



(Draft) PLANNING BRIEF

West Main Street (East), Blackburn (HBb11)

SITE INFORMATION

LOCATION: The site lies on the north side of West Main Street in the south of Blackburn.

OWNERSHIP: West Lothian Council

AREA: 0.20 hectares

PLANNING POLICY

LOCAL PLAN:

The West Lothian Local Plan (adopted 2009)

POLICY:

Allocated housing site HBb11

EXISTING USE: vacant grass site

PROPOSED USES: residential

PREVIOUS PERMISSION: None

SPECIAL STATUS: None

DEVELOPMENT GUIDANCE

Purpose of the Brief

The purpose of this planning brief is to guide the development of land to be disposed of by the council. Its purpose is to identify key design, environmental and infrastructural requirements of the council as well as identify any additional community benefits that will be required as a result of the development of this site.

This brief is principally intended to be of assistance to potential developers. Developers should demonstrate in their application that they have considered and addressed all the general and specific points raised in the brief. Any proposals submitted by the developer will be subject to the normal requirements of the statutory planning system and will be subject to any relevant new policy guidance, which may emerge between the issuing of these guidelines and the submission of a planning application.

The guidance provided in this planning brief is without prejudice to any further comments and decisions that may be made by the council on any formal consideration of a planning application to develop the site.

The council is committed to creating high quality environments by raising design standards for housing developments. It is the responsibility of developers to comply with the detailed requirements of these guidelines. Further guidance is set out in the council's Residential Development Guide, 2002 which is available from the council. This document is under review.

Please be aware that the accompanying plans and boundaries are indicative and should not be scaled. Exact boundaries must be agreed at the time of any planning application and disposal agreement.

Site Context

The site is located in the south west of Blackburn and lies immediately to the north of West Main Street. The site is bound to the north, west and east by existing housing.

The site is currently laid out as an area of informal open space and there are a number of semi-mature trees on the site. There is an existing adopted footpath which cuts across the centre of the site in a north to south direction.

Development Mix

Housing development is considered an appropriate use for the site and the site is allocated for such in the adopted West Lothian Local Plan 2009.

Where private sector housing development is proposed a contribution towards affordable housing will be required in accordance with the terms of the council's Affordable Housing Policy. Land transferred to West Lothian Council or to a Registered Social Landlord (RSL) under the terms of the Affordable Housing Policy will require to be fully serviced. The date of transfer of such land to the council will be determined on a site-by-site basis. Potential purchasers should note that it is proposed to amend the Affordable Housing Policy. This will result in the need to update the current supplementary planning guidance covering affordable housing. It is recommended that prospective developers discuss affordable housing contributions with the council at an early stage. There are some specific exemptions that apply. Copies of the policy paper are available at

<http://www.westlothian.gov.uk/media/downloadaddoc/1799514/1841832/1850797/1874545/affordablehousing>

Housing Density

The adopted West Lothian Local Plan 2009 indicates that the site would be suitable for six housing units.

Layout/Design/Materials

The council has approved a Residential Development Guide 2002, which sets out specific detailed advice on development standards that developers will be expected to meet. Copies of the Guide can be made available on request although it should be noted that the guide is under review.

Buildings should be designed and positioned to avoid any effect on the privacy of houses surrounding/adjacent to the site. A minimum of 18m between windows of habitable rooms should be taken as a guide (see the Residential Development Guide 2002 for details of relaxations).

A high quality development will be achieved by applying a design solution appropriate to this specific site and a requirement for high quality design, layout and building materials. The successful integration of the development with other uses in this area will pay particular attention to contextual analysis, movement within and around sites, layout and space in and around buildings.

In terms of particular design aspects, the developer will require to take account of the following:

- the design and layout of the development must create a secure environment where opportunities for potential crime are minimised, but without compromise to design quality and residential amenity. The layout should, wherever possible, exploit opportunities for natural surveillance. All paths, cycleways and open spaces should either be overlooked by development, or where paths and cycleways are not overlooked, they should be surfaced and lit. Landscaping adjacent to paths must be at a low level. The developer should have regard to PAN 77 Designing Safer Places.
- the risk of potential crime must be considered in the overall design and layout of the site and general surveillance of pedestrian footpath links and parking areas is required.
- the site to be laid out and orientated to maximise solar gain and minimise exposure.

In terms of particular design principles for this site, the council will require:

- buildings to be designed and positioned to avoid overlooking and adherence to the council's privacy standards as expressed in the Residential Development Guide.

There are no specific requirements regarding materials, but the developer may wish to consider some continuity with the themes established in the external materials of the surrounding area.

Vehicular Access

Access would need to be near the western boundary of the site to avoid the bus layby.

A single access point to serve a rear parking court would be acceptable. There is limited site frontage onto West Main Street that would make individual driveways difficult to achieve.

There is an Advance Direction Sign on the western boundary that must be retained due to there being no scope to relocate this in the area.

The approved Residential Development Guide (2002) sets out details on improving road safety and reducing vehicle speeds. It provides details in relation to roads hierarchy, road junctions, sightlines, private and housing association parking, footpaths and transport assessments and these must be adhered to when considering access points and road layouts. The council's Transportation Unit is reviewing their roads standards.

Parking

As a general guideline, car parking for new residential developments should be provided at the following rates:

Residential Development

Dwellings up to 2 bedrooms – 1 residents off-street space per dwelling + 50% visitors on-street space per dwelling;

Dwellings with 3 or more bedrooms – 2 residents off-street spaces per dwelling + 25% visitors on-street space per dwelling.

In flatted developments, cycle parking should be provided in covered, lockable enclosures. One cycle rack should be provided for every two flats.

Footpath Links

The existing footpath within the site is adopted and a footpath link should be provided within the proposed site layout. This does not necessarily have to follow the exact route of the existing footpath but should provide a link from the north of the site through to West Main Street.

Any footpaths to be removed would need to be stopped up at the developer's expense.

Outdoor play spaces

There is no on-site requirement for an equipped play area.

Landscaping/Open Space/Trees

Internal open space and communal landscaping should be kept to the minimum. It should be simple, durable and easily maintained. Incidental open space should be designed out where possible.

Before any start of work on site, sturdy protective fencing should be erected to prevent damage to existing mature trees. Reference should be made to BS 5837:2005 - "Trees in Relation to Construction" in designing the landscape element of the scheme. A landscaping plan must be submitted with any planning application.

The developer must incorporate some native, climax tree species within the development and at least one tree in each garden area.

An arboriculturalists' report is required to assess the position and condition of the existing trees on the site.

Where it is not possible to retain a particular tree then a suitable replacement tree should be provided at a location to be agreed within the site.

The developer, in liaison with the council's Development Management Unit, must establish a maintenance agreement and transfer of funds either to an approved maintenance agent or to the council.

Archaeology

From the information currently available to the council and its advisers, there are no known archaeological remains on this site.

Flood Risk

The council has no records to suggest that this site is particularly vulnerable to flooding from any source. The developer is, however, expected to make his own assessment of the risk of flooding from all sources including pluvial flooding and bring forward measures to protect the development and other areas that may be affected as a result of the development as an integral part of the development planning process.

Drainage Impact Assessment

A Drainage Impact Assessment (DIA) will be required. It must be comprehensive and must address the issues of foul, surface and ground water, including land drainage. It must identify the issues affecting the site pre-development and should outline the strategy post-development. The DIA shall generally comply with the document *Drainage Impact Assessment - A Guide for Scotland* published by SEPA et al. There are local variations to the document and early consultation with SEPA and the council's Flood Risk Management Officer is recommended.

No works may start on site until the DIA has been submitted to and approved in writing by the planning authority. The DIA shall include the sensitivity analysis and detail all elements of the surface water drainage system pre and post-development, risk assessment, details of any temporary abatement proposed until the permanent drainage system is in place, evidence that the drainage system meets the treatment requirements of SEPA and evidence that the drainage system will be adopted by Scottish Water.

Sustainable Drainage

The flow of surface water from the site is not currently subject to treatment and attenuation. The developer is expected to meet the treatment requirements of the Scottish Environment Protection Agency (SEPA). It is expected that the surface water drainage system will be vested in Scottish Water as drainage authority and will, as a consequence, be designed and constructed fully in accord with Scottish Water's Construction Standards and Vesting Conditions 'Sewers for Scotland', Second Edition.

The forward flow of surface water from the site shall be attenuated. The critical 1:100-year post-development flow shall be attenuated to the equivalent of approximately five litres per second per hectare. There may be scope to include attenuation as part of the treatment facility required by SEPA. An end of line treatment system alone is unlikely to be acceptable. A series of source and site controls will be required as an integral part of the surface water drainage system.

The surface water drainage system shall be fully constructed in accordance with the approved plans and details prior to any unit being occupied. In April 2008, the council approved supplementary planning guidance on Sustainable Urban Drainage Systems. The guidance can be accessed at:

<http://www.westlothian.gov.uk/1210/161/205/207>

Sensitivity Analysis

A sensitivity analysis shall be carried out on the proposed layout to demonstrate that the critical storm up to and including the critical 1:200-year events will have no adverse effect on property forming part of the development or elsewhere.

Soil Protection

Due to heavy local soils and typically poor drainage characteristics, topsoil shall be stripped and stored during construction in accord with the guidelines in the council's Soil Sustainability Report. When it is not possible to avoid soil compaction, such as in the immediate environs of buildings, all debris shall be removed from site and intensive methods of soil cultivation be employed prior to the spreading of topsoil. Handling and trafficking of soil must be avoided during periods of wet weather and saturated ground conditions.

Energy Efficiency

Scottish Planning Policy (SPP) identifies the use of energy efficient, micro generating and decentralised renewable energy systems as components in the move towards reducing emissions, but energy efficient design of buildings will make a significant contribution to reducing carbon emissions. Location, siting, orientation, design, materials and insulation are important factors in the energy efficiency of buildings. Section 72 of the Climate Change (Scotland) Act requires all new buildings to be designed to avoid a specified and rising proportion of the projected greenhouse gas emissions from their use through the installation and operation of low and zero carbon generating technologies. This is a material consideration in the processing of a planning application. Applicants should consult with the Planning Authority and the council's Buildings Standards service if they require more information.

Reducing Carbon Emissions

The need to tackle climate change, and in particular reduce emissions of the greenhouse gases that contribute to it, is a principal challenge of sustainable economic growth. The 2010 Editions of the Building Standards Technical Handbooks, published on 6 April 2010, revise the Scottish Government's target setting for new buildings requiring delivery of a 30% reduction in CO₂ emissions, reflecting the provisions of the Climate Change (Scotland) Act 2009.

Developers will be required to ensure that their proposals meet with the latest building standards, guidance and methodologies provided in building regulations. Buildings must be designed to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use, calculated on the basis of the approved design and plans for the specific development, through the installation and operation of low and zero-carbon generating technologies.

The design of new development should therefore address the causes of climate change by minimising carbon and other greenhouse gas emissions and should include features that provide effective adaptation to the predicted effects of climate change. New development should be planned to make use of opportunities for decentralised and local renewable or low carbon sources of heat and power wherever possible.

Sustainable Design

In anticipation of stringent government guidance requiring zero and low carbon, and, sustainable design standards for buildings, developers are encouraged to design and specify buildings and overall layout in a manner, which takes advantage of current and emerging best practice.

Biodiversity

The council has a duty under the Nature Conservation (Scotland) Act 2004 to protect and conserve biodiversity and the West Lothian Local Biodiversity Action Plan 2005-2009 identifies habitats and species of significance. Developers will be required to assess the biodiversity status of the site including its potential as a

habitat for wildlife by way of an independent site survey undertaken by appropriately qualified persons at an appropriate time of year to be agreed with the relevant agencies. The developer will be required to liaise closely with SNH and the council regarding these matters and where required submit proposed remedial measures to offset any adverse impacts of development.

Waste Management

Space for collection, segregation, storage and possibly treatment of waste (e.g. individual and/or communal bin stores, composting facilities, and waste treatment facilities) should be allocated within the site layout. Prior to submitting a planning application, developers should contact the council's Waste Management team to determine site specific requirements based on a proposed layout.

Education

The site is within the catchment areas of Bathgate Academy and St Kentigern's Secondary Schools, Blackburn, and Blackburn and Our Lady of Lourdes primary schools. There are capacity issues at secondary school level.

Prior to purchasing the site, the developer should contact the council's Education Planning (Mark Brooks: 01506-281855) for up to date information on school rolls at particular schools. School rolls fluctuate and this would need to be considered in view of the available accommodation at the school and the Scottish Government's Education Department guidance that may apply at that time.

Education Planning are a statutory consultee in the planning permission process and an objection is a material consideration in the determination of planning permission. An objection by the Service could prevent planning permission being obtained. School rolls constantly change and prior to submission of planning permission it is recommended that future developers contact Education Planning to obtain an up to date steer on both the available capacity at the schools, education's position on any potential application and any contributions that are in place.

For all housing sites within West Lothian, Education Planning require the developer to contribute to denominational secondary school provision in line with approved supplementary planning guidance. Contribution rates are £1,983 per residential unit. This applies to most residential development although a number of exemptions apply. Actual payments will be index linked to the changes indicated in the RICS Building Cost Information Service Tender Price Index using the first quarter 2010 as the base date and the levels of contribution will be reviewed regularly to take account of changed circumstances. See details within detailed Supplementary Planning Guidance for specific exemptions.

To support the development strategy of the Edinburgh and Lothians Structure Plan 2015 (E&LSP) and the West Lothian Local Plan (WLLP)(as adopted 13 January 2009), the council's Education Executive on 16 June 2010 approved an extension to Bathgate Academy. The contributions requirement for Bathgate Academy is currently £2,437 per residential unit indexed to the RICS Building Cost Information Service Tender Price index 2nd quarter of 2008. It should be noted that new Supplementary Planning Guidance for school contributions is being prepared and that this rate could change.

This Planning Brief was prepared within a specific timeframe. The situation with school rolls and capacity changes over each session. Government guidance may also change between school sessions. Consequently, there may be a need to phase a particular development with suspensive planning conditions that was not originally envisaged when this planning brief was prepared. Developers must consult with Education Planning at an early stage in preparing their proposals.

Ground Conditions

Interested parties must satisfy themselves on all matters relating to ground conditions within and adjacent to the site.

A contour plan of the existing and proposed final levels on the site must be submitted with the planning

application.

Contaminated Land

The council is unaware of any issues of land contamination. However, developers must submit with any planning application a study and report assessing the site for contamination and adverse ground conditions. If there is any indication of contamination, or other ground condition problems, a remediation statement and environmental insurance must be provided by suitably qualified persons or organisations acceptable to the council and be made available with the submission of any planning application. The above requirement will not prejudice any action that may be taken under the statutory contaminated land regime.

The council has produced supplementary planning guidance (SPG) on land contamination which was approved by the Council Executive on 29 September 2009. This is available at <http://www.westlothian.gov.uk/1210/161/205/207>

Developers should contact the council's contaminated land officer for further information (contact Neil Brown, 01506 282423).

Construction Training and Local Employment Agreements

In December 2008, the council approved supplementary planning guidance entitled Construction Training and Local Employment Agreements. This SPG encourages developers in West Lothian to enter into Local Employment Agreements (LEA) with the council. These agreements would set out how the developer intends to make training opportunities available to local people and make available entry-level employment opportunities for disadvantaged priority groups e.g. long-term unemployed, single parents, incapacity benefit claimants, young people, minority groups. Developers are not compelled to comply with the SPG but are encouraged to bring forward proposals which are aimed at promoting training and entry-level employment opportunities on a voluntary basis. It is likely that larger scale developers will wish to sign up to the guidance, however there is no threshold established within the SPG. It can be viewed at the following link on the council's website: <http://www.westlothian.gov.uk/1210/161/205/207>

Controlling light pollution (and reducing lighting energy consumption)

In September 2009 the council approved supplementary planning guidance entitled Controlling Light Pollution and Reducing Lighting Energy Consumption. This SPG addresses two important environmental factors, namely nuisance light and energy usage. Specifically, it seeks to encourage developers, architects and lighting designers to provide non-obtrusive and energy efficient lighting designs when preparing proposals for any development which incorporates an element of out-of-doors artificial lighting. It relates to all exterior lighting situations regardless of the location of the lighting project or whether it is a stand alone project or part of an overall development. Potential developments and lighting situations include, but are not limited to industrial developments, retail developments, housing developments, transport interchanges, roads and footpaths (either stand alone or as part of an overall development), exterior sports grounds and arenas, feature lighting for civic enhancement, illuminated advertisements, and replacement of existing lighting installations.

All developments are required to take cognisance of this guidance when developing plans to be submitted with their planning application. Copies of the guidance are available at: <http://www.westlothian.gov.uk/1210/161/205/207>

Developer Contributions

In addition to the requirements set out above, the council has identified a series of additional contributions which developers of new sites are now required to provide. Details of this supplementary guidance can be found on the council's website at <http://www.westlothian.gov.uk/1210/161/205/207>. The following contributions would be applicable to this site.

Travel Plan Co-ordinator – Where residential development is proposed a "Travel Information Pack" requires

to be provided to each householder.

Cemetery provision – To allow the council to plan for strategic cemetery provision, developers will be required to contribute £35 per house towards new cemetery provision. Actual payments will be index linked to the increases indicated in the RICS Building Cost Information Service Tender Price Index using the first quarter 2006 rates as a base date. This contribution also applies to flats. An SPG is available on West Lothian Cemetery contributions and can be accessed at <http://www.westlothian.gov.uk/1210/161/205/207>.

Services

All services are assumed to be available to the site. Developers must consult utility providers direct (initial contact details on Site Plan). Any services information shown on the site plan is diagrammatic only and must not be scaled. The developer must verify the actual position of mains and services directly with the relevant supplier.

Potential developers should not that there is an existing surface water sewer crossing the site. Scottish Water will require a stand-off depth equal to the depth of the sewer plus one metre. The depth of the sewer requires to be established on site. Alternatively it may be possible to divert the sewer. This would require a formal application to Scottish Water by the developer. If Scottish Water grant permission for a diversion then these works would be completed at the developers expense.

For further information, Scottish Water can be contacted at ConnectionsNTA@scottishwater.co.uk

Planning Applications

Applicants are advised to discuss their proposals with the Development Management and Development Planning units prior to submitting any offer for the site, or a planning application. Application forms, neighbour notification procedures and fee scales are available from the Development Management Unit, County Buildings, High Street, Linlithgow, EH49 7EZ, or contact: 01506-282480. Alternatively, forms can be downloaded from the web site at: <https://eplanning.scotland.gov.uk/WAM/>

Contacts

Development Planning

Colette Maxwell
Planner
Tel 01506 282434
email colette.maxwell@westlothian.gov.uk

Development Management

Tony Irving
Senior Planner
01506 282410
email tony.irving@westlothian.gov.uk

Transportation

Robert Smith
Engineer
01506 282324
email robert.smith@westlothian.gov.uk

Education Planning

Mark Brooks
Strategic Planning Information Assistant
01506 281855
email mark.brooks@westlothian.gov.uk

Finance and Estate Services

Janet Rutherford
Surveyor
01506 281831
email janet.Rutherford@westlothian.gov.uk

Planning Services values your feedback. Please take a few minutes to tell us how we are doing and how well our services meet your needs by filling in our customer satisfaction survey at <http://www.surveymonkey.com/s.asp?u=968792906014>

You can view our customer feedback results at <http://www.westlothian.gov.uk/1210/161/205/208>

Our most recent service improvements which have been implemented following customer feedback can be viewed at <http://www.westlothian.gov.uk/1210/161/205/208>

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