessment Guide](#), published by SUDSWP;

Low Carbon design and energy efficiency

- [National Planning Framework 3 \(NPF 3\)](#) sets out the national strategy and vision for Scotland's development over the next twenty to thirty years. One of the 'National Planning Outcomes' is the achievement of Scotland becoming a 'Low Carbon Place' where carbon emissions have been reduced and adaptations have been made to our energy use to address climate change;
- SPP 2104 sets out the policy principles for renewable energy and charges the planning system with supporting the transformational change to a low carbon economy and identifies the requirement to reduce emissions and energy use in new buildings as a consequence;
- in Scotland, sustainability is embedded into the building regulations for all new buildings. Many different design and construction techniques can be adopted to create a low or zero carbon dwelling and it is important to get professional advice on how these can be successfully incorporated into new development. Evidence that Building Standards Regulations relating to energy and sustainability can be met and possibly exceeded may be sought and the development should in any event seek to attain the highest Energy Performance Certificate (EPC) rating;
- energy efficient buildings can make a very positive contribution to broad based environmental conservation and, where the most effective technological solutions to energy efficiency are being proposed, it is recognised that sometimes new ideas may require a re-appraisal of traditional concepts. It is important, however, that the design of new buildings should be considered within the broad guidelines set out in this guidance and combining energy efficient solutions with traditional design requirements provides designers with an opportunity for innovation and exciting solutions for schemes.

Sustainable development

- all new development should be sustainable; the development must make the minimum environmental impact (e.g. through siting, orientation and materials), incorporate the best practices of energy efficiency and have the longest possible life.
- in many rural locations it should be possible to consider specific renewable energy installations, such as solar panels, wind turbines, ground (or air) heat pump systems, and 'grey-water' recycling facilities.
- it is environmentally beneficial and sustainable to source materials locally; their use also helps to integrate new buildings with the older more established buildings in the countryside. All development should be designed to be resilient to climate change through careful exterior detailing and choice of materials. New buildings should be positioned to maximise solar gain and to gain natural shelter from topographical features to reduce energy demands. Building design should aim for minimal carbon footprint from initial construction through to low energy use on a day to day basis. Reuse of existing buildings minimising loss of existing building components and materials is encouraged in cases of conversion and refurbishment. High performance, energy efficient glazing and innovative heating systems should be incorporated into new buildings;
- the [Sustainable Housing Guide for Scotland](#) [2005] continues to be a useful reference source of comprehensive and user friendly information on ways of incorporating sustainability principles into housing development and rehabilitation projects.

Disability compliance

- 2014 requires that local authorities consider the need for special provision that cover accessible and adapted housing, wheelchair and supported accommodation. This supports independent living for elderly people and those with a disability. An inclusive design approach is required to have due regard to the need to promote equality of opportunity for disabled people in compliance with the Disability Discrimination Act 1995.

Miscellaneous

1. Depending on the scale and potential impact of some developments a pre-application consultation (PAC) may be suggested. Even if there is no statutory requirement to carry out a PAC applicants are strongly advised to engage with local communities given the potential interest there may be in developments of this nature. This should be carried out at the pre-application stage and a report submitted, along with the application, setting out how the applicant has complied with the requirements. It should also demonstrate that the views of the local community have been sought and taken into account. The scope and content of the report should follow the guidance set out in the regulations. Further guidance on PAC can be obtained from the [council's website](#).
2. Proposals must comply with all other relevant policies of the local development plan and other planning guidance approved by the council. This will include the council's various contribution policies such as affordable housing and education policies.
3. Prospective developers are encouraged to consider engaging a qualified designer/ architect who can bring both experience and inspiration to the design process. A good designer will advise clients on the correct approach to addressing the various constraints and requirements of the brief, the site, and its relationship to the landscape setting. The end result should be a well-designed conversion that is visually pleasing, energy efficient and appropriate to the context of the site located in the countryside.
4. Permitted development rights under the [Town and Country Planning \(General Permitted Development\) \(Scotland\) Order 1992](#), as amended, for development within the curtilage of a dwelling house 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 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.
5. Where existing farm buildings are converted to alternative uses, there is a possibility that additional agricultural buildings may subsequently be constructed under permitted development rights. This could result in a gradual increase in sporadic development within the countryside to the detriment of the landscape. In such cases, the council may seek to control the replacement of traditional farm buildings by new ones by attaching to the planning permission a condition withdrawing permitted development rights for new agricultural buildings in respect of the particular agricultural unit or holding.
6. [Separate consent is required under the Building Regulations](#) which ensure that conversions meet the relevant building standards. This will cover a range of important issues including energy efficiency, fire safety and structural stability.
7. Technical requirements of Building Standards (with regard to matters of ventilation, drainage and access) can sometimes conflict with the overarching requirement of planning permission which is to maintain the appearance and character of traditional rural buildings. It is therefore important that such matters are identified and resolved before planning permission is granted. Requests to amend an approved planning scheme (in order to secure a Building Warrant) may not be sanctioned if such amendments are considered to unacceptably change the character of the building.

3 The replacement of an existing house

56. While the countryside is defined by its natural and predominantly undeveloped character there are still a significant number of houses to be found there. A large number of these are older properties which may have originated from the development of agriculture and mining and quite often pre-date the planning system. Others, built in more recent times and with planning permission, can often be found to have an association with the management of the land, forestry, fishing and other rural activities.

57. Over time, older houses may no longer meet the standards for modern living which have become the accepted norm. They may have fallen into a poor state of repair, become dilapidated or been affected by serious structural defects. Others, mainly post war properties, can with hindsight be seen not to have been sensitively located from the outset and many are of a form, construction or appearance that is not sympathetic with their surroundings. It is often the case that houses in the countryside that are of minimal visual, architectural or historic merit are generally of a suburban appearance. They typically include design details not found on traditional/ vernacular rural properties (e.g. boxed eaves, 'picture frame' windows, balconies) and many are finished in materials alien to the countryside (e.g. brick, artificial stone, concrete). Either way, they can blight the appearance and the landscape setting of the countryside and their removal could be beneficial.

58. Policy ENV 2 of the LDP recognises these issues and is broadly supportive of proposals which would secure the removal of dilapidated, intrusive and badly designed houses. It makes conditional allowance for their replacement with a new house, providing it would result in a more sustainable development and bring about an environmental improvement in terms of the impact the house would have on its surroundings and the landscape.

59. The definition of a 'replacement house', for the purposes of the policy, is a house that is to be built on the site of an existing house that is still in situ. Not every existing house in the countryside will however be appropriate for replacement and it cannot be guaranteed that every proposal will be considered favourably.

Justification

60. All applications for planning permission to replace a house in the countryside will be scrutinised thoroughly, and in the first instance it will be necessary for applicants to satisfactorily demonstrate that:

- A the existing property constitutes a viable house and exhibits all of the essential characteristics of a house including substantially intact walls and a roof;
- B the existing property has a lawful use for residential purposes. Where the building is still occupied or has only very recently been vacated this should not present any difficulty. The situation can however be more complicated where the property has been empty for some time or has been used for another purpose since it was last occupied as a house. In such cases, the residential use may have been 'abandoned' and a replacement house is unlikely to be supported. A derelict or ruinous structure, where the residential use has been abandoned, or where a house has already been demolished, does not establish any right to a replacement house being consented to and is not embraced by the policy. A proposal of this nature would be regarded as a new dwelling and would not benefit from the concession available under Policy ENV 2 of the LDP;
- C the existing house provides a sub-standard level of living accommodation that is unsuitable for renovation and/or has structural defects which are not improvable or are beyond economic repair; or

- D the existing house is significantly visually and/or environmentally intrusive;
- E there will be significant environmental, visual or community benefits to be had by replacing the existing house as opposed to retaining it in its current state;
- F the existing house is not listed as having special architectural or historic interest. The demolition and replacement of a listed building is not sanctioned by the policy and such works would in any event require to be the subject of a separate listed building consent;
- G the existing house is not in a conservation area. The demolition and replacement of a house in a conservation area is not sanctioned by the policy and such works would in any event also require to be the subject of a separate conservation area consent;
- H the site has negligible ecological or biodiversity value and re-development proposals will have no adverse impact on biodiversity (including the European wide network of protected Natura 2000 sites, Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC), Special Protected Areas (SPAs), protected species, or features which make a significant contribution to the cultural and historic landscape value of the area;
- I proposals for the replacement of a non-residential building with a house is not sanctioned by the policy;
- J the proposal takes account of the LDP's sustainability strategy; and
- K the site meets all of the planning and environmental criteria set out in policies ENV 1, ENV 2, ENV 4, ENV 7, and DES 1 of the LDP.

Specific planning application requirements

61. Only applications for full planning permission will be accepted for the replacement of existing houses. Applications for planning permission in principle are deemed not to contain sufficient information for the council to properly assess the impact of such proposals.

62. Drawings should include proposed site layouts at a scale of not less than 1:200. They should provide details of access, parking provision, external storage (including the location of oil, liquid gas, bio-mass fuel tanks), the delineation of gardens, boundary treatments and landscaping proposals.

Detailed requirements

- the redevelopment of such sites can only ever be on a one-for-one basis - additional houses will not be permitted;
- re-development should not result in any extension to the existing residential curtilage unless it can be satisfactorily demonstrated that this will achieve significant environmental improvements. The residential curtilage is effectively the already developed land associated with the existing house and includes the site of the existing house together with its related outbuildings, garden ground etc;
- the replacement house must be sited to integrate into the surrounding landscape and must not adversely affect the rural character of the area;
- the replacement house should be on, or very close to, the site of the original house, unless it can be satisfactorily demonstrated that repositioning within the residential curtilage will significantly improve visual amenity and better harmonise with the locality, achieve significant environmental improvements (for example, alleviate a flooding risk) or resolve a road safety issue;

- the replacement house must sympathetically reflect the size of the original house and must not result in a building that is disproportionately larger. Ordinarily, and unless the council is convinced that exceptional circumstances prevail, the floor area of the replacement house must not be more than one third 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 control any subsequent increase in the size of the house by removing permitted development rights by condition;
- the character and design of the replacement house, and associated works including access, must be sympathetic to the traditional form of rural buildings or be of a high quality and innovative contemporary design and supported by a design statement;
- 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 supported;
- the design of the replacement house shall accord with the design guidance for new houses in the countryside (set out later in this document);
- new structural landscaping may be required to enhance the setting of the replacement house through the creation of a positive landscape framework;
- the existing house will ordinarily be required to be demolished and the land satisfactorily reinstated before the occupation of the replacement house;
- the level of traffic generated by the proposal must be within the capacity of local roads, and must not be detrimental to the environmental amenity of the locality, or prejudice road and pedestrian safety, noise and air quality;
- safe and satisfactory provision must be made for access and parking to serve the site; and
- proposals must comply with all other relevant policies of the local development plan and other planning guidance approved by the council.

Miscellaneous

1. Depending on the scale and potential impact of some developments a Pre-application consultation (PAC) may be suggested. Even if there is no statutory requirement to carry out PAC applicants are strongly advised to engage with local communities given the potential interest in certain developments. This should be carried out at the pre-application stage and a report submitted, along with the application, setting out how the applicant has complied with the requirements. It should also demonstrate that the views of the local community have been sought and taken into account. The scope and content of the report should follow the guidance set out in the regulations. Further guidance on PAC can be obtained from the council's website.
2. For the integrity of the LDP and other planning policies, it is important to guard against landowners/developers deliberately cultivating the degradation and dereliction of existing houses in order to engineer the circumstances that might support re-development. Where there is clear evidence of such manipulation having taken place, sites will be excluded for consideration.
3. Separate consent is required under the Building Regulations. This will cover a range of important issues including energy efficiency, fire safety and structural stability.

4 Rural infill development

63. While national and local planning policy aims to prevent sporadic development in the countryside and generally seeks to focus development within settlement boundaries, there are circumstances when some modest infill development can be supported where there are already small clusters of houses and in hamlets, providing it does not adversely affect the character and appearance of the area. This can be economically beneficial in helping to sustain small communities and maintain local services.

64. The term 'infill' is sometimes misapplied to development proposals and for the avoidance of doubt it is, in the context of Policy ENV 2 of the LDP, development in the order of one or two houses in a small gap in an otherwise continuous built-up residential frontage to a road or access within a clearly identifiable cohesive group of buildings in the countryside. It specifically does not apply to the development of additional buildings to the end of a line of existing properties (which would be ribbon development).

65. In situations where existing buildings are set substantially back from the road and have large front gardens or forecourts and/or properties are set within large plots with a sizeable gap to neighbouring properties it is unlikely that the 'continuously built-up frontage' requirement can be met. New development could be harmful to the rural character of the area in these circumstances and would not be supported.

Justification

66. All applications for planning permission will be scrutinised thoroughly, and in the first instance it will be necessary for applicants to satisfactorily demonstrate that:

- A the building group consists primarily of buildings forming a clearly identifiable nucleus with strong visual cohesion and sense of place; Development is not acceptable in a sporadically sited, loosely related spread of 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 another building group or settlement;
- B the proposal takes account of the LDP's sustainability strategy;
- C the site has negligible ecological or biodiversity value and re-development proposals will have no adverse impact on biodiversity (including the European wide network of protected Natura 2000 sites, Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC), Special Protected Areas (SPAs), protected species, or features which make a significant contribution to the cultural and historic landscape value of the area;
- D the site is not visually and/or environmentally intrusive; and
- E the site meets all of the planning and environmental criteria set out in policies ENV 1, ENV 2, ENV 3, ENV 4, ENV 7, EMP 3 and DES 1 of the LDP.

Specific planning application requirements

67. It is preferred that an application for full planning permission is submitted for consideration in these circumstances.

68. However if an application for permission in principle is submitted, details of siting must be included as part of this application together with details of access arrangements, scale, design and materials. 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](#).

Detailed requirements

- the proposed infill development must occupy a definite gap between two existing properties that front a road or an access lane;
- the size of the gap is not prescribed but it must be comparable in size to the plot width of adjoining properties;
- the development must not constitute ribbon or backland development. (Ribbon development is defined as a line of buildings extending along a road, or private lane generally without accompanying development of the land to the rear and often served by individual accesses). A plot at the end of a line of buildings is not an infill plot but an extension which would lead to ribbon development;
- if there is an established/predominant building line this must be adhered to and amenity/circulation space must be directly comparable to adjoining properties;
- an extension to a building group may be acceptable in those rare circumstances where the site is naturally contained by an established boundary, for example a natural tree belt or a woodland, a natural slope that would form a backdrop to the site or a physical feature such as a boundary wall or a road, all subject to the proviso that the development does not result in a significant enlargement of the area covered by the existing group of buildings;
- the development must take account of natural landscape features and have regard to the pattern of planting including hedging, walling and other boundary treatments;
- ordinarily, only one or two houses or a single business property will be acceptable on infill sites - more than this would be likely to have an adverse impact on the character and appearance of the countryside and the local distinctiveness of the area;
- new houses should be of a similar size, scale and massing to those in the immediate area and reflect the landform and the local landscape character;
- the design of new buildings must respect the character of existing development and proposals should also respond to local distinctiveness (including building traditions or materials);
- the design of the new house shall accord with the design guidance for new houses in the countryside (set out later in this document);
- 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 supported;
- new structural landscaping may be required to enhance the setting of the new building through the creation of a positive landscape framework;
- the level of traffic generated by the proposal must be within the capacity of local roads, and must not be detrimental to the environmental amenity of the locality, or prejudice road and pedestrian safety, noise and air quality;
- safe and satisfactory provision must be made for access and parking to serve the site; and
- proposals must comply with all other relevant policies of the local development plan and other planning guidance approved by the council.

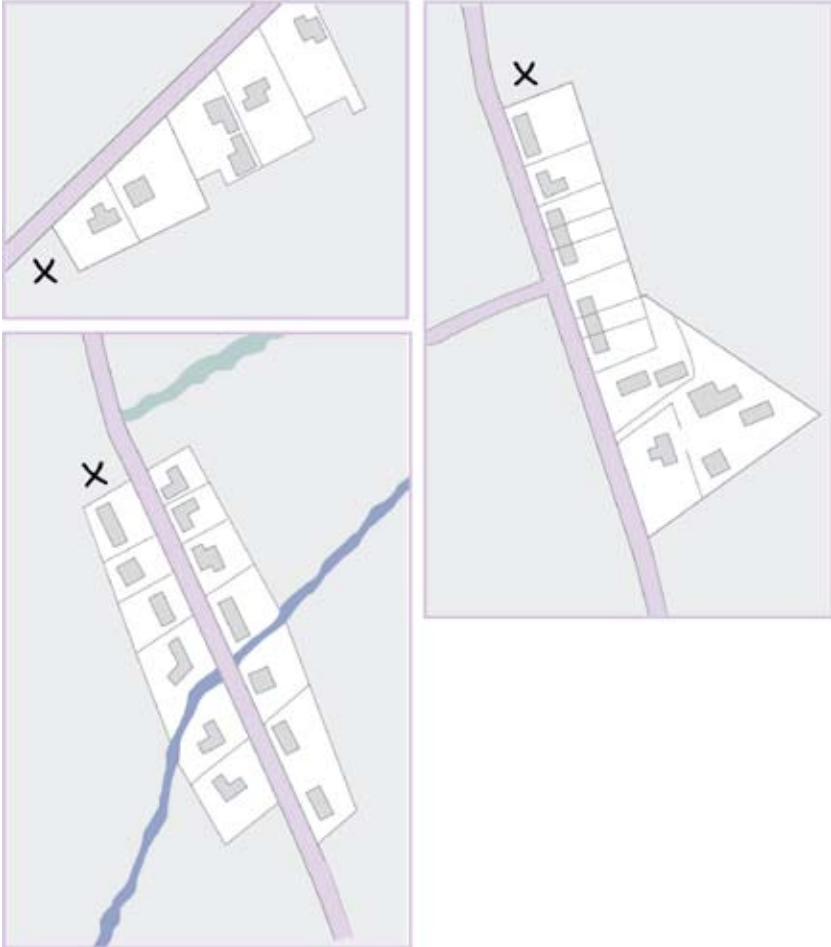
Miscellaneous

1. There may be additional 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.
2. Where infill development is 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 any successor equivalent).
3. [Separate consent is required under the Building Regulations](#). This will cover a range of important issues including energy efficiency, fire safety and structural stability.
4. Examples of what are considered to be acceptable infill in a recognisable group of houses in the countryside and examples of what are not are illustrated in the accompanying diagrams.

Examples of appropriate infill development



Examples of inappropriate infill development



5 A new house which makes an exceptional contribution to the countryside

69. [Designing Places](#) was published by the Scottish Government in 2001 and is widely credited as being one of the most important catalysts in the quest to raise the quality of urban and rural development in Scotland. It recognised the role planning authorities could play in establishing standards and raising aspirations and understood that the development management function was key to controlling the quality of what actually gets built. Scotland's new policy statement on architecture and place [Creating Places](#) [2013] re-enforced the comprehensive value good design was capable of delivering and in 2014 Scottish Planning Policy (SPP 2014) was explicit in asserting that the planning system had a vital role to play in delivering high-quality places and encouraged it to take a positive and enabling approach while continuing to protect and enhance natural and cultural resources.

70. As a mechanism for recognising and raising the overall benchmark for the design of housing, and to help establish what could potentially turn out to be the new listed buildings of the 21st century, the council has for some time operated a policy which allows for the development of a new house of exemplary design in a rural location. This is contingent on it being of exceptional quality and making a unique and bespoke contribution to the appearance of the countryside by virtue of its design, location and landscape setting and is now enshrined as part of Policy ENV 2 of the LDP.

71. For the purposes of this policy the definition of 'exceptional quality' is a property that is of a truly outstanding or innovative design which reflects the highest standards in contemporary architecture and which can help to raise the standards of design more generally in rural areas. It must significantly enhance its immediate and wider landscape setting and be sensitive to the defining characteristics of the local area.

72. The council will seek to validate and appraise the submitted proposals by consulting a design review panel (internal to the council) and/or externally with Architecture and Design Scotland (A&DS), a non-departmental public body of the Scottish Government whose purpose is to promote the value of good architecture and sustainable places, or another independent advisor.

Justification

73. A very high bench mark has been set for applications for planning permission which seek recognition and justification under this part of Policy ENV 2 and they will be scrutinised thoroughly. In the first instance it will be necessary for applicants to satisfactorily demonstrate that:

- A the site has been selected because of its suitability and not simply because it is available;
- B the new house is of a bespoke design for the site in question;
- C the new house is genuinely of outstanding quality of design;
- D the new house is distinctive and responsive to its setting, making a positive contribution to the locality of the area;
- E the new house integrates with, complements and enhances the established character of the area and the cumulative impact on the landscape of the development is acceptable;
- F the new house is located a sufficient distance from a village, hamlet, existing grouping or settlement to ensure that the development is considered as part of an established rural landscape area rather than a built up area;
- G the new house is not proposed in any of the 'Special Landscape Areas' (SLAs) shown on the LDP Proposals Map where it could undermine the landscape and visual qualities for which the SLAs were designated;

- H the site of the proposed new house is not within a conservation area;
- I the site has negligible ecological or biodiversity value and re-development proposals will have no adverse impact on biodiversity (including the European wide network of protected Natura 2000 sites, Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC), Special Protected Areas (SPAs), protected species, or features which make a significant contribution to the cultural and historic landscape value of the area;
- J the proposal takes account of the LDP's sustainability strategy;
- K the site is not visually and/or environmentally intrusive; and
- L the site meets all of the planning and environmental criteria set out in policies ENV 1, ENV 2, ENV 4, ENV 7, and DES 1 of the LDP.

- environmental mitigation measures, including new structural landscaping, will be required to enhance the setting of the new house through the creation of a positive landscape framework. Where appropriate, environmental improvements such as woodland and hedge planting or wetland habitat creation may be required to be implemented across an applicant's entire landholding and not confined to the immediate environs of the new development;
- the level of traffic generated by the proposal must be within the capacity of local roads, and must not be detrimental to the environmental amenity of the locality, or prejudice road and pedestrian safety, noise and air quality;
- safe and satisfactory provision must be made for access and parking to serve the site;
- a significant contribution to the cultural and historic value of the area; and
- proposals must comply with all other relevant policies of the local development plan and other planning guidance approved by the council.

Specific planning application requirements

74. Only applications for full planning permission will be accepted for the erection of a house in these circumstances. Applications for planning permission in principle are deemed not to contain sufficient information for the council to properly assess the impact of such proposals.

Detailed requirements

- the character and design of the new house, and associated works including access, must be of a very high quality and innovative contemporary design and supported by a design statement;
- the new house must be sited to integrate into the surrounding landscape and must not adversely affect the rural character of the area;
- the new house must make a positive and the new house must make significant contribution to the landscape setting of the site. Only proposals that clearly demonstrate this will be supported;

Miscellaneous

1. Separate consent is required under the Building Regulations. This will cover a range of important issues including energy efficiency, fire safety and structural stability.
2. [Separate consent is required under the Building Regulations](#) which ensure that conversions meet the relevant building standards. This will cover a range of important issues including energy efficiency, fire safety and structural stability.
3. Technical requirements of Building Standards can sometimes conflict with planning permission requirements, particularly in situations where innovative design is being pioneered. It is therefore important that such matters are identified and resolved before planning permission is granted. Requests to amend an approved planning scheme (in order to secure a Building Warrant) may not be sanctioned if such amendments are considered to unacceptably change the character of the building.

6 Farm diversification

75. The landscape of the countryside has been largely shaped by the nature and pattern of farming activity, which remains its principal land use, and it follows that the future of the countryside is closely bound with the trends and policies affecting agriculture.

76. It is recognised that farm diversification is and will continue to be important to the long term viability of many established farm enterprises. Against a backdrop of changes to the structure and type of farms in the UK, fewer traditional farm-related jobs and uncertainty about the long term future of agricultural subsidies post Brexit, pressure continues to be put on many in the industry to review their reliance on agricultural production as their main source of income.

77. The council therefore believes that it is important to provide for appropriate farm diversification, both to assist the rural economy and to help maintain traditional, principally agricultural landscapes. This recognises the continuing stewardship of the countryside by the farming community and should also be seen in the context of the long term environmental and landscape objectives of the LDP.

78. Farm diversification can help supplement farm incomes, broaden and sustain the rural economy, provide much needed additional facilities and services for local communities and provide solutions for dealing with an increase in the stock of land and buildings no longer required for agricultural purposes.

79. The council encourages farm diversification proposals which are compatible with and, where appropriate, assist the maintenance of farming activities to ensure the long term agricultural management of the land.

80. Policy EMP 3 of the LDP is supportive of well-conceived farm diversification schemes and other appropriate small scale business proposals consistent in their scale with their rural location and where the rural economy can be sustained or significant social or community benefits can be derived.

81. Farm diversification can at its most simple level involve a re-orientation of the type of farming carried out, including the cultivation of 'new' crops and, taking advantage of assistance for environmentally sensitive farming and commercial woodland planting. Moving up a level, there are proposals that are likely to have little effect on the landscape and which allow farming operations to continue largely unchanged. These typically include farm shops and the reuse of redundant farm buildings for low key business uses such as kennels or catteries or conversion to tourist B & B accommodation.

82. There are however other less benign farm diversification schemes which can potentially have a more substantive and detrimental impact on the environment and the character of the countryside. These include renewal energy schemes, which have the potential for creating adverse landscape and biodiversity impacts, other changes of use of farmland and buildings for haulage, storage and distribution purposes, which typically generate high traffic volumes or significant movements of heavy goods vehicles, the establishment of commercial scale 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 activities. Such uses are rarely compatible with ongoing farming activity and they may also be inappropriate for locating in the countryside for a number of other environmental reasons.

83. As a general rule, farm diversification proposals should not result in excessive expansion and encroachment of building development or the generation of significant additional traffic on rural roads. Developments which have the added value of employment generation or community benefits are however especially welcome, particularly in the less populated areas of the countryside and where they involve the imaginative and sensitive reuse of previously buildings and where access, particularly by public transport, drainage capacity and other infrastructure exists or can be provided at reasonable cost.

84. The term ‘farm diversification’ is sometimes misapplied to development proposals and for the avoidance of doubt it is, in the context of Policy EMP 3 of the LDP, regarded as an activity which is ancillary to the main agricultural function of the land with agricultural activity remaining the dominant land use in order to preserve the landscapes that have resulted from farming activity. Therefore not every activity or development that injects funds into a farm constitutes a valid farm diversification scheme as it may not necessarily achieve the underlying objective of sustaining an existing farm business in a manner which enables it to continue to deliver wider environmental, economic and social benefits. Schemes which can show a direct connection between on-going farm activity and any consequential benefits to the local economy or environment are likely to be considered more favourably.

85. At the risk of stating the obvious, building houses in the countryside is not recognised as being an appropriate or acceptable form of farm diversification! Unless there is very special justification, and with only one or two exceptions, planning permission for residential development in the countryside will ordinarily be refused. Exceptions include lowland crofting development, which is a standalone initiative described in a later section of this document but which in practice is more allied to a fundamental restructuring of an agricultural land holding than a diversification of farming activities.

Justification

86. All applications for planning permission will be scrutinised thoroughly, and in the first instance it will be necessary for applicants to satisfactorily demonstrate that:

- A the diversification proposal will not result in any significant loss of the best and most versatile agricultural land;
- B the diversification proposal will be compatible with and, support rather than replace, farming activities on the remainder of the farm to ensure the long term agricultural management of the land;

- C the diversification proposal will support the retention of viable farm holdings and discourage the inappropriate fragmentation of land;
- D the diversification proposal will be compatible with ongoing agricultural operations on the farm and any neighbouring agricultural holdings;
- E the diversification proposal will not unacceptably impact on the amenities of neighbouring residents;
- F the diversification proposal will not cause an unacceptable level of pollution (noise, light, air or water);
- G the level of traffic generated by the proposal must be within the capacity of local roads, and must not be detrimental to the environmental amenity of the locality, or prejudice road and pedestrian safety, noise and air quality;
- H the site is not visually and/or environmentally intrusive;
- I the diversification proposal will not give rise to any demonstrable harm to the natural environment, including landscape, landscape designations, natural heritage, cultural heritage, conservation interests, and/or the use and enjoyment of public rights of way and core paths;
- J there is clear evidence that the farm is operating on a sound financial basis and can, as far as is reasonably practicable, be shown to be economically viable and sustainable;
- K the diversification proposal takes account of the LDP’s sustainability strategy; and
- L the site meets all of the planning and environmental criteria set out in policies ENV 1, ENV 2, ENV 3, ENV 4, ENV 7, and DES 1 of the LDP.

Specific planning application requirements

87. Where new buildings are proposed (or the conversion of existing buildings) it is preferred that an application for full planning permission is submitted for consideration in these circumstances. However if an application for permission in principle is submitted, details of siting must be included as part of this outline application together with details of access arrangements, scale, design and materials. 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](#).

88. Where proposals include the conversion of an existing building in the countryside full measured survey drawings are required and should include all existing and proposed elevations, floor layout plans and sections at scale of not less than 1:100 and be clearly annotated to indicate all materials to be used. Applicants may be requested to submit additional and more detailed drawings of particular features of a building, for example, ventilation openings, mouldings, joinery profiles etc.; To avoid any ambiguity, drawings must clearly differentiate between those parts of the candidate building which are to be retained and those which are to be taken down and rebuilt or which constitute entirely new construction.

Detailed requirements

- where physical accommodation is required to serve the operational needs of the diversification proposal, the conversion and reuse of the existing buildings must always be the first consideration. Only when this has been evidenced as unsuitable or impractical will new build accommodation be considered;
- the scale of any new built development must be minimised to what is absolutely necessary for the purposes of operating the diversification proposal and planning guidance dealing with the conversion and reuse of existing rural buildings (set out earlier in this document) applies and should be adhered to;
- the siting, scale and design of new buildings, individually or cumulatively, must not adversely affect the landscape character of the site and its surroundings, nor the amenity of nearby residential property;
- the design of new buildings must respect the character of existing development and proposals should also respond to local distinctiveness (including building traditions or materials);
- the proposed development must be of a scale appropriate to the services and infrastructure available at the location. Development which cannot be serviced by existing infrastructure, including education, roads/transportation and water and drainage, will not be supported unless funding for any necessary infrastructure improvements is fully committed;
- the level of traffic generated by the proposal must be within the capacity of local roads, and must not be detrimental to the environmental amenity of the locality, or prejudice road and pedestrian safety, noise and air quality;
- safe and satisfactory provision must be made for access and parking to serve the site;
- environmental mitigation measures, including new structural landscaping, may be required to enhance the setting of the new development through the creation of a positive landscape framework. Where appropriate, environmental improvements such as woodland and hedge planting or wetland habitat creation may be required to be implemented across an applicant's entire landholding and not confined to the immediate environs of the new development;

- proposals for new visitor attractions and tourism infrastructure should support the themes set out in Policy EMP 7 of the LDP and the tourism strategies of the council, thereby enhancing the image and tourism profile of the area;
 - proposals for new B&B's, guest houses, pubs/restaurants etc. will generally only be permitted when existing buildings can be satisfactorily utilised;
 - small-scale proposals for new-build self-catering accommodation, caravan or camping sites may be supported subject to appropriate siting and a high quality of design;
 - overall, the council wishes to ensure that farm diversification proposals respect the landscape qualities of the countryside and accord with the protection of its distinct character and appearance and do not create problems associated with access, traffic congestion, noise, pollution and loss of amenity; and
 - proposals must comply with all other relevant policies of the local development plan and other planning guidance approved by the council.
2. Planning permission is required for projects to diversify the use of farmland and buildings for non-agricultural activities. 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.
 3. [Separate consent is required under the Building Regulations](#). This will cover a range of important issues including energy efficiency, fire safety and structural stability.
 4. Separate consent is required under the Building Regulations which ensure that conversions meet the relevant building standards. This will cover a range of important issues including energy efficiency, fire safety and structural stability.
 5. Technical requirements of Building Standards can sometimes conflict with planning permission requirements, particularly in situations where innovative design is being pioneered. It is therefore important that such matters are identified and resolved before planning permission is granted. Requests to amend an approved planning scheme (in order to secure a Building Warrant) may not be sanctioned if such amendments are considered to unacceptably from what had secured planning permission change the character of the building.

Miscellaneous

1. Planning permission is not required for the use of existing buildings for agricultural operations, although a notification to the council may be necessary for new farm buildings and other structures. (See Chapter 7, New agricultural buildings for details). 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.

7 New agricultural buildings

Agricultural permitted development and planning permission for agricultural development

89. Many typical agricultural and forestry buildings, excavation and engineering operations for the purpose of farming or forestry are 'permitted development' and therefore exempt from planning permission. The range and type of developments which are permitted varies depending on whether the agricultural unit is 5 hectares or more in area, or between 0.4 and 5 hectares. No agricultural permitted development rights exist for units less than 0.4 hectares.

90. There are however exceptions where planning permission is needed, such as when:

- the proposed building is to have a floor area in excess of 465m²;
- the building is to be located within 3km of the perimeter of an aerodrome and would exceed 3m in height;
- the building would exceed 12m in height;
- the building would be within 25 metres of the metalled portion of a trunk or classified road; and
- the building is to be used for the purpose of housing livestock or for the storage of slurry or, sewage sludge, and the building would be located within 400m of any protected building*, development of livestock, sewage or slurry structures within 400 metres of a building normally occupied by persons not involved in farming, or development within 25 metres of a trunk road.

**A protected building is a building normally occupied by people, but does not include buildings forming part of a working farm or certain special industrial buildings.*

Prior Notification

91. For certain types of Permitted Development there is a 'Prior Approval' procedure (with a fee). The council, as planning authority, has to be informed about the erection of any new agricultural or forestry buildings, significant extensions or alterations to existing buildings and the alteration of a farm or forestry track. The purpose of the referral is to allow the environmental impacts to be considered and to enable the council to ask for any changes in siting and design to be made. The council has 28 days to decide whether to then ask for full details to be submitted for prior approval of the siting, design, external appearance and means of construction. This is required only if the council considers that the proposal is likely to have a significant impact on its surroundings. Most notified proposals do not have such an impact and will be allowed without further details having to be submitted.

92. Whether or not planning permission is required, careful consideration should always be given to the siting and design of any new development and the purpose of this particular guidance is to provide practical advice on how to best design new farm buildings that both function efficiently and have a minimal impact upon the environment.

93. We owe the rural landscape we enjoy today to the efforts of earlier generations of farmers and the attractive and characterful buildings they erected have left their mark. Typically compact and built of local materials and in a local style, these traditional farm buildings are an essential part of the West Lothian landscape.

94. Significant changes in farming practices over the last few decades does however mean that many of these buildings do not generally satisfy modern farming requirements and contemporary buildings to accommodate modern farming practice have gradually been introduced. These tend to be much larger portal frame structures, reflecting the demand for better performance and greater efficiency, but are often clad in materials that are foreign to the rural setting and, as a consequence, have the unfortunate tendency to be jarring and visually intrusive.

95. It is only through careful consideration of the design and siting of these modern buildings that they can be more sensitively and satisfactorily integrated into the landscape. Well designed and located structures can enhance the visual amenity of the area. Conversely, poor siting and design can have an adverse impact on the appearance of the countryside.

Design Objectives

96. It is essential to support good farming practice by encouraging the provision of efficient buildings, but farm buildings must also be designed in a way that is sympathetic with their setting and not damaging to the wider environment if the attractiveness of the rural landscape is not to be compromised.

Objective 1 - Economy and Efficiency

97. It's understood that the primary influence upon the design of any new farm building will be the provision of an economic and efficient facility for the farm and it is important, therefore, to take time to consider the movement of machinery, materials and stock from the surrounding road system and to and from the fields and buildings on the farm.

98. National guidance on minimum standards for the design and construction of all agricultural buildings is provided in British Standard BS 5502 'Buildings and Structures for Agriculture'. Compliance with BS 5502, Class II, should provide a building with a minimum of a 20 year design life. In addition to the British Standard there are other codes of practice, standards and Farm Assurance Schemes for most features of agricultural buildings. Farmers, designers and advisers are urged to check that the proposed buildings and materials will comply with the relevant standards.

Objective 2 - Minimising the impact of development upon the Landscape

99. To ensure that the attractiveness of the landscape is not compromised by the provision of new farm buildings they must be provided in a way that minimises their impact upon the landscape. Awareness of the character of the local landscape is an essential tool in designing a farm building that will preserve, rather than detract from, the character of the area.

100. It is necessary to determine the obvious view points from which the proposed building would normally be seen, for example, from roads, core paths, 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.

101. Consideration of the siting, how to break up the bulk of a building, the construction materials and landscaping will all help to reduce the visual impact of a new structure.

102. The objective should not be to hide or to camouflage the building but to fit it into the lie of the land, making the best use of existing natural features, 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.

103. 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 and by careful choice of materials and colour. Tree and shrub planting can also help to screen and soften the outline of new farm buildings.

104. Some simple practical measures to facilitate the integration of new agricultural buildings into the landscape are suggested.

Roofs

105. The roofs of modern agricultural buildings often have a wide span and shallow pitch which make them prominent in the landscape. Dark colours should therefore be used with suggested British Standard colours being: 08 B 29 (dark brown); 10 B 25 (dark khaki green); and 00 A 13 (dark grey) /18 B 29 (dark grey). Reflective materials should always be avoided. Timber cladding is preferable as it assimilates well into the landscape but should be dark stained.

106. As a general rule, roofs should be darker than walls and keeping the eaves simple and as traditional as possible will further help reduce the perceived mass of the building. Modern 'box eaves' should be avoided.

Walls

107. Where walls are especially noticeable in the landscape, they should be suitably rendered or appropriately clad, rather than left as exposed concrete block. The use of lighter shades of the colour employed on the roof can help reduce the apparent scale of a building. British Standard colours 18 B 25 (slate grey) and 08 B 25 (muddy brown) are generally appropriate in most circumstance.

108. 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 traditional brick or even stone dependent on local building traditions.

Objective 3 - Minimising the impact of development upon the wider environment

109. In recent years there has been increasing awareness about the impact of development upon the environment. To address this the concept of sustainable development, development that meets the needs of today's generation without compromising the needs of future generations, has been widely adopted. Development should not damage water and air quality, soils, biodiversity or historic and cultural environments. Positive actions include the sympathetic reuse of existing buildings, use of non-toxic, recycled, recyclable or biodegradable materials, the construction of energy efficient buildings, protection of natural habitats and species, the creation of new wildlife habitats, the protection of archaeological sites and the avoidance of pollution. It is only by the careful consideration of the impact of any new building upon all aspects of the environment that sustainable development can be achieved, thereby protecting the environment for current and future generations.

Miscellaneous

1. It is expected that external guttering and down-pipes on modern farm buildings will be manufactured in plastic PVCu and generally dark in colour.
2. Roof lights should generally be avoided unless functionally essential. Where they are employed they are less intrusive when finished flush.
3. In circumstances where storage compounds and fuel tanks are required, it is important for locations to be well screened from external view either by existing or proposed buildings or by trees and hedgerows.
4. Disturbed soil, should be re-graded as soon as practicable on conclusion of construction works and the re-seeded to minimise the visual impact and restore the landform

8 Tourism and recreational related development

110. Tourism and recreation encompass a wide range of diverse activities which are continuously subject to changing trends in their type, distribution and duration.

111. While West Lothian may not be perceived as a traditional 'holiday' or 'second home' destination it does nevertheless consider itself to be very much a day visitor destination. It has significant natural and heritage attractions, leisure and retail opportunities and enjoys a strategically central location with ease of access to and from other parts of Scotland, all of which make it particularly well placed to take advantage of the rapidly developing short-stay tourism and leisure markets'

112. The countryside of West Lothian contains a rich variety of natural assets such as its landscape, rivers, the Forth coastal foreshore and built heritage assets including the Union Canal which are an attraction to residents and visitors alike and serve to underpin a host of outdoor recreational pursuits such as walking, hiking, cycling, boating and fishing.

113. The council recognises the importance of sustainable tourism, defined as 'any form of development, management or tourist activity which ensures the long-term protection and preservation of natural, cultural and social resources and contributes in a positive and equitable manner to the economic development and well-being of individuals living, working or staying in protected areas.' It is a significant contributor to economic prosperity and job creation and has the ability to act as a catalyst for environmental protection, regeneration and improvement. In rural areas tourism related development is considered to be an essential element in providing for a healthy, diverse local economy, supporting the viability of local businesses and contributing to the provision and maintenance of services and facilities for local communities.

114. Policy EMP 7 of the LDP is explicitly supportive of enhancing the area's tourism potential and contributing to the greater West Lothian economy. It encourages the expansion and improvement of the range and type of tourism and recreational related development but in a manner that safeguards the overall character and quality of the rural environment. It recognises that development should be sympathetic in nature and scale to the local environment and to the needs of the visitors and the local community.

115. It is noted that rural tourism is not always benign and has the potential to contribute to environmental damage if not properly managed. It therefore needs to develop in a way which draws on the character of the countryside but does not destroy the very asset on which its popularity is dependent upon. This involves exercising control over the location, scale and type of tourism and recreational related development and minimising the impact on the environment and local communities.

116. The planning system has a central role in managing tourism and recreational related development through planning policies that provide a framework for identifying appropriate development opportunities and in securing high quality design and integrating and aligning tourism provision with the necessary infrastructure.

117. When determining applications for planning permission the council will carefully weigh the local economic benefits of a proposal with the need to protect rural character, landscape and natural/built heritage, particularly when proposals relate to land within areas designated for their landscape, natural or cultural heritage qualities.

118. Good design and sustainability must also be at the heart of any tourism and recreational development proposal. Success in attracting visitors will often be enhanced by the visual quality of the development and how well it reflects local character and distinctiveness and sustainable development is also assisted through good design, for example the reuse and conversion of redundant buildings rather than new build on greenfield sites.

119. Accessibility and ease of use are also important considerations. Attractions and developments that are easy to reach, particularly for pedestrians, cyclists, users of public transport and people with mobility impairments, are likely to gain an advantage and be more successful in attracting visitors than those that are not.

120. The purpose of this guidance is to identify key principles and requirements, which if observed, will assist prospective developers in bringing forward successful proposals for tourism and recreational related development in rural West Lothian.

121. The council will generally support proposals to improve or establish small scale tourism and recreational related development in rural areas where it is capable of strengthening the appeal and attraction of West Lothian to a wide range of visitors and thereby contributing to the greater West Lothian economy and where the tourism activity and associated facilities require a rural location in terms of their functional or site/area specific requirements

122. Not every rural location will however be appropriate for development and it cannot be guaranteed that every proposal will be considered favourably. The council will not support tourism and recreational related development proposals that do not respect the existing development pattern or which would cause irremediable harm to the countryside, principally the high quality of the landscape and the natural and built environment. The council will also not support medium to large tourism and recreational related development in the countryside unless presented with convincing evidence of market demand for the development which cannot or is not being met by allocated sites and where there would be substantial local economic benefits from the proposal.

Justification

123. All applications for planning permission for tourism and recreational related development in the countryside will be scrutinised thoroughly, and in the first instance it will be necessary for applicants to satisfactorily demonstrate that:

- A the site is not visually and/or environmentally intrusive;
- B the site has been selected because of its suitability and not simply because it is available;
- C the proposal will not result in any significant loss of the best and most versatile agricultural land;
- D there is a site specific locational need/ justification for the development to be in the countryside;
- E the proposal will be of a character and scale that is in keeping with the landscape setting of the area;
- F the proposal will not give rise to any demonstrable harm to the natural environment, including landscape, landscape designations, natural heritage, cultural heritage, conservation interests, and/or the use and enjoyment of public rights of way and core paths;
- G the proposal will be compatible with the use and operation of neighbouring land;
- H the proposal will not adversely impact on the amenities of neighbouring residents;
- I the proposal will not cause an unacceptable level of pollution (noise, light, air or water);
- J the level of traffic generated by the proposal must be within the capacity of local roads, and would not be detrimental to the environmental amenity of the locality, or prejudice road and pedestrian safety, noise and air quality;
- K the proposal site can be well served by public transport and other sustainable modes;

- L the proposal takes account of the LDP's sustainability strategy;
- M the site has negligible ecological or biodiversity value and re-development proposals will have no adverse impact on biodiversity (including the European wide network of protected Natura 2000 sites, Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC), Special Protected Areas (SPAs), protected species, or features which make a significant contribution to the cultural and historic landscape value of the area;
- N there is clear evidence that the proposal can operate on a sound financial basis and can, as far as is reasonably practicable, be shown to be economically viable and sustainable;
- O the proposal will improve the range and quality of visitor attractions and/or visitor accommodation in the local area; and
- P the site meets all of the planning and environmental criteria set out in polices ENV 1, ENV 3, ENV 4, ENV 7, EMP 3, EMP 7 and DES 1 of the LDP.

Specific planning application requirements

124. It is preferred that an application for full planning permission is submitted for consideration in these circumstances. However if an application for permission in principle is submitted, details of siting must be included as part of this outline application together with details of access arrangements, scale, design and materials. 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](#);

125. Where planning permission is being sought to convert an existing building in the countryside the corresponding planning application requirements of Chapter 2, (Conversion and reuse of existing rural buildings) shall apply.

Detailed requirements

General

- new buildings must be sited to integrate into the surrounding landscape and must not adversely affect the landscape character of the area;
- new buildings should ordinarily be located adjacent to and integrated with the principal group of any existing buildings;
- new buildings must be of a size commensurate with the functional requirements of the enterprise;
- 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 supported; and
- where physical accommodation is required to serve the operational needs of the proposal, consideration must in the first instance be given to the conversion and reuse of any existing buildings. Only when this has been deemed unsuitable or impractical should new build accommodation be considered;
- the proposal will not cause an unacceptable level of pollution (noise, light, air or water);
- new development must be capable of dealing with any emission or effluent in accordance with current legislative requirements;
- the safeguarding of water quality through adequate means of sewage disposal is of particular importance and accordingly mains water supply and sewerage services must be utilised where available and practicable;
- the level of traffic generated by the proposal must be within the capacity of local roads, and must not be detrimental to the environmental amenity of the locality, or prejudice road and pedestrian safety, noise and air quality;
- safe and satisfactory provision must be made for access and parking to serve the site;

- environmental mitigation measures, including new structural landscaping, may be required to enhance the setting of the new development through the creation of a positive landscape framework. Where appropriate, environmental improvements such as woodland and hedge planting or wetland habitat creation may be required to be implemented across an applicant's entire landholding and not confined to the immediate environs of the new development; and
- proposals must comply with all other relevant policies of the local development plan and other planning guidance approved by the council.

Equestrian Development

126. Sometimes described as 'horsiculture', equestrian activities are an increasingly popular form of recreational activity and make a recognised contribution to the rural economy. They range in scale from those of a commercial nature, including riding schools, stud farms and liveries to small scale domestic stables. For the purpose of this guidance the definition of 'equestrian development' includes all forms of horse related activity and in most instances are subject to planning control.

127. The keeping of horses is not recognised within the statutory definition of agriculture. Although the grazing of horses on agricultural land does not require planning permission in itself, any physical development associated with 'horsiculture' such as stables, food stores, jumps, manages, external lighting and such like and the change of use to the exercising/keeping of horses does.

128. Whilst the grazing of horses can often be an appropriate alternative use of agricultural land, the proliferation of horse-related activities and associated buildings within rural areas can nevertheless be detrimental to the open character and appearance of the countryside. The subdivision of farm holdings and formation of paddocks with individual stables or field shelters can create a very fragmented landscape and a pattern of enclosures that is out of keeping with the locality. The cumulative impact of such development

will therefore be carefully considered by the council before any equestrian proposals are consented.

129. The degree of visual intrusion created by horse-related development is likely to be more significant in Special Landscape Areas (SLA's) and other areas of an open character and there will be particularly careful scrutiny of proposals to locate equestrian development in SLA's or where it would have an impact on nature conservation interests or sites of archaeological and historical importance.

130. Applications must contain sufficient detail to enable a proper assessment to be made.

131. Proposals for equestrian development outside development boundaries, whether domestic or commercial, will be supported when the following criteria are met:

- the siting, scale and design of the proposal, individually or cumulatively, would not adversely affect the quality of the landscape or its surroundings, nor the amenity of nearby residential property;
- the proposal is well related to any existing buildings and is not sited in a prominent, exposed or isolated location;
- it can be satisfactorily evidenced that there is adequate pasture available to support the proposed number of horses and this will be mainly dependent on the proposed feeding and grazing regime;
- commercial riding schools, livery stables and other commercial facilities should have access and be well related to the public bridleway network without the use of unsuitable roads. Furthermore, the existing bridleway network must be capable of accommodating any increased use which will result directly from the proposal;
- proposals for the use of suitable existing buildings for equestrian development will be given preference over the construction of new buildings;

- only buildings that are essential to the function of an equestrian development will be supported and must in any event be located and designed to minimise visual intrusion and respect the rural character of the area; and
- it can be satisfactorily evidenced that the impact of floodlighting, changes in levels or other ancillary operations on the surrounding countryside and local amenities is acceptable with particular regard to safeguarding the privacy and amenities of nearby residential properties.

132. When determining proposals of this nature the council may seek and have regard to advice from the [British Horse Society](#).

Golf courses

133. It is acknowledged that golf courses can be an appropriate use in the countryside, improving low quality rural landscapes and assisting rural economic diversification. They do however require large areas of land and their construction can have a very significant impact on the character of the countryside – potentially affecting landscape, wildlife, and historical assets and increasing activity and traffic.

134. Particular attention must therefore be paid to the location, siting and design of the proposal including clubhouse facilities, the location of the site with regard to access and visual impact on the countryside, the provision of landscaping, the materials to be used, and the extent to which existing rural buildings are reused in preference to the construction of new buildings. In particular;

- golf courses should be located where they will be accessible by a range of transport modes and this suggests the urban fringe;
- the development should also seek to utilise lower grade agricultural land, or, if it can be demonstrated that no suitable alternative site on such land exists, then it is important that the best and most versatile agricultural land is not the subject of works which would prejudice its reversibility to agricultural production;

- degraded land presents alternative development opportunities especially where there would be tangible material improvements to the landscape, wildlife habitats or amenity generally;
- existing natural features of the site should be retained and incorporated into the scheme as far as possible;
- only buildings that are essential to the function of a golf course will be supported and must in any event be located and designed to minimise visual intrusion and respect the rural character of the area;
- the development must not cause an unacceptable disruption to public rights of way and pay due regard to the safety of users of public rights of way and of neighbouring properties;
- permission will normally be restricted to facilities directly associated with golf, and applicants will be expected to enter into a management agreement covering maintenance to the landscape and wildlife habitats within the area of the course; and
- developers will be encouraged to make golf courses available for general public use.

135. Applications must contain sufficient detail to enable a proper assessment to be made and there will be particularly careful scrutiny of proposals to locate a golf course in a Special Landscape Area (SLA) or where it would have an impact on nature conservation interests or sites of archaeological and historical importance.

136. When determining proposals of this nature the council may seek and have regard to advice from [Sport Scotland](#) and [Scottish Golf](#), the national governing body for the sport in Scotland.

Golf driving ranges

137. Golf driving ranges represent a distinct form of golf-related development with generally more intensive use than a golf course and they attract larger numbers of visitors and typically generate higher levels of traffic. They are more urban in character owing to the nature of their design requirements, including floodlights, safety nets, targets, shelters and galleries and can be particularly intrusive unless sensitively sited and designed. There may also be considerable effects, through outlook, noise and disturbance, on residential amenities, as well as on public safety.

138. A golf driving range is likely to prove more acceptable in the countryside when it is subsidiary to a full golf course proposal. A stand-alone golf driving range will not normally be supported by itself unless it is located on the edge of a suitable settlement and is not detrimental to the local landscape setting and the general character of the area.

Outdoor recreational activities

139. Outdoor recreational activities typically require considerable amounts of land and many generate high levels of noise and disturbance (e.g. motor sports, pistol and rifle ranges, target and clay pigeon shooting and combat games) which are self-evidently inappropriate within settlements where they would be very likely to have unsatisfactory effects on neighbouring land users. On both these counts, therefore, such developments suggest that a countryside location is a more practical proposition. However, even in the countryside, such uses can still have significant environmental and amenity impacts and these require to be carefully assessed.

140. Some outdoor activities are able to operate quite legitimately under permitted development rights under the provisions of [Part 4 \(Temporary Buildings and Uses\) of the Town and Country Planning \(General Permitted Development\) \(Scotland\) Order 1992](#) and so may not require specific planning permission provided they occur on a temporary basis. Permitted development rights do not apply however apply in Sites of Special Scientific Interest (SSSI's) and planning permission is therefore required in these areas.

141. Where such activities are proposed on a permanent basis and planning permission is required, the council will only support proposals for these types of activities where:

- the proposal will not create an unacceptable level of noise or have an adverse effect on the amenities of local residents or other users of the countryside;
- the proposal will not result in any significant loss of the best and most versatile agricultural land;
- the proposal must not occupy a prominent or exposed site which is conspicuous in the landscape from roads, core paths, public rights of way or view points and must not be environmentally intrusive;
- the proposal will not ordinarily require permanent structures or buildings to be placed on the land and any temporary structures will be removed when the activity has ceased;
- the proposed activity will take place within a clearly defined area with an appropriate buffer zone to the boundaries of the site and any public rights of way; and

142. Applications must contain sufficient detail to enable a proper assessment to be made.

143. Proposals to operate such activities in a Special Landscape Area (SLA) or where they would have an impact on nature conservation interests or sites of archaeological and historical importance are unlikely to be supported.

144. Proposals will also not normally be supported on land adjacent to residential areas or where they adversely affect well used public rights of way where an appropriate diversion cannot be made.

145. A Noise Impact Assessment (NIA) will require to be submitted with any planning application and should provide details of existing noise levels, the additional noise that will be generated by the proposal, and the impact that the proposal will have on other nearby noise-sensitive land uses together with details of any proposed noise mitigation measures. The scoping of the assessment must be agreed in advance with the council's Environmental Health service;

146. When determining proposals of this nature the council may seek and have regard to any code of conduct produced by the governing body of the relevant sport.

147. If approved, it should be anticipated that planning permission would likely be conditional on the restricting the hours of operation, or to limit the number of people, vehicles, etc. taking part in the activity at any one time. Where appropriate, the council may also consider granting planning permission initially for a limited period only, to assess the impact of the use for a trial period.

Garden Centres

148. While there is a tradition in West Lothian of horticultural produce being sold directly from individual nurseries and agricultural holdings there is a substantial difference between this and the more overtly commercial development that is often referred to as a 'garden centre'.

149. Contemporary garden centres are characterized by large areas of car parking, extensive covered plant sales areas, displays of sheds and other garden and construction materials, and often selling a significantly extended range of unrelated gardening or horticultural goods including homewares, clothing and DIY. A garden centre is also the type of activity which is likely to generate a significant amount of traffic and vehicular movements which rural roads may struggle to cope with.

150. Enterprises of this nature tend to be incongruous in a rural location and proposals for new garden centres will only be supported if it can be satisfactorily demonstrated that;

- there is no significant adverse impact on the character of the countryside, landscape quality, archaeological value or nature conservation value of the area;
- the proposal does not detract from the amenities and character of any adjacent settlement;

- only buildings that are essential to the function of the garden centre will be supported and which must in any event be located and designed to minimise visual intrusion and respect the predominantly rural character of the area;
- a significant proportion of the produce sold is grown or finished on the site. Conditions may be imposed to restrict the sale of plants or goods not grown or finished on site to an incidental level only;
- the site is accessible by public transport; and
- there is no significant adverse impact upon the viability of local village or town centres. In cases where the council is concerned about the impact upon the viability of local village or town centres a condition restricting the range of products sold at the garden centre may once again be imposed.

151. Applications must contain sufficient detail to enable a proper assessment to be made.

152. Proposals to locate a new garden centre in a Special Landscape Area (SLA) or where it would have an impact on nature conservation interests or sites of archaeological and historical importance are unlikely to be supported.

Tourist Accommodation

153. Tourist accommodation comes in all shapes and sizes but essentially falls under two main formats, serviced and non-serviced. Serviced accommodation includes hotels, guest houses, and B&Bs. Non-serviced includes any type of self-catering accommodation such as holiday lettings, chalets, cabins, caravans (including static, touring, eco/ glamping pods, shepherds huts and other modular buildings) and camping (including tents and yurts).

154. In order to support a successful tourist industry it is important that there is the widest range of quality tourist accommodation.

1 Hotels, B&B's and Guest Houses

155. West Lothian hosts a number of hotels, guest houses and other establishments offering a range of overnight accommodation. Proposals for new serviced accommodation within settlements will generally be supported subject to compliance with other policies in the Local Development Plan. In particular, new hotel development should be directed to existing town centres, and as a town centre use, would be subject to a 'sequential test'. Proposals for new hotels will in any event only be supported in sustainable locations identified in the Local Development Plan, i.e. within the M8 corridor and located within settlements unless a site specific business case can be successfully made.

156. Proposals for the development of new B&B's and guest houses (and new pubs/restaurants) will ordinarily be supported in the countryside but only if they involve the use of converted existing buildings and where the proposals comply with the criteria contained in guidance relating to the conversion and reuse of existing rural buildings (See Chapter 2).

157. Proposals for the modest extension of existing serviced accommodation will be considered on their individual merits with particular regard to access and environmental considerations. However, where new build B&B and guest house accommodation is proposed for locations in the countryside out with recognised settlement boundaries, only proposals that are convincingly supported by a site specific business case/locational need justification will be supported.

2 Self-Catering/Holiday Letting Accommodation

158. In recent years there has been an increase in the popularity of all year round 'staycations' and short break holidays in the UK and this trend shows no sign of dissipating. It is therefore reasonable to anticipate future growth in this market and to plan for more high quality self-catering accommodation to address it.

159. By far the most sustainable location for self-catering accommodation is within towns and this should be the first option. There are however providers who are nevertheless keen to tap into the market where the rural location is the unique selling point and this has fuelled interest in converting redundant agricultural buildings and other rural buildings for self-catering holiday letting. It has long been recognised that such accommodation can play an important part in the development and diversification of the rural economy, helping to drive up the overnight tourist spend and supporting local businesses such as pubs, restaurants and shops, and provided the conversion is sensitively carried out and complies with the criteria contained in guidance relating to the conversion and reuse of existing rural buildings (see Chapter 2) there is every prospect of proposals of this nature being supported. However, where new build tourist accommodation is proposed for locations out with recognised settlement boundaries, only proposals that are convincingly supported by a site specific business case/locational need justification will be supported.

160. In either of the situations described above it is likely that the council will insist that the accommodation is retained in perpetuity for the intended purposes of tourism so that the wider economic benefits are secured and a planning condition will usually be imposed to distinguish it from permanent, mainstream residential accommodation.

3 Caravan and camping development

161. For planning purposes, the use of land as a 'caravan site' constitutes a 'change of use' of land! If building and or engineering works are required to make land suitable for use as a caravan site then these works will in most cases require planning permission e.g. site levelling, creation of access or construction or alteration of buildings.

162. Proposals for caravan and camping developments will be assessed on their own merits and must demonstrate that they will not cause any adverse harm to, or be prominent in the landscape. These types of development should also be accessible to local services and public utilities (for example a local convenience store, public transport and adequate water and sewerage facilities) so that they can be self-sustainable, benefit the local economy and not place unnecessary pressure on the local road network.

163. Small-scale touring caravan and camping sites provide much needed provision for visitors and are generally less intrusive than static caravan sites as they require fewer permanent buildings and are often cleared when not in use. Any proposals for new sites will however need to be of a scale which is appropriate to their rural setting and sited so as not to be visually intrusive in the landscape, particularly in Special Landscape Area (SLAs).

164. A key planning consideration in assessing proposals for touring and seasonal camping and caravanning is the degree of permanency of the unit(s) and whether it (they) will be removed from the site out of season. In general, tents and caravans should be taken down or relocated out of season. However, the necessity for this will need to be considered on a case by case basis depending on site context and landscape/visual impacts.

165. Static caravan parks (including chalets and lodges) can be a particularly intrusive form of development in the open countryside due in part to their more overtly permanent nature. As a consequence they are the most difficult and challenging to reconcile and integrate with their surroundings.

166. Proposals will therefore only be supported where it can be demonstrated that they will create a high quality and sustainable form of tourism development. The location, siting, size, design, layout and landscaping of the caravan park must be based on an overall design concept that respects the surrounding landscape, rural character and site context.

167. All applications for planning permission for a static caravan park/camping development will be scrutinised thoroughly, and in the first instance it will be necessary for applicants to satisfactorily demonstrate that:

- the site has the capacity to absorb the development, without adverse impact on visual amenity and rural character of the area;
- the siting and scale of the proposal would not adversely affect the quality of the landscape or its surroundings, nor the amenity of nearby residential property;
- effective integration into the landscape can be secured primarily through the utilisation of existing natural or built features. Where appropriate, planted areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist its integration with the surrounding area.
- adequate provision (nominally 15% of the site area) should be made available for communal open space (including play and recreation areas and landscaped areas), as an integral part of the development;
- the layout of caravan pitches should be kept informal and characterised by discrete groupings or clusters of units separated through the use of appropriate soft landscaping. Creating visual diversity in the layout is important and 'regimented' rows of units should be avoided;

- the design of the development, including the design and scale of ancillary buildings and the design of other elements including internal roads, paths, car parking areas, walls and fences, should be appropriate for the site and the locality, respecting local materials and detailing. The use of muted colours (usually green tones) for caravan units/chalets may be appropriate particularly for those close to site boundaries;
- permeable surfaces should be used for caravan pitches, hard landscaped areas and car parking in order to safeguard against flood risk through surface water run off;
- the site has negligible ecological or biodiversity value and re-development proposals will have no adverse impact on biodiversity (including the European wide network of protected Natura 2000 sites, Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC), Special Protected Areas (SPAs), protected species, or features which make a significant contribution to the cultural and historic landscape value of the area; and
- environmental assets including features of the archaeological and built heritage, natural habitats, trees and landscape features are identified and, where appropriate, retained and integrated in a suitable manner into the overall design and layout.

Miscellaneous

1. Depending on the scale and potential impact of some tourism related developments a Pre-application consultation (PAC) may be suggested. Even if there is no statutory requirement to carry out PAC applicants are strongly advised to engage with local communities given the potential interest in certain developments.

This should be carried out at the pre-application stage and a report submitted, along with the application, setting out how the applicant has complied with the requirements. It should also demonstrate that the views of the local community have been sought and taken into account. The scope and content of the report should follow the guidance set out in the regulations. [Further guidance on PAC can be obtained from the council's website.](#)
2. It should be noted that planning permission is not required for touring caravan and camping sites which are approved by exempted organisations that promote leisure and recreation, such as the [Caravan and Camping Club](#). This allows a maximum of 5 caravans at a time for each site.
3. While the majority of recreational activities that involve a change in use of the land or building operations will require planning permission, there are circumstances where this is not the case. [Part 4 \(Temporary Buildings and Uses\) of the Town and Country Planning \(General Permitted Development\) \(Scotland\) Order 1992](#) allows for the temporary use of land (for not more than 28 days in total in any calendar year) and can facilitate some outdoor recreational activities, such as clay pigeon shooting and certain equestrian activities and also allow some buildings in support of such temporary uses. The council's Development Management service is best placed to provide bespoke advice of this matter and contact details are given at the end of this document.

9 Very low density rural housing and woodland development (Lowland Crofting)

168. The council's pioneering 'Lowland Crofting' initiative, or to use its formal title 'Very Low Density Rural Housing and Woodland Development', was formulated and adopted in the early 1990s in response to significant rural economic and agricultural decline in West Lothian.

169. The fundamental purpose of the initiative was 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 what was originally the Central Scotland Forest (now [Central Scotland Green Network](#)) and by securing improvements to natural heritage and public access to the countryside.

170. It is essentially a sophisticated and multi-layer farm restructuring and diversification scheme which allows for an element of development in the countryside which is compatible with the rural character of the area and is purposefully designed to improve landscape, bolster natural heritage, help revive the local rural economy and provide a mechanism for addressing some of the demand for rural living.

171. It specifically allows for some of the most marginal farms in the western sector of West Lothian, which are recognised as being of poor environmental quality, to be subdivided and partially developed for very low density housing within a restructured landscape incorporating substantial areas of new woodland.

172. In so doing it presents opportunities for home owners to operate small businesses (which may or may not relate to agriculture) and for hobby horticulture and animal husbandry, while at the same time making satisfactory arrangements for the retention and ongoing management of the better quality residual agricultural land, securing the establishment of substantial areas of new broadleaved woodland, safeguarding the future of sensitive

natural heritage features, facilitating the creation of new wildlife habitats, and improving public access to the countryside, particularly beneficial on the edge of existing settlements and linking with the existing footpath network, and also by bringing forward new footpath networks.

173. The initiative applies to the restructuring of whole farms or other areas large enough for comprehensive treatment, normally not less than 40 hectares (98.8 acres) 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 gross area must be devoted to native woodlands, public access, biodiversity, conservation and enhancement. Implementation of the scheme is achieved through a combination of planning conditions and planning obligations. The terms of the planning obligations do not allow for sub division of plots in order to maintain the approved density and the strategic planning and environmental objectives, and ultimately, the landscape character of the locality.

174. As previously referenced, application of the Lowland Crofting initiative is geographically restricted to land on the western side of West Lothian as shown on the LDP Proposals Map. However, not every farm in this zone will be suitable. The appearance of some parts of the countryside within this area is perfectly satisfactory and not in any way 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 lowland crofting is designed to deliver and it simply does not require the degree of intervention that would necessitate a significant element of new housing to achieve this. Proposals to implement a lowland crofting scheme in such an area will therefore be resisted.

175. It is also the case that those parts of the countryside that have already accommodated a significant proportion of crofts could struggle environmentally and visually to 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.

176. Within Some specific locations that are particularly sensitive to new development and are embraced by Special Landscape Area (SLA) designations lowland crofting is unlikely to be appropriate. Only in very rare situations, and only where exceptional improvements to the landscape, biodiversity and access opportunities can be secured will an exception be considered.

177. Generally, the limited capacity of the remaining landscape to benefit from a lowland crofting scheme compels the council to be more discerning and focused when giving consideration to new proposals going forward, with the key determinants being the extent to which the landscape character of an area has the potential to benefit from the scheme and the need to avoid the suburbanisation of the countryside.

178. When assessing further schemes the [Landscape Character Assessment for West Lothian](#), prepared by SNH and updated in 2011, together with the [Local Landscape Designation Review \(2013\)](#) and separate planning guidance on the subject of landscape character and local landscape designations will be used to help guide new schemes to areas which, in landscape terms, can both accommodate new very low density housing and benefit from the additional significant landscape planting. Applications for planning permission will require to be accompanied by a landscape character and visual impact assessment in order to demonstrate that the proposal will yield a clear benefit in terms of enhancing the local landscape character and visual amenity.

179. While the justification for and the legitimacy of lowland crofting schemes is quite specific, much of the siting and design criteria for new housing that is set out elsewhere in this document is equally relevant and applicable and should be adhered to as appropriate.

180. Since its introduction in the 1990's the policy has resulted in the establishment of more than a dozen such schemes and has had a beneficial impact on the previously degraded rural landscapes in this part of West Lothian.

181. Concerns raised during the preparation of the LDP that the proliferation of lowland crofting developments in such a relatively constrained geographic area, together with an increased demand generally for development in the countryside, had the potential to give rise to the unacceptable suburbanisation of the countryside that remains in the west of West Lothian and prompted the council to commission an assessment of the terms of this policy in order to inform the new LDP. It was however subsequently concluded that Lowland Crofting should continue to be supported and that it should remain part of the overall approach to managing rural development in the west of West Lothian, subject to there being enhancements to the link to green network policy and priorities and an explicit requirement for future lowland crofting sites to be guided and supported by masterplans. These refinements were considered necessary to ensure that the initiative was consistent with the design-led approach set out in SPP 2014 and which came into force since the lowland crofting policy was originally conceived.

Justification

182. All applications for planning permission allied to lowland crofting (as provided for under LDP Policy ENV 2) will be scrutinised thoroughly, and in the first instance it will be necessary for applicants to satisfactorily demonstrate that:

- A the proposal relates to a site which is clearly within the designated lowland crofting area (which lies west of Bathgate and Livingston) and is identified on the LDP Proposals Map. Failure to satisfy this fundamental requirement will render the proposal void of any policy support;
- B the proposal does not relate to a site in any of the 'Special Landscape Areas'(SLAs) shown on the LDP Proposals Map. Only where exceptional improvements to the landscape, biodiversity and access opportunities can be secured will an exception be considered;
- C the proposals embrace "a whole farm" or other area large enough for comprehensive treatment and of not less than 40 hectares (100 acres);
- D the proposals will not create an unacceptable impression of ribbon development or suburbanisation by themselves or through cumulative impact with other developments;
- E the proposal will not result in any significant loss of the best and most versatile agricultural land;
- F the proposal will be compatible with and, support rather than replace, farming activities on the remainder of the farm to ensure the long term agricultural management of the land;
- G the proposal will support the retention of viable farm holdings and discourage the inappropriate fragmentation of land; and
- H the proposal will be compatible with ongoing agricultural operations on the farm and any neighbouring agricultural holdings.

Specific planning application requirements

183. If an application for permission in principle is submitted applicants should anticipate being asked to submit additional supporting information in order for the council to properly assess the impact of the proposals. If it is concluded that insufficient details have been provided 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](#).

184. Where proposals include the conversion of an existing building in the countryside full measured survey drawings are required and should include all existing and proposed elevations, floor layout plans and sections at scale of not less than 1:100 and be clearly annotated to indicate all materials to be used. Applicants may be requested to submit additional and more detailed drawings of particular features of a building, for example, ventilation openings, mouldings, joinery profiles etc.; To avoid any ambiguity, drawings must clearly differentiate between those parts of the candidate building which are to be retained and those which are to be taken down and rebuilt or which constitute entirely new construction.

Detailed requirements

- the layout and design of buildings must conform to a design statement to be prepared in accordance with the principles detailed in [Planning Advice Note \(PAN 72\) - Housing in the Countryside](#) and paying particular attention to the location of buildings within the landscape;
- any permanent development, including houses, outbuildings, garages, driveways, hardstandings and access roads must be assimilated into the landscape without jeopardising its existing character and appearance. Specifically, built development must avoid skylines, open fields or exposed locations;

- new access provision should link with the existing path network and be constructed to a standard appropriate to its location and use. Any proposal must include sign-posted paths, capable of being used without conflict by walkers, cyclists and horse riders but which are not capable of being abused by, for example, quad bikes and motorcycles;
 - proposals for new housing should accord with the detailed requirements of Chapter 11 (Planning and design considerations relative to new houses in the countryside);
 - proposals which include the conversion of existing buildings in the countryside should accord with the detailed requirements of Chapter 2 (the conversion and reuse of existing rural buildings;)
 - sites must contribute wholly, or in part, to the delivery of the green network as required by Policy ENV 2 of the LDP and new woodland planting should be planned and designed to meet the criteria set out in the [Edinburgh and Lothians Forestry and Woodland Strategy \(2012\)](#);
 - sites must be capable of being serviced to accepted standards without excessive resource commitment by the council;
 - sites must be capable of being serviced by a safe vehicular access which is integrated within the landscape;
 - the density of residential development shall not exceed 10 houses per 50 hectares; it may well require to be less in attractive or visible areas, and where houses already exist;
 - any non-residential/business use shall, unless otherwise agreed, be restricted to Class 4 of the Town & Country Planning (Use Classes) (Scotland) Order 1997, and always subject to an assessment of that use in terms of traffic generation, the impact on the amenity of adjacent households and the overall appearance of the development;
 - a minimum of 50% of the gross site area shall be devoted to native woodlands, public access and biodiversity conservation and enhancement. Archaeological sites should be protected:
 - planning obligations will be required to ensure adherence to design guidance; guarantee the implementation of all woodland planting and other landscaping, public access, and wildlife habitat proposals prior to or concurrently with the development of the houses;
 - arrangements for an ongoing programme of maintenance and management of all woodlands, means of public access, biodiversity areas and associated works will be secured through the imposition of planning conditions and where necessary a planning obligation may be negotiated; and
 - planning controls may be imposed over the use of the land attached to each house, any business uses associated with the house or the land and any future sub-division or intensification of development, including the erection of additional houses.
185. The council produced the original West Lothian Lowland Crofting Handbook in 1994 in order to explain the concept in greater detail and also as a practical guide to parties who were intending to pursue a planning application for a lowland crofting development. This was superseded by an updated version in 2008 to align with the publication of new (at that time) supplementary planning guidance (SPG) relating to new development in the countryside.
186. Despite the passage of time, the 2008 version of the [Lowland Crofting Handbook](#) remains the authoritative guide on the subject, notwithstanding several superseded policy and legislative references and some organisational changes, and there is considered little benefit to be had by revising it again. It is highly commended for anyone with an interest in the subject and essential reading for prospective applicants.

10 New private sites for Gypsies, Travellers and travelling Showpeople

187. [Scottish Planning Policy \(SPP 2014\)](#) requires Local Authorities to plan for the current and future needs of the Gypsy/Traveller community. West Lothian Council recognises their right to travel and continue their traditional way of life and has previously provided permanent pitches for the travelling communities at Sibbald's Brae, Bathgate from the early 1990s to 2012. However, the site is no longer operational and the council has instead chosen to direct resources to improving outreach services as a more effective means of supporting and serving the needs of the travelling communities. There is however still a private show people's site at Greendykes Road, Broxburn.

188. On closure of the council run Gypsy/Traveller site, the service was replaced by support and enforcement processes co-ordinated with support from the council's Safer Neighbourhood Team (SNT). The role of the team is to seek to engage with the gypsy/traveller community and to both support, and to enforce legal requirements around unauthorised encampment. The SNT will rely on other partners within the council if there are any specific issues and for example seek input from Housing Support to assist with any immediate support issues or work with the Neighbourhood Environment Teams to get a site cleared.

189. The council's [Local Housing Strategy](#) does not identify a need for additional provision in West Lothian and no new sites have been allocated in the Local Development Plan. However Policy HOU 5 of the Local Development Plan does provide for a change in circumstances for private site development and enables a flexible approach, allowing demand to be met if and when it emerges. It recognises that Gypsies and Travellers have different housing needs which require sites for caravans and mobile homes and which are not easily accommodated within urban areas. It therefore sets out the criteria that would be applied to proposed new private sites for

Gypsies, Travellers and Travelling Show People. The policy states that:

Proposals for small privately owned sites to accommodate gypsies, travellers and travelling show people, whether transit or permanent will be supported provided:

- *there is an identified locational need;*
- *all relevant planning policies in the Local Development Plan relating to the protection and enhancement of the built and natural environment and the protection of public open space can be satisfied;*
- *the site can be appropriately landscaped and would not give rise to any adverse environmental impact or detract from the appearance and character of the local area;*
- *there will be no detrimental impact on the amenity currently enjoyed by residents in the local area;*
- *the site can provide users with an acceptable level of residential amenity and is physically accessible to public transport, education and other community facilities;*
- *access, parking, storage and other technical requirements can be satisfactorily met (i.e., drainage; water supply; electricity; waste collection; free from flood risk or contaminated land); and*
- *it can be demonstrated that the site will be properly managed.*

190. Research has indicated that there is a general preference among Gypsy/Travellers for private sites, with the desire for self-sufficiency and independence often cited as reasons for this. Private sites are also regarded as affording a level of security to their residents, allowing them to avoid potential conflict with other Gypsy/Traveller families, which can occur on public sites, and to ensure that future generations will have accommodation when they form their own families.

191. There are three principle types of Gypsy/ Traveller site:

- Permanent sites which provide residents with permanent accommodation. These can be run by Local Authorities or registered social landlords, or privately owned by their residents. Gypsy/ Travellers typically stay on-site for the majority of the year, only travelling for a few weeks;
- Transit sites, which are permanent developments are only used temporarily by their residents, usually when they are en route between more long-term locations. They provide more basic amenities than permanent sites; and.
- Stopping places are pieces of land where Gypsy/ Travellers have traditionally stayed for short periods of time.

Justification

192. The development of private sites for Gypsies, Traveller and Showpeople will be assessed in the same way as applications for the settled community. All applications for planning permission for a new private site will be scrutinised thoroughly, and in the first instance it will be necessary for applicants to satisfactorily demonstrate that:

- A the proposal satisfies all seven requirements of Policy HOU 5;
- B the new site is not located in any of the 'Special Landscape Areas'(SLAs) shown on the LDP Proposals Map where it could undermine the landscape and visual qualities for which the SLAs were designated;
- C the site meets all of the planning and environmental criteria set out in polices DES 1, ENV 1, ENV 2, ENV 3, ENV 4, and ENV 7 of the LDP.

Detailed requirements

- the site must be integrated into the surrounding landscape and must not adversely affect the rural character of the area;
- the site must not occupy a prominent or exposed location which is conspicuous in the landscape from roads, core paths, public rights of way or view points and must not be environmentally intrusive;
- the level of traffic generated by the proposed site must be within the capacity of local roads, and must not be detrimental to the environmental amenity of the locality, or prejudice road and pedestrian safety, noise and air quality;
- safe and satisfactory provision must be made for vehicular access to serve the site including the establishment and ongoing maintenance of appropriate visibility splays;
- for practical reasons, permanent and transit Gypsy and Traveller sites should be designed to provide land per household that is suitable for:
 - one mobile home
 - one touring caravan
 - access to a utility building
 - space for parking
 - easy manoeuvrability of vehicles
- the layout of a site must have regard to the health and safety of residents, and in particular children, given the likelihood of a high density of children on the site and relatively high levels of vehicle ownership amongst some groups of Gypsies and Travellers for towing caravans and employment purposes;
- the inclusion of a communal recreation area for children of all ages should be provided where suitable provision is not available within walking distance on a safe route;

- the following services must be provided on site:
 - mains water supply, suitable for drinking, to be provided for each pitch on the site, sufficient to meet the reasonable demands of residents;
 - water pressure must be sufficient to enable the use of fire hydrants by the emergency services which should be at a convenient place near to the front of the site. Provision of an outside tap on each pitch is recommended;
 - mains electricity to each pitch is essential, sufficient to meet the reasonable requirements of the residents, and with separate meterage for each pitch;
 - gas installations, supplies and storage must meet statutory requirements, relevant standards and codes of practice. Storage facilities compliant with health and safety regulations for Liquid Propane Gas cylinders must be provided;
 - refuse/waste disposal facilities must be provided to accord with the prevailing requirements of the council's Recycling and Waste Service;
- proposals for new tree planting and landscaping to mitigate the visual impact of the development and for the purposes of integration, shelter, enclosure and privacy must be provided as part of any planning application;
- proposals must take account of the LDP' sensitivity strategy; and
- proposals must comply with all other relevant policies of the local development plan and other planning guidance approved by the council.

Miscellaneous

1. To reflect the specialised nature of the proposal it should be anticipated that any planning permission will ordinarily impose a restriction on the occupation of each pitch to a single declared Gypsy/Traveller household.
2. To protect environmental and residential amenity any non-residential use may be restricted through use of conditions.
3. Private Gypsy/Traveller sites are licensed as caravan sites by the council and are covered by a separate licensing regime under the Housing (Scotland) Act 2014 (the 2014 Act). Part 5 of the 2014 Act inserts a new Part 1A in the Caravan Sites and Control of Development Act 1960 (the 1960 Act) and came into effect on 01 May 2017. Licensing is administered by the council's Environmental Health service and it can provide appropriate guidance on request.

11 Planning and design considerations relative to new houses in the countryside

193. 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.

194. It is however the case that there are still too many examples of new houses which detract from the rural landscape and which do not respond sensitively enough to local character and distinctiveness.

195. The purpose of this guidance is to promote a higher standard of design quality for new residential development in the countryside and reinforce the view that modern residential development should respect the rural context, be better related to their surroundings and that contemporary design solutions should demonstrate an informed use of traditional references.

196. This does not mean that new houses need to be reproductions of traditional rural buildings, and it is certainly not the council's intention to impose a uniform style of architecture in rural areas. It is simply the case that 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.

197. Until relatively recently it was not uncommon for proposals for a new house, intended for a rural site, to replicate the style and appearance of that typically found on a suburban housing development. Much of the unsatisfactory new housing which is evident in the countryside today has resulted from the adoption of so called kit houses and standard house types being cloned from an urban development and randomly dropped on a site with no relation to orientation, aspect, site surroundings, and local characteristics and the needs of the individual. This has resulted in buildings that are incongruous in the 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.

198. 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 and thereby avoid detrimental damage to the rural character of the area. Even some kit houses can be satisfactorily adapted to provide an acceptable level of accommodation.

Key considerations

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

Location

200. Selecting the right site for a new house within a rural landscape needs very careful consideration and should begin with studious site analysis. In particular, an understanding of the topography of a site and an awareness of any natural features is crucial. Each landscape has unique characteristics and successful sites will be those that sympathetically fit with the landform and exploits slopes and other natural features to provide a backdrop. A rural house will very rarely be permitted in an elevated or exposed location or where it can be viewed from well frequented public vantage points.

201. The careful siting of a new house is essential to achieving acceptable development. One of the least satisfactory aspects of some recent development in the countryside has been the use of road frontage sites, often separated out of larger fields. Here buildings dominate the view and incongruous suburban gardens are introduced into the landscape. Such development changes the character of the countryside and when repeated leads to ribbon development, and a loss of rural amenity.

202. The most sensitive areas of the countryside, e.g. those designated as 'Special Landscape Areas' (SLAs), 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.

203. There are other practical considerations which will collectively have a bearing on site selection, for example, the propensity of a site to be affected by flooding.

204. The availability and feasibility of accessing infrastructure in the area should be assessed at an early stage. In particular, a secure water supply and a site that can accommodate the safe disposal of wastewater and sewage effluent are essential requirements.

Accessibility

205. It is important that new houses have reasonable accessibility to local facilities and services. Proposals will not be supported if they are shown to run counter to the principles of sustainability.

206. The relationship of a new house to other existing buildings is also an important consideration. Where there are houses nearby, proposals must take account of privacy and amenity issues. It is also essential that it does not create disturbance to the agricultural management of adjoining land or to other rural businesses.

Siting and orientation of buildings

207. The exact siting of the house within the development plot must be carefully considered, in addition to the position of the plot. A well-positioned house will make the best use of available outlook, obtain any available shelter and be sited with regard to maximising passive solar gain. A lot can be gleaned from analysing the way older houses in the surrounding area were orientated. Traditional houses will often be positioned with a gable facing the prevailing wind and the frontage with a southerly aspect. The orientation should follow from the characteristics of the site; this will always produce a better solution than simply dropping a house onto a levelled site.

Form

208. The built form of a traditional rural building is distinctive and easily distinguished from its suburban counterpart, hence the reasons why new buildings that do not observe traditional forms and characteristics often fail to satisfactorily integrate into the landscape. Traditional rural buildings are functional, tend to follow a simple linear/rectangular plan, are long, narrow and low and have a pitched roof. Happily, the traditional linear plan form provides a very versatile shape and can be equally applied to contemporary buildings. A common design error 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

209. For the most part, traditional rural buildings have an attractive appearance and this can often be attributed to their proportions. The traditional rural house maintained a balance of proportions between the walls and openings by demonstrating the following key factors:

- height of the building relative to its openings, with openings exhibiting vertical emphasis;
- a high solid-to-void relationship (i.e. greater wall surface area than window and doors); and
- a simple composition with symmetrical arrangement of features.

210. These proportions were originally linked to practical considerations such as availability of materials, optimising natural heating and daylight, and shelter and the practicalities of daily living. A comprehensive proportioning system, respecting traditional house building proportions, should be employed to contemporary new dwellings to ensure that the new house relates to its surroundings while still achieving modern standards of amenity.

Walls and roofing materials

211. 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 sometimes inappropriate modern finishing materials.

212. In traditional buildings walls are constructed of locally quarried stone and rendered internally and externally with lime. Most roofs are covered with indigenous slate or clay pantiles. The materials used would generally be from the locality and would blend with the existing landscape. Much of the character of the landscape has derived from a limited range of traditional materials and colours and a similarly restrained use of materials is therefore also appropriate for a modern house.

213. In most cases, where the predominant building materials are stone and render, these should also be used in the construction of new houses. Natural stone should either be recovered from the dountakings of other buildings in the vicinity of the site or carefully sourced to match the existing as far as possible. 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 commercially available and should always be used. Analysing surviving samples, where locally present, can often identify an exact match. The Scottish Lime Centre Trust at Charlestown in Fife can provide this service to establish the original composition of the mortar in terms of lime and sand composition and can be contacted via its web site at www.scotlime.org/en/contact-us/

214. Where rendering is appropriate, only a traditional wet dash harl should be employed. Dry dash render is rarely successful and facing brick is, for the most part, alien and should be avoided.

215. It is best if only one principal wall finish is used and developers should seek to avoid breaking up elevations with feature panels of different materials. When choosing materials for external finishes, it is important that they portray an honesty and are not applied 'veneers' to give the effect of the real thing. Materials should be allowed to weather with a natural patina which can add to the character of both the building and landscape.

216. 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 generally be painted in light but subdued colours, perhaps in the manner of the local buff sandstone. White should however be used with caution. It is eye-catching but not as characteristic in West Lothian as in some other parts of Scotland. It's also harder to maintain. Bold and vivid colours can be successfully employed to great effect if used with skill and on small areas such as doors and external joinery.

217. Roofs are by their very nature highly visual and make a significant contribution to the appearance and 'fit' of rural buildings. Roofs work best if they are symmetrically pitched and gable ended with the roof pitch being no less than 35 degrees for single storey and 45 degrees for 1½ storey dwellings. Flat, mansard, mono pitched or half hipped roofs are rarely if ever appropriate although hipped roofs may be acceptable.

218. The roof covering should be selected to ensure that the character of the area is not compromised by the use of inappropriate materials. In West Lothian, roofs should generally be natural slate with a blue/grey hue, sized to suit the scale of the roof and laid in diminishing courses from the eaves. In situations where artificial slates are considered acceptable, they should be laid in a manner which reflects that of the natural material. Natural clay pantiles are less common but certainly not without precedent and there are instances when they may prove acceptable. Clay pantiles are more appropriately used on single storey extensions and outbuildings, such as garages but never on two storey buildings.

219. Wherever possible, building materials that are more sustainable should be used, including: Natural raw materials - such as unfired earth/clay blocks, clay tiles, slates and wooden fibreboard, as a more sustainable alternative to concrete based products. Insulation - sheep's wool, flax and hemp which can be used as a natural fibre insulation material. Timber - sourced from well managed forests. Lime-Based Mortar and Render - which gives flexibility and allows the masonry to 'breathe'. Render can be self-coloured. Natural Paints - based on plant oils and extracts and simple minerals. Glazing - double glazed 'E glass' has an invisible metallic coating that reflects the heat back into the room.

220. Contemporary materials such as copper and zinc can often be successfully combined with timber, glass, slate, rendered and painted blockwork to create attractive new houses.

Eaves and verges

221. One of the most common details often overlooked relates to the junction between the roof edge and wall. In the countryside, eaves and verges were by tradition plain and simple whereas the majority of modern constructions call for 'low maintenance', and while this is a valid concern it often results in the use of white PVCu for fascias and soffits. A general rule of thumb is that the fascias, soffits and verges should be finished to a similar colour as the roof material. This will define the roof as a distinctive element and reinforce rural vernacular roof characteristics by having a more direct connection with traditional details.

Dormers and roof lights

222. Dormers are features which are not usually found on traditional agricultural buildings and their incorporation in a new build property can often be fraught with difficulties and are best avoided. It is less visually intrusive to disrupt walls than the roof and where necessary it would be preferable to supplement the level of light by forming an opening in a gable end. However, where the roof space is proposed for accommodation consideration will be given to traditionally designed dormers in preference to 'box' dormers. Dormer windows must be of a scale and design appropriate to the building and in all cases must reflect the character and proportion of other windows in the same façade and preferably line through with windows on the ground floor. Dormers should be set a minimum of 0.5 metres away from gables, hips, and 0.5 metres down from the roof ridgeline in order that the roof ridgeline remains unbroken. Under no circumstances will a dormer window be allowed to project above the ridge of the roof. They should be capped with either a pitched or hipped roof and finished in the same material as the roof of the building. Side panels should also be finished externally in the same material.

223. Roof lights can be similarly disruptive as they are prone to catching the eye by reflecting open sky and sunlight. However, if positioned on inside roof slopes and at lower levels and used sparingly, the use of vertically proportioned, flush fitting conservation type roof lights (with glazing bars and non-reflective glass) are generally less problematic.

Chimneys

224. Chimneys play an important architectural role in the composition of a building and provide a strong vertical contrast to the horizontal shape. They should be placed on the ridge line of the roof, either off centre or against one or both flank walls. Alternatively, small metal flue pipes, finished in black and located on the roof slope and set away from prominent facades can be relatively unobtrusive.

Rainwater goods

225. The positioning of guttering and down pipes should be addressed with care. Potential solutions could include fixing them on the least prominent elevations of new buildings or hiding them in roof valleys and in terms of materials, black painted cast iron is preferred with guttering being held on by rise and fall brackets embedded into the masonry.

Windows

226. Windows are an important element in the overall design of a building and the elevational appearance is determined more than anything else by the positioning, size and design of window openings. The total area of window and door openings needs to be in proportion to the scale and style of the house. 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 windows and doors small in relation to the area of solid wall. As a general rule, the treatment of windows and doors should be simple and the width of all windows should not exceed their height. High performance timber windows which provide enhanced weather and air tightness, together with reduced heat loss, are recommended.

227. 'Off the shelf' windows and doors are not always appropriate to new houses in a rural setting and developers should be alert to the possibility that they may instead require to be purpose made and with the attendant costs and time delays that this can involve. The use of PVCu manufactured windows is often unacceptable. A traditional timber construction is preferred and all external timber should be painted

rather than stained. Many paint manufacturers offer a heritage range of paint colours and these tend to be more authentic and sympathetic to traditional farm architecture than the ubiquitous application of brilliant white.

External lighting

228. Any external lighting, particularly when associated with non-domestic conversions, should be minimised and 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 Controlling Light Pollution and reducing Energy Consumption \(2007\)](#).

Curtilage and boundary treatments

229. In order to protect the setting of buildings, particularly in areas of elevated and open countryside, it is important that their curtilage (the land immediately surrounding them) is kept as non-domestic as possible. The introduction of car parking, patios, decking, formal gardens, concrete block walling and larch-lap and ranch fencing are inappropriate and should generally be avoided. Ideally, the curtilage should remain open and uncluttered. Rural gardens should aim to be natural in appearance and in harmony with the landscape character of the site location. Suburban garden styles should be avoided. In the majority of cases, planting should be of native species - these not only respect and reinforce the character of the landscape but also support wildlife and help to meet bio-diversity targets.

230. The incorporation of adjacent agricultural land into a building's curtilage constitutes a change of use and would require planning permission in its own right, however such a proposition allied to proposals for the erection of a new house will not usually be supported.

231. Contemporary ground surfacing materials such as tarmac and concrete are out of keeping with the character of rural areas and wherever possible, existing stone sets, cobbles or other suitable/sympathetic materials should be retained or reused and supplemented where necessary.

232. 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.

233. 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. Beech and hawthorn hedges are most appropriate and repay the time and effort needed to establish them.

Landscaping

234. Proposals must take account of their integration within the landscape through landform and planting and planning applications must be accompanied by a comprehensive landscaping scheme which should include details of proposed plant species, ground preparation, planting specification, protection measures and maintenance arrangements. This should be prepared by a suitably qualified and experienced landscape specialist, preferably an accredited member of a recognised professional body. It is also recommended that their commission be extended to the supervise the implementation of the landscape works on site to ensure full compliance with the approved landscape plan and ensure that any deficiencies during this period are made good under the contract.

235. It will be important to identify suitable areas for new tree planting to mitigate the visual impact of the development from distant views and for the purposes of integration, shelter, enclosure and privacy.

236. 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. Off-site tree planting can also make a valuable contribution and this will be encouraged wherever feasible and under the control of the applicant.

237. The following species are appropriate for their wildlife value.

238. 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.

239. An analysis of the existing trees and hedgerows in the broader vicinity of the development site will provide a good indicator of species which are likely to enhance the local landscape character, 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 Leylandii hedging and other ornamental tree species must be avoided.

Protection of existing woodlands, trees and hedgerows

240. Provision requires to be made to protect existing trees and other landscape features and wildlife habitats. Details of the proposed methods for retention and protection of vegetation on site during construction should be submitted with the planning application and should accord with the principles of [BS 5837 \(2012\) - Trees in Relation to Construction](#).

241. 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

242. 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 equally important.

243. The council will seek to secure an ongoing programme of maintenance through the imposition of planning conditions and, where necessary, a planning obligation may be negotiated. These will be reinforced by robust monitoring and enforcement.

Ecology

244. An initial ecological assessment, prepared by a suitably qualified and experienced professional, requires to be undertaken prior to the submission of a planning application for the erection of a new house and/or the removal of trees and vegetation.

245. The assessment must identify the habitats and species impacted by the proposals, including any sites (Special Areas of Conservation, Special Protection Areas, Sites of Special Scientific Interest, locally designated nature conservation sites or species, for example, bats, otters and badgers which have statutory protection and the mitigation measures required to reduce impacts to an acceptable level. Survey work must be carried out an appropriate time of the year for the species concerned. 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 any mitigation required.

Recording and archaeology

246. The council may direct that an archaeological survey should be undertaken and submitted. In that event, a written scheme of investigation will be negotiated and agreed between the council's archaeological advisors, [West of Scotland Archaeology Service](#), and the applicant. Any structural or buried features of historic or archaeological importance would also have to be recorded before works commenced on site in order to provide a public record of any finite and fragile elements of the historic environment.

Access and parking

247. With regard to the suitability of access arrangements and parking provision, the advice of the council's Roads and Transportation Manager will be sought on a case by case basis.

248. The vehicular access to traditional farm buildings often follows field boundaries or along the lines of hedges and walls, and, as a result, is usually quite discreet and integrates seamlessly within the landscape. Proposals for new houses should wherever possible utilise or 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. However, if this is not the case, it is important that any new access is not visually intrusive and specifically avoids crossing the middle of fields. Sites which require the formation of a new access from a classified road will also 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.

249. It is also important that new roads and accesses are not 'over engineered' and a lesser specification than that which may ordinarily apply in an urban setting may be sought. Surface materials should be sympathetic to the rural character of the site (such as gravel with soft edges as opposed to tarmac with pre-cast concrete kerbs). Any unnecessary elaboration beyond this risks suburbanising the site.

250. Driveways should preferably be indirect, gently crossing the natural contours of the site or curving subtly around existing site features, as opposed to taking a harsh straight line from the road.

251. The space around the new house should be considered as an integral part of the site layout, not as an afterthought. In particular, parking must be provided to accord with the council's prevailing guidelines. All parking requirements should be met on site and off road and parking should not dominate the site. Frontage parking in particular should be avoided and located to the side or rear of the house. Where a garage is provided, it should be free standing and subservient to the scale of the house.

252. Proposals must respect and not in any way impede recognised public rights of way and core paths. Where it is practicable and reasonable to do so, developers will be encouraged to facilitate and or improve access to and from existing rights of way and core paths.

Infrastructure

253. The responsibility for ensuring that all necessary infrastructure and services are available to a property is the responsibility of the applicant and proposals for a new house may be refused planning permission if essential services cannot be made available or it would impose an excess resource commitment on the council.

254. Given the rural location, it is not always possible to be able to easily supply new houses with the services expected in an urban environment, for example mains drainage, water, gas and hi-speed broadband. While alternative means of provision can usually be sourced, these can nevertheless have a potentially intrusive and damaging visual impact and they require to be thoughtfully considered. In particular, care needs to be given to the siting and screening of installations such as propane gas, oil and biomass storage tanks, water pumping stations, septic tanks and satellite dishes in order to minimise any detracting from the rural character an appearance of the new house.

Flood risk

255. It is also important that flood issues are adequately addressed. A risk of flooding, especially in rural areas, can have important implications for the siting, design and in some case the overall principle of development. SEPA's web site should be the starting point as it includes links to flood maps and other technical guidance for addressing and managing flood risk. The council has undertaken to prepare separate guidance on the subject of flooding.

256. Proposals must be designed to ensure that that there is, at the very least, no increase in the rate and volume of surface water run-off leading to increased flooding and physical damage to the river environment. The provision of SuDS apparatus is likely to be a requirement and should form part of the design process. If the site lies within a flood risk area the application must be accompanied by a Flood Risk Assessment. Early discussion with the council's Flood Risk Management Team is encouraged.

257. It is recommended that applicants always adopt a precautionary approach with regard to the issue 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 with any planning application. In these circumstances a suitably qualified and experienced hydrologist or chartered civil engineer must author/endorse such an assessment.

258. Developments should in the first instance avoid unnecessary engineering works in the water environment and in particular the culverting of watercourses. However, where this is proposed, SEPA will assess this activity under [The Water Environment \(Controlled Activities\) \(Scotland\) Regulations 2011 \(as amended\) \(CAR\)](#). Applicants are advised to consult SEPA's Practical Guide to the Controlled Activities Regulations for further advice.

Water supply and drainage arrangements

259. The availability, reliability and quality of a potable water supply must be established at an early stage in the design process. Developers may be required to submit a hydrology report and to provide evidence, in the case of a public supply, that consultation has taken place with Scottish Water, SEPA and the council's Environmental Health service.

260. Similarly, rural buildings often have no mains facility for foul drainage and it is essential that developers discuss proposals for sewage disposal with SEPA and Scottish Water at the earliest opportunity. Development within and reasonably close to the publicly sewered area should connect to the public sewer. Where a public sewer connection is to be made, evidence that the treatment works serving the development site has sufficient capacity must be provided.

261. For development which is at distance whereby it is not reasonable to connect then the principle of private foul drainage systems are generally acceptable. The applicant should provide information to SEPA to demonstrate compliance with site investigation in [Section 3.9 of Scottish Building Standards Domestic Technical handbook](#), including distance from drains, wells, boreholes and consideration of the depth to seasonally highest water table and suitable percolation rates for the system proposed.

262. 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. New development will not be allowed to proceed unless foul sewers or sewage treatment works of adequate capacity and design can be guaranteed.

263. The council will be seeking an innovative strategy for sustainable drainage that complies and, ideally, exceeds the minimum standards laid out in contemporary guidelines and regulations. The

[SuDS Manual \(C753\)](#), published by the Construction Industry Research & Information Association (CIRIA) is a highly regarded source guidance and has recently been updated to incorporate the latest technical advice and adoptable processes to assist in the planning, design, construction, management and maintenance of good SuDs.

264. 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 [Water Assessment and Drainage Assessment Guide](#), published by SUDSWP.

Soil

265. The council has a [Soil Sustainability Plan](#) and this should inform site works. 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.

Low carbon design and energy efficiency

266. [National Planning Framework 3 \(NPF 3\)](#) sets out the national strategy and vision for Scotland's development over the next twenty to thirty years. One of the 'National Planning Outcomes' is the achievement of Scotland becoming a 'Low Carbon Place' where carbon emissions have been reduced and adaptations have been made to our energy use to address climate change.

267. SPP 2014 sets out the policy principles for renewable energy and charges the planning system with supporting the transformational change to a low carbon economy and identifies the requirement to reduce emissions and energy use in new buildings as a consequence.

268. In Scotland, sustainability is embedded into the building regulations for all new buildings. Many different design and construction techniques can be adopted to create a low or zero carbon dwelling and it is important to get professional advice on how these can be successfully incorporated into new development. Evidence that Building Standards Regulations relating to energy and sustainability can be met and possibly exceeded may be sought and the development should in any event seek to attain the highest Energy Performance Certificate (EPC) rating.

269. Energy efficient buildings can make a very positive contribution to broad based environmental conservation and, where the most effective technological solutions to energy efficiency are being proposed, it is recognised that sometimes new ideas may require a re-appraisal of traditional concepts. It is important, however, that the design of new buildings should be considered within the broad guidelines set out in this guidance and combining energy efficient solutions with traditional design requirements provides designers with an opportunity for innovation and exciting solutions for schemes.

Sustainable development

270. All new development should be sustainable; the development must make the minimum environmental impact (e.g. through siting, orientation and materials), incorporate the best practices of energy efficiency and have the longest possible life.

271. In many rural locations it should be possible to consider specific renewable energy installations, such as solar panels, wind turbines, ground (or air) heat pump systems, and 'grey-water' recycling facilities.

272. It is environmentally beneficial and sustainable to source materials locally; their use also helps to integrate new buildings with the older more established buildings in the countryside. All development should be designed to be resilient to climate change through careful exterior detailing and choice of materials. New buildings should be positioned to maximise solar gain and to gain natural

shelter from topographical features to reduce energy demands. Building design should aim for minimal carbon footprint from initial construction through to low energy use on a day to day basis. Reuse of existing buildings and minimising loss of existing building components and materials is encouraged in cases of conversion and refurbishment. High performance, energy efficient glazing and innovative heating systems should be incorporated into new buildings.

273. The [Sustainable Housing Guide for Scotland](#) continues to be a useful reference source of comprehensive and user friendly information on ways of incorporating sustainability principles into housing development and rehabilitation projects.

Disability compliance

274. SPP 2014 requires that local authorities consider the need for special provision that cover accessible and adapted housing, wheelchair and supported accommodation. This supports independent living for elderly people and those with a disability. An inclusive design approach is required to have due regard to the need to promote equality of opportunity for disabled people in compliance with the [Disability Discrimination Act 1995](#).

General

275. Proposals must comply with all other relevant policies of the local development plan and other planning guidance approved by the council. This will include the council's various contribution policies such as affordable housing and education policies.

276. Prospective developers are encouraged to consider engaging a qualified designer/architect who can bring both experience and inspiration to the design process. A good designer will advise clients on the choice of the right site and the correct approach to addressing the various constraints and requirements of the brief, the site, and its relationship to the landscape setting. The end result should be a well-designed house that is a desirable place to live, that is visually pleasing, energy efficient and appropriate to the context of the site.

277. [Separate consent is required under the Building Regulations.](#) This will cover a range of important issues including energy efficiency, fire safety and structural stability.

PRE-APPLICATION ENQUIRIES

278. It may be advantageous to discuss proposals for development in the countryside at an early stage with planning officers. The council offers a pre-application advice service which you can use to find out whether your proposals would be likely to secure planning permission. You should however be aware that there is a fee for this service. To find out more go to the [Pre-Application Enquiry webpage](#) and the related scale of [planning fees](#). Fees are calculated with regard to the complexity of the proposals and there are additional charges for site visits and meetings. To obtain further information and advice, please contact:

279. Development Management, West Lothian Council, Civic Centre, Howden South Road, Livingston, EH49 6FF or telephone 01506 280000 and ask to speak to a Development Management Planning Officer for the area in which you propose to develop. You can also email enquiries to: planning@westlothian.gov.uk

ADDITIONAL INFORMATION AND ADVICE

Scottish Government Planning Policy Guidance

- National Planning Policy Framework 3 (NPF 3)
- Scottish Planning Policy

Scottish Government Planning Advice Notes

- PAN 2 - Planning and Archaeology
- PAN 33 - Development of Contaminated Land
- PAN 39 - Farm and Forestry Buildings
- PAN 43 - Golf Course and Associated Development
- PAN 44 - Fitting New Housing Development into the Landscape
- PAN 60 - Natural Heritage
- PAN 61 - Sustainable Urban Drainage Systems
- PAN 67 - Housing Quality
- PAN 68 - Design Statements
- PAN 69 - Flood Risk
- PAN 72 - Housing in the Countryside
- PAN 73 - Rural Diversification
- PAN 78 - Inclusive Design
- PAN 79 - Water and Drainage

Scottish Government Guidance

- Creating Places - A Policy Statement for Scotland

Historic Environment Scotland

- Rural Buildings of the Lothians : Conservation and Conversion – Guide for Practitioners
- Farm Architecture – The Listing of Farm Buildings
- New Design in Historic Settings

Scottish Civic Trust

- New Uses for Old Buildings in Scotland

West Lothian Council

- The Farm Steadings of the Bathgate Hills
- The Lowland Crofting Handbook

USEFUL CONTACTS

WLC Development Management
Planning applications
t: 01506 280000
e: planning@westlothian.gov.uk

WLC Development Planning
Planning policy/development plans
t: 01506 280000
e: dpgeneral@westlothian.gov.uk

WLC Building Standards
t: 01506 280000
e: buildingstandards@westlothian.gov.uk

WLC Flood Risk Management Team
t: 01506 280000
e: graeme.hedger@westlothian.gov.uk

WLC Public Transport
t: 01506 280000
e: publictransport@westlothian.gov.uk

WLC Environmental Health & Trading Standards
t: 01506 280000
e: environmentalhealth@westlothian.gov.uk

WLC Recycling & Waste Services
t: 01506 280000
e: waste.services@westlothian.gov.uk

WLC Roads & Transportation
t: 01506 280000
e: chris.nicol@westlothian.gov.uk

WLC NETS, Land & Countryside Services
t: 01506 280000
e: andy.johnston@westlothian.gov.uk

WLC Education Planning
t: 01506 280000
e: dpgeneral@westlothian.gov.uk

WLC Visual and Public Art
t: 01506 280000
e: arts@westlothian.gov.uk

Scottish Environment Protection Agency (SEPA)
t: 0131 449 7296
e: planning.se@sepa.org.uk

Scottish Water Customer Connections
t: 0845 601 8855
e: connectionssupport@scottishwater.co.uk

Scottish Natural Heritage
Tel : 0131 316 2600
e: ian.rennick@snh.gov.uk

Historic Environment Scotland
t: 0131 668 8600
e: HMenquiries@HES.scot

Central Scotland Green Network Trust (CSGNT)
t: 01501 822 019
e: contact@csgnt.org.uk

Public Health England, Centre for Radiation, Chemical
and Environmental Hazards
t: 01325 822 622
w: <http://www.ukradon.org/contactform>

Edinburgh Airport Limited
t: 0131 344 3592
e: nyree_bell@edinburghairport.com

Essar Oil UK
t: 01506 280000
w: <http://www.essaroil.co.uk/contact-us/?form=1#form>

Disability West Lothian
t: 01506 774030
e: enquiries@dwl.demon.uk

STRATEGIC ENVIRONMENTAL ASSESSMENT

In accordance with the Environmental Assessment (Scotland) Act, 2005, the council prepared and submitted a Strategic Environmental Assessment (SEA) screening report to the statutory consultation authorities, summarising its view that this SG is unlikely to have significant environmental effects. The consultation authorities agree with the council's view and the council made a formal determination that a SEA is not required for this SG. The council reached this view because the SG sits under the hierarchy of the Edinburgh and South East Scotland Strategic Development Plan and the West Lothian Local Development Plan, both of which have undergone SEA in their own right. The SG does not seek to change or amend policies in these plans or identify new ones.

HABITATS REGULATIONS APPRAISAL

A Habitat Regulations Appraisal (HRA) screening exercise, undertaken in compliance with the EC Habitats Directive (Council Directive 92/43/EEC) and the Conservation (Natural Habitats, &c. Regulations 1994 as amended has been carried out for this SG. This is included in the HRA record for the LDP. The HRA screening concludes that there are no likely significant effects from this SG on Natura sites in the area, and no appropriate assessment requires to be undertaken.

EQUALITIES IMPACT ASSESSMENT

An Equalities Impact Assessment of the WLLDP has been carried out and concluded that there are no adverse impacts on any of the community groups covered by equalities legislation or on community relations.

