



(DRAFT) PLANNING BRIEF

**ELv39 Rosebank (East), Kirkton Campus,
Livingston**

SITE INFORMATION

LOCATION:

Southern part of Kirkton Campus, adjacent to the Alba Campus development in the west of Livingston

OWNERSHIP: West Lothian Council

AREA: 3.58 ha gross site area

PLANNING POLICY

LOCAL PLAN:

West Lothian Local Plan (adopted 2009)

POLICY:

The site forms part of ELv39, which is allocated for High Amenity business uses falling within Use Classes 4 & 5 (Policy EM 2 and Appendix 5.1)

Policy EM6 - planning permission on allocated employment sites for uses other than classes 4,5, and 6.

Policy EM8 - requires high and/or innovative standards of building designs incorporating landscaping.

Policy EM9 - promoting green awareness in planning applications for employment uses.

EXISTING USE:

Vacant plant nursery and former farm steading

PROPOSED USES:

The main use proposed for the site is high amenity Class 4 & 5 business use.

Ancillary uses such as a hotel or restaurant/bar may be permitted on the former Rosebank House frontage site. Class 2 uses (Financial, professional and other services) may also be considered for individual plots within the site.

These alternative uses will require to be considered under Policy EM6 which requires a clear justification for any use other than use class 4 and 5 and sets out specific criteria which any alternative uses being proposed must meet.

**PREVIOUS PERMISSION /
CURRENT APPLICATION:**

Planning permission was granted on 30 July 2009 for the construction of a new access road to serve the site under application reference 0453/FUL/09.

SPECIAL STATUS:

Allocated within Kirkton Campus high amenity, employment environment. Adjacent to Area of Special Landscape Control (ENV 21) and land safeguarded for open space (COM 2).

DEVELOPMENT GUIDANCE

General

This brief is intended to guide the development of land to be disposed of by the council. It outlines the planning issues related to an area comprising vacant land and farmhouse buildings which were previously in use as a plant nursery.

This brief is principally intended to be of assistance to the potential developers of individual plots within the site. They should demonstrate in their application that they have considered and addressed all the general and specific points raised in the planning 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 in this planning brief is provided without prejudice to any further comments and decisions that may be made by the council on formal consideration of a planning application to develop the site.

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 Location and Context

Rosebank (East) is located within the high amenity Kirkton Campus, West Lothian's premier business park, opposite the prestigious Alba Campus. Located in central Livingston, access to the motorway network is by junctions 3 or 3a on the M8. Livingston town centre is one mile to the east.

The site is bounded to the north, west and east by mature woodland, and to the south by the B7015 Rosebank/Gavieside road. The Killandean Burn greenway is located to the north. To the west is the partially developed Rosebank Park site. This has been laid out with low-rise office buildings. There are two residential properties (Rosebank Cottages) located to the immediate south east of the site.

Livingston in particular has a history of development for industrial and business uses in the highest quality settings. Kirkton Campus, which was the original Science and Technology campus is characterised by very low densities; modern or innovative design using high quality materials; in a highly landscaped setting. Careful control has been exercised over the height of buildings and the layout of individual sites to ensure that they are unobtrusive. Consequently development for new class 6 storage and distribution uses which require large floor areas, significant eaves heights and generate high levels of HGV traffic will be precluded.

Rosebank (East) comprises part of the former Livingston Development Corporation's horticultural nursery, based around the former Rosebank house, and is owned by West Lothian Council.

Existing Use and Buildings

The former Rosebank farmhouse currently occupies the site. The rear (i.e. northern) part of the site is flat and open. The site and buildings are not currently in use.

Vehicular Access

Vehicular access to Rosebank (East) is from the B7015, which forms the southern boundary of the site. Planning permission (0453/FUL/09) has been granted for the construction of a new access road into the site. This establishes the most appropriate location for a new junction. The three existing access points may no longer be used. They will be required to be removed and the existing east / west footpath reinstated across those openings and the grass verge re-landscaped.

The internal access roads will take the form as approved by planning permission 0453/FUL/09. The new access road will require to be constructed to an adoptable standard.

Site Subdivision, Layout, Future Use & Buildings

The proposed internal access road will sub-divide the site into ten individual development plots. The site is allocated in the Adopted West Lothian Local Plan 2009 for high amenity business uses falling within use classes 4 & 5.

The Local Plan also recognises the need for the provision of service activities within or adjacent to business areas, to cater for demand from those working in the vicinity. Accordingly, in addition to high amenity class 4 and 5 use, the larger frontage plot (0.55 ha), which is the Rosebank House plot, may be considered for development for appropriate ancillary uses which complement the adjoining development plots and the surrounding Kirkton Campus.

Ancillary uses might include appropriate leisure uses, such as restaurant, bar, hotel or leisure and recreation uses. Only the frontage plot is considered potentially suitable for such ancillary uses. Any potential noise generating uses such as bar/ restaurant or function room must be designed and located at the west end of the frontage site away from the two existing Rosebank cottages to protect their existing residential amenity.

In addition, Class 2 uses (financial, professional and other services) may also be considered for individual plots.

Prospective developers should note that any uses being proposed other than use class 4 and 5 will require to be considered under Policy EM6 in the West Lothian Local Plan 2009, which requires a clear justification for any use other than use class 4 and 5 and sets out specific criteria which any alternative uses being proposed must meet. Any alternative uses would also be subject to prospective developers obtaining the necessary planning consents.

To allow flexibility in design and construction, particular building styles or construction methods are not specified. However, external materials should provide a modern, clean image. Flush steel, aluminium panel cladding systems with tinted or reflective glass and quality facing brick are likely to be acceptable.

A two-storey development would be encouraged on the Rosebank House plot, to relate to the larger developments to the south on Alba Campus. Rosebank House, although not listed, may offer an attractive element of traditional building style within the redevelopment. Developers are encouraged to retain and adapt the house within the new development. However, demolition of the house will be considered if, after submission of a full condition survey report with the planning application, no viable alternative use can be found.

Fencing

Due to the nature of the wider campus and general setting of the site, perimeter fencing should be avoided, especially along the road frontage. If any security fencing is necessary, it should be located to the rear of the general building line and restricted to sensitive areas only.

Parking

Developers should comply with the current parking requirements for the intended use of each individual plot.

Developers should contact the council's Development Planning (Transportation) for further information (contact Robert Smith, 01506 775245).

Flood Risk Assessment /Sustainable Urban Drainage systems (SUDS)

In April 2008 the council approved supplementary planning guidance on flooding issues in West Lothian. The guidance sets out the requirements for the preparation and submission of Drainage Assessments and Flood Risk Assessments for developments. It also includes reference to Sustainable Urban Drainage Systems within the West Lothian area. The SPG is available at <http://www.westlothian.gov.uk/1210/161/205/207>.

Early consultation with SEPA, Scottish Water and the council's Flood Risk Officer is recommended Graeme.Hedger@westlothian.gov.uk

For the specific requirements of Scottish Water, developers are strongly advised to consult with them at an early date. Scottish Water can be contacted at connections@scottishwater.co.uk telephone 0845 601 8855.

Cycle Parking

Cycle parking should be provided in covered, lockable enclosures and be provided using the "Sheffield" type cycle racks.

The level of cycle parking provision should meet current council parking standards.

Developers should contact the council's Development Planning (Transportation) for further information (contact Robert Smith, 01506 775245).

Landscaping / Trees

Before any start of work on site, sturdy protective fencing should be erected to prevent damage to the existing mature woodland shelterbelts along the west, north and eastern boundaries. Due to the nature of this mature woodland, it may be necessary to leave a buffer zone between the edge of the woodland on the west, north and east boundaries and any new building elevations. The developers should show the crown spread of all existing mature trees adjacent to the site boundary on their layout plan. They will be required to provide an independent arborists' report on these trees with recommendations and carry these out, having reached agreement with the planning authority.

Reference should be made to BS 5837:2005- "Trees in Relation to Construction" in designing the landscape element of the scheme.

Internal landscaping will be required within each plot, particularly to the front of public elevations of each plot. It should be simple, durable and easily maintained. Incidental open space should be designed out where possible.

Landscaping along the road frontage, while respecting sightlines, should integrate the site with the adjoining woodland areas. A landscaping plan must be submitted with any planning application.

The developer must incorporate some native, climax tree species within the development.

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.

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There may be scope to include attenuation as part of the surface water treatment facility required by SEPA. An end of line system alone is unlikely to be acceptable, instead, the developer will be required to include a series of source and site controls as an integral part of his overall strategy. There is a preference for above-ground features that will help to enhance the landscape, amenity, and habitat value of the proposed site if these can be incorporated with landscape, habitat, and public safety in mind. It is likely that the developer might reasonably be required to allocate up to five percent of the development site for the purposes of accommodating aboveground sustainable drainage systems. It is generally acceptable for these to be included as part of the public open space provision where this is appropriate.

Developers of each plot must include surface water treatment to meet SEPA requirements. The developers of each individual development site must establish the extent and destination of post development run-off and provide on-site attenuation proposals acceptable to the council.

It is anticipated that a SUDS basin will be formed at the north-west of the site, as indicated on the attached site plan, to drain the internal access road and take a limited amount of storm overflow from individual plots.

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 ground levels on the site must be submitted with the planning application.

Contaminated Land

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 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 775263).

Services

All services are assumed to be available to the site. There is an existing electricity sub station on the site, which has been shown on the Site Plan.

The apparatus 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. (Initial contact details on Site Plan)

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 and to enable the council to process a planning application the following information will be required:

- An Energy Efficiency Statement setting out how the necessary reduction in carbon dioxide emissions can be achieved and note the Development Management Unit will accept improved insulation; and
- Detailed Plans and a Design Statement to show how on-site renewable energy measures will be incorporated sensitively and innovatively throughout the overall scheme.

Applicants are advised to consult with the Planning Authority and the council's Building Standards service for the latest position.

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.

The use of energy efficient, microgenerating and decentralised renewable energy systems will be components in the move towards reducing emissions, but energy efficient design of buildings will make a significant contribution to reducing emissions. Location, siting, orientation, design, materials and insulation are therefore important factors to consider.

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.

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.

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>

Noise

In June 2008, the council approved supplementary planning guidance on noise issues. On sites that are likely to be noise sensitive, the assessments and mitigation requirements of the SPG must be considered and provided in any development proposals. Copies of the SPG are available at <http://www.westlothian.gov.uk/1210/161/205/207>

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. The SPG can be viewed at:

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

Travel Plan Co-ordinator

A travel plan is required for all class 4/5/6 developments.

Note: Financial contributions towards a travel co-ordinator service were suspended for a two-year period from 25 November 2008.

Provision of Digital Ducting Within New Developments

Planning Services has developed the above guidance in conjunction with Economic Development colleagues in the council. It was approved by the Council Executive on 13 April 2010. The guidance is designed and written for housing and other developers who intend or who wish to consider the laying of ducting on development sites, for the delivery of digital data services that are fit for purpose for digital service provision now and well into the future. A copy of the approved guidance is available on request and can also be viewed at the following web link:

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

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: 01506-775222. Alternatively, forms can be downloaded from the council's web site at:

<https://eplanning.scotland.gov.uk/WAM/>

Contacts

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Contaminated Land

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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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