



West Lothian
Council

Local Review Body

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

18 November 2014

A meeting of the **Local Review Body** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre** on **Wednesday 26 November 2014 at 11:00am**.

For Chief Executive

BUSINESS

Public Session

1. Apologies for Absence
2. Order of Business, including notice of urgent business
3. Declarations of Interest - Members should declare any financial and non-financial interests they have in the items of business for consideration at the meeting, identifying the relevant agenda item and the nature of their interest.
4. Confirm Draft Minutes of Meeting of Local Review Body held on 29 October 2014 (herewith).

Public Items for Decision

5. CONTINUED ITEM OF BUSINESS - Notice of Review - Application No.0152/FUL/14 - Erection of a 74m high (to blade tip) wind turbine at Aldi Distribution Centre, Pottishaw Road, Bathgate (herewith)

NOTE **For further information please contact Val Johnston, Tel No.01506 281604 or email val.johnston@westlothian.gov.uk**

DATA LABEL: Public

MINUTE of MEETING of LOCAL REVIEW BODY of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, LIVINGSTON, on WEDNESDAY 29 OCTOBER 2014

Present – Councillors George Paul (Chair), Willie Boyle, Harry Cartmill, Lawrence Fitzpatrick, Tom Kerr, Greg McCarra and John Muir

Apologies – Councillors Tom Conn and Angela Moohan

1. ORDER OF BUSINESS

The Chair ruled that the business on the agenda would be taken in the following order: - Items 6a, then 6b and then 5a.

2. DECLARATIONS OF INTEREST

No declarations of interest were made.

3. MINUTE

The Local Review Body confirmed the Minute of its meeting held on 3 September 2014. The Minute was thereafter signed by the Chair.

4. NOTICE OF REVIEW - APPLICATION NO.0365/FUL/14 - ERECTION OF A 34.2M HIGH (TO BLADE TIP) WIND TURBINE WITH ASSOCIATED INFRASTRUCTURE AND TEMPORARY ACCESS AT EAST MAINS, BALLENCRIEFF, BATHGATE

The Local Review Body considered a report (copies of which had been circulated) by the Clerk and Legal Adviser to the Local Review Body which related to a Notice of Review for the erection of a 34.2m high wind turbine at East Mains, Ballencrieff.

Attached to the report were the Notice of Review and other relevant review documents and the report identified the policies in the development plan and relevant planning guidance that had been referred to in the review documents.

The Local Review Body then considered and took into account all of the review documents placed before it and in doing so noted that it was necessary in terms of Section 25 of the Town and Country Planning (Scotland) Act 1997 that the Local Review Body had regard to the Development Plan and to determine the review in accordance with the Development Plan unless material circumstances indicated otherwise.

The Local Review Body then considered whether the review documents provided sufficient information to enable the review to be determined and whether further representation or further information was needed. It also took account of the views expressed in the Notice of Review and it agreed that no further written representation was required.

It was also noted that the review, in accordance with new procedures, had been subject to an unaccompanied site visit which had taken place on the morning on 29 October 2014.

The Local Review Body accepted and agreed with the assessment by the Appointed Person of the proposed development against the relevant development plan policies in relation to conformity and breach. It identified that the key issue was the impact of the development on the countryside setting in the Bathgate Hills, an Area of Great Landscape Value and determined that the impact would not be acceptable. However having reached a decision that the development was contrary to the development plan, the LRB went on to consider whether there were material considerations meaning that the application for review should nevertheless be granted.

It then went on to consider whether there were material considerations that meant the application for review should be granted. It identified a number of material considerations as follows: - the presumption in favour of renewable energy schemes; the wider benefits accruing from investment in renewable energy production; the absence of objections to the proposed development; the potential for returning gains made from the development to preserving the surrounding countryside area; and existing similar developments within the vicinity of the development site.

After assessing and balancing the relevant considerations, the Local Review Body decided that the relevant material considerations were not sufficient to mean that the application should be decided contrary to the development plan and on balance it supported the refusal of planning permission.

Decision

To uphold the decision of the Appointed Person and refuse planning permission as the application did not accord with the Development Plan and the material considerations identified did not merit the review being granted.

5. NOTICE OF REVIEW - APPLICATION NO.0152/FUL/14 - ERECTION OF A 74M HIGH (TO BLADE TIP) WIND TURBINE AT ALDI DISTRIBUTION CENTRE, POTTISHAW ROAD, BATHGATE

The Local Review Body considered a report (copies of which had been circulated) by the Clerk and Legal Adviser to the Local Review Body which related to a Notice of Review for the erection of a 74m high wind turbine at Aldi Distribution Centre, Pottishaw Road, Bathgate.

Attached to the report were the Notice of Review and other relevant review documents and the report identified the policies in the development plan and relevant planning guidance that had been referred to in the review documents.

The Local Review Body then considered and took into account all of the

review documents placed before it and in doing so noted that it was necessary in terms of Section 25 of the Town and Country Planning (Scotland) Act 1997 that the Local Review Body had regard to the Development Plan and to determine the review in accordance with the Development Plan unless material circumstances indicated otherwise.

It was noted that the review, in accordance with new procedures, had been subject to an unaccompanied site visit which had taken place on the morning on 29 October 2014.

The Local Review Body then considered whether the review documents provided sufficient information to enable the review to be determined and whether further representation or further information was needed. In doing so, it had regard to the views expressed in the review application regarding further procedure. It agreed that further written representative would be required from both the Appointed Person and the Applicant in relation to wind shear/ice throw before being able to determine the application.

Decision

Agreed to continue the item business to the next appropriate meeting of the Local Review to allow further written representation to be obtained from the Appointed Person and the Applicant in relation to ice shear/ice throw.

6. NOTICE OF REVIEW - APP NO.0135/FUL/14 - CHANGE OF USE FROM OPEN SPACE TO PRIVATE GARDEN GROUND AND ERECTION OF A BOUNDARY FENCE (IN RETROSPECT) AT LAND AT 12 GOLF COURSE ROAD, LIVINGSTON

Councillors Boyle and Muir left the meeting prior to consideration of this item of business since they had not taken part in the committee's earlier consideration of the review application.

The Local Review Body considered a report (copies of which had been circulated) by the Clerk and Legal Adviser to the Local Review Body which related to a Notice of Review for the change of use of from open space to private garden and the erection of a boundary fence at 12 Golf Course Road, Livingston.

Attached to the report were the Notice of Review and other relevant review documents and the report identified the policies in the development plan and relevant planning guidance that had been referred to in the review documents.

The Local Review Body then considered and took into account all of the review documents placed before it and in doing so noted that it was necessary in terms of Section 25 of the Town and Country Planning (Scotland) Act 1997 that the Local Review Body had regard to the Development Plan and to determine the review in accordance with the Development Plan unless material circumstances indicated otherwise.

The review application had been considered at the previous meeting of the committee when it had been agreed that an unaccompanied site visit should take place to assist in assessing the impact of the proposed development on residential and visual amenity and the potential loss of open space. The site visit which had taken place on the morning on 29 October 2014. The Local Review Body then considered whether the review documents provided sufficient information to enable the review to be determined and whether further representation or further information was needed. In doing so it took account of the views expressed in the Notice of Review. It agreed that no further information was required and that it had sufficient information to determine the review.

The Local Review Body accepted the assessment of the Appointed Person of the development against the relevant development plan policies, and decided that the development was contrary to the development plan. It went on to consider whether there were material considerations meaning that the application for review should nevertheless be granted.

It identified a number of material considerations as follows:- the potential for tidying and improving the appearance of the site; the possibility of imposing conditions to ensure retention of the site as a “wild” space rather than cultivated or landscaped garden ground; the objections made to the proposed development, included in the review documents; the possibility of setting a precedent in relation to further encroachment on this and other areas of open space or amenity land; and the appearance of the resulting development, in particular the erection of the fence along the line of the footpath.

After assessing and balancing the relevant considerations, the Local Review Body decided that the relevant material considerations were not sufficient to mean that the application should be decided contrary to the development plan and on balance supported the refusal of planning permission.

Decision

To uphold the decision of the Appointed Person and refuse planning permission as the application did not accord with the Development Plan and the material considerations identified did not merit the review being granted.



LOCAL REVIEW BODY

APPLICATION NO.0152/FUL/14 – ERECTION OF A 74M HIGH (TO BLADE TIP) WIND TURBINE AT ALDI DISTRIBUTION CENTRE, POTTISHAW ROAD, BATHGATE

REPORT BY CLERK AND LEGAL ADVISER TO THE LOCAL REVIEW BODY

A PURPOSE OF REPORT

This covering report describes the documents and other matters relevant to the consideration by the Local Review Body of this application for review of a decision by the council's Appointed Person. The application is for review of a refusal by the Appointed Person for the erection of a single 74m high wind turbine at Aldi Distribution Centre, Pottishaw Road, Bathgate.

B REVIEW DOCUMENTS

The following documents form the Review Documents for consideration by the Local Review Body and are circulated to members with this report:-

1. The Notice of Decision by the Appointed Person, dated 18 July 2014
2. The Handling Report by the Appointed Person, dated 18 July 2014
3. Notice of Review, submitted by the Applicant, dated 26 September 2014
4. The following documents were also lodged with the Notice of Review:-
 - Covering letter dated 25 September 2014;
 - Notice of Review, dated 25 September 2014;
 - Copy of the original planning application dated 24 February 2014
 - Supporting information that accompanied the original planning application dated 24 February 2014;
 - Supporting statement to the Notice of Review application;
 - Landscape & Visual Impact Assessment; and
 - Photographs and planning application drawings.

No representations were received in relation to the planning application.

The applicants have indicated that they consider that a hearing and site inspection would be appropriate.

In consultation with the Chair, the Clerk determined that an unaccompanied site visit should take place before the committee's first consideration of the case, and that was scheduled to take place on 29 October 2014.

The case was first considered by the Local Review Body following the site visit on 29 October 2014. The Local Review Body agreed to continue the item of business to allow the applicant and Appointed Person to provide further written representation in relation to "wind shear" and "ice throw" from the wind turbine. This requirement was detailed in a Procedure Note. The applicant responded within the required 14 days and this information was sent to the Appointed Person for comment; further comments were received from the Appointed Person, date 3 November 2014. All correspondence referred to is attached to this report.

C DEVELOPMENT PLAN POLICIES AND PLANNING GUIDANCE

Planning permission was refused because the Appointed Person decided that the proposed turbine, due to its size, would be out of scale with the surrounding environment and would appear overly dominant and be visually obtrusive in the local landscape, particularly from views from the A7066 to the north and from the A705 and M8 to the south. The proposal would thus have unacceptable adverse visual impacts, contrary to policy NWR 20 (renewable energy) of the West Lothian Local Plan.

Although there are many policies and a wide range of planning issues covered in the review documents, members may wish to note that the application was refused for a narrow range of reasons relating to visual and landscape impacts which were judged by the Appointed Person to outweigh the presumption in favour of renewable energy schemes, the wider benefits which would accrue, and the contribution to meeting renewable energy targets.

D PLANNING CONDITIONS, LEGAL AGREEMENTS AND GOOD NEIGHBOUR AGREEMENTS

Without prejudice to the outcome of this review, to assist the Local Review Body in its deliberations and to assist the applicant and interested persons in securing a prompt resolution of the review, the Planning Adviser has drafted planning conditions which the Local Review Body may wish to consider imposing should it be minded to grant planning permission. A copy is circulated with this report.

Developer contributions are not required in the event that planning permission is granted.

James Millar, Solicitor/Committee Services Manager, West Lothian Civic Centre
01506 281613, James.Millar@westlothian.gov.uk

Date: 26 November 2014



West Lothian
Council

DECISION NOTICE

REFUSAL OF FULL PLANNING PERMISSION

Town and Country Planning (Scotland) Act 1997, as amended

West Lothian Council, in exercise of its powers under the Town & Country Planning (Scotland) Act 1997 (as amended), **refuses full planning permission for the development described below**, and in the planning application and attached docquetted plan(s).

APPLICATION REFERENCE: 0152/FUL/14

PROPOSAL AND LOCATION: Erection of a 74m high (to blade tip) wind turbine (grid ref. 296865 666470) at ALDI DISTRIBUTION CENTRE, POTTISHAW ROAD, Bathgate, EH48 2FB

APPLICANT:

ALDI STORES LTD
REGIONAL DISTRIBUTION CENTRE
POTTISHAW ROAD
BATHGATE
EH48 2FB

The above **local application** was **determined** by an officer appointed by the council in accordance with its **scheme of delegation**. Please see the guidance notes for further information, including how to request a review of the decision.

Docquetted plans, relative to this decision, are identified in Annex 1, Schedule of Plans. Where relevant, this includes the identification of varied plans.

Dated: 18/07/2014

Chris Norman
Development Management Manager
West Lothian Council
County Buildings
High Street
Linlithgow
EH49 7EZ

Signature

The council in exercise of its powers under the Town and Country Planning (Scotland) Act 1997 (as amended) refuses full planning permission for planning application 0152/FUL/14, for the reason(s) set out as follows:

- 1 The propose turbine, due to its size, would be out of scale with the surrounding environment and appear overly dominant and visually obtrusive in the local landscape, particularly from views from the A7066 to the north and from the A705 and M8 to the south. The proposal would thus have unacceptable adverse visual impacts, contrary to policy NWR 20 (renewable energy) of the West Lothian Local Plan.

ANNEX 1, SCHEDULE OF PLANS

1. Location plan 1:5000 no. 02
2. Location plan 1:2500 no. 01
3. Layout plan 1:1250 no. 03
4. Layout plan 1:500 & turbine plan & elevations no. 04
5. Service unit plan & elevations no. 05



West Lothian
Council

DATA LABEL: PUBLIC

HANDLING REPORT

Ref. No.:	0152/FUL/14	Email:	tony.iring@westlothian.gov.uk
Case Officer:	Tony Irving	Tel No.:	01506 282410
Ward:	Whitburn and Blackburn	Member:	James Dickson Mary Dickson George Paul Barry Robertson

Title	Erection of a 74m high (to blade tip) wind turbine (grid ref. 296865 666470) at ALDI DISTRIBUTION CENTRE, POTTISHAW ROAD, Bathgate, EH48 2FB
Application Type	Local Application
Decision Level	LIST 06/06/2014
Site Visit	<u>08/05/2014</u>
Recommendation	refuse permission
Decision	REFUSAL OF FULL PLANNING PERMISSION
Neighbour Notification	Neighbour notification procedures have been carried out correctly - case officer verification _____

Description of Proposals

It is proposed to erect a wind turbine within the employment area at J4M8. The site is a distribution depot for Aldi. The base of the turbine would be at a height of approx 165m above ordnance datum (AOD).

The turbine would have a tapered tubular tower and be 50m high to the centre of the rotor hub. It would have three blades and with a blade radius (length) of 24m, giving a total height of 74m. It would sit on a buried concrete foundation.

Vehicular access would be taken through the yard of the distribution depot.

The turbine would be an Enercon E48 with a rating of 800 kilowatts. It would be in place for a maximum of 25 years after which it would be decommissioned.

Ancillary works would consist of:

1. A control building close to the turbine
2. An area of hardstanding for construction and servicing.

The application is accompanied by:

1. Associated infrastructure, planning & transport report.
2. Landscape and visual impact assessment.

3. Noise assessment
4. Habitat, birds and mammals assessment.

Site History

0009/FUL/13 Erection of a temporary 55m high meteorological mast . Granted 27/02/13.

0516/FUL/13 Erection of a 99.7 m high (to blade tip) wind turbine. Withdrawn 23/01/14.

Representations

None.

Consultations

This is a summary of the consultations received. The full documents are contained in the application file.

Consultee	Objection	Comments	Planning Response
WLC Transportation	No	-	Noted.
WLC Environmental Health	No	Appropriate noise limits can be achieved.	Noted.
Edinburgh Airport	No	There is no conflict with safeguarding criteria.	Noted.
NATS (En Route) plc	No	There is no conflict with safeguarding criteria.	Noted.
Ministry of Defence	No	There is no conflict with safeguarding criteria. The turbine should be fitted with infrared lighting.	Noted.

Policy

The development plan comprises of the Strategic Development Plan for Edinburgh and South East Scotland (SESplan) and the West Lothian Local Plan (WLLP).

Relevant development plan policies are listed below.

Plan	Policy	Assessment	Conform
WLLP	NWR 20 Renewable energy - general	<p>It is considered that the proposal will have acceptable environmental impacts with the exception of visual impacts.</p> <p>The turbine would be out of scale with the surrounding environment and appear over dominant and obtrusive in the local landscape, particularly from views from the A7066 to the north and from the A705 and M8 to the south. This would be to the</p>	No

		detriment of the visual and environmental quality of the locality.	
WLLP	NWR 26 Renewable energy - detailed site planning considerations	The proposal satisfies the specific site planning considerations.	Yes
WLLP	NWR 27 Renewable energy - cumulative impacts	It is considered that there will be no adverse cumulative impacts.	Yes
WLLP	IMP 10 Noise	Information on the noise impacts of the proposal has been submitted. The turbine will have acceptable noise impacts.	Yes
WLLP	HOU 9 Residential and visual amenity	The proposal is sufficiently distant from residential property so as to not cause amenity problems.	Yes
WLLP	IMP 14 Supplementary planning guidance	<p>The council's draft SGP Spatial Framework and Assessment Criteria for On-Shore Wind Energy Development in West Lothian is applicable. This builds on the Landscape Capacity Study for Wind Energy in West Lothian (LCS).</p> <p>The SPG/LSC identifies the site within an urban area. The LSC at figure 6 shows the site as within an area that has potential for wind energy development. The landscape capacity study however makes it clear that each proposal will need detailed site specific assessment. In this case it is considered that the height of the turbine would have adverse visual impacts.</p>	In part

Also of relevance is the Scottish Government Online Renewables Advice – Onshore Wind Turbines.

Statement / Assessment / Report

Environmental Statement

Not required.

Appropriate assessment under the Conservation (Natural Habitats, & c.) Regulations 1994

Not required.

Design statement or design & access statement

None submitted.

Any report on the impact or potential impact of the development

1. Associated infrastructure, planning & transport report.
2. Landscape and visual impact assessment.
3. Noise assessment
4. Habitat, birds and mammals assessment.

Other Considerations

N/A.

Conclusions and Reason for Decision

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise.

It is considered that the turbine would have adverse visual impacts. Other environmental impacts are acceptable.

The site is within an urban area. The highest nearby buildings are approx 15m high (warehouses to north of site) and the adjacent electricity pylons are 46.5m high. The submitted LVIA includes photomontages from various locations to demonstrate that the visual impact of the turbine would be acceptable. It is considered that from several viewpoints (VP) the photomontages downplay the visual impact.

VP 1 & 2 are taken from the A7066 to the north of the turbine. VP 1 is directly at the large warehouses and thus the view of the turbine is obscured by this. It is considered that from along the A7066 to east of VP 1 there will be clear views to the turbine and that it will appear larger and more prominent than the existing pylons. VP 2 is taken from the roundabout at the junction of the A7066 with Simpson Avenue. This shows the existing view with the 55m high meteorological mast. VP 2 shows the 50m high hub of the turbine being considerably below the 55m mast height. It is considered that this downplays the visual impact of the turbine. It is considered that from this view the turbine would be more significant in scale.

VP 7 is taken from the A705 to the south of the turbine. This shows the turbine in relation to the existing 46.5m high pylons. It is considered that this downplays the visual impact of the turbine. It is considered that from this view the turbine would be more significant scale.

It is thus considered that the turbine would be significantly larger in scale than the existing adjacent pylons and would have a more significant visual impact from views from the A7066 and A705 than the photomontages would indicate.

There are no viewpoints from the M8, but it is considered that the turbine would again appear more significant in scale than the adjacent pylons.

It is concluded that from various locations in the surrounding locality (A7066, A705 and M8) the turbine, due to its height, would appear overly dominant in the landscape and would have an unacceptable adverse impact on the visual amenity and environmental quality of

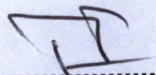
the locality.

The presumption in favour of renewable energy schemes, as set out in the development plan, and the wider benefits that would accrue by the generation of electricity from a renewable resource, as well as its contribution to meeting national renewable energy targets, is outweighed by the adverse visual impacts that the development would have locally.

It is concluded that the proposal would have unacceptable adverse visual impacts. The proposal is thus considered to be contrary to local plan policy NWR 20.

There are no material considerations that outweigh the development plan presumption against the proposal.

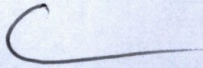
It is therefore recommended that planning permission be refused.

Case Officer 

Date..... 18/07/14

Senior Officer.....

Date.....

Development Management Manager..... 

Date.....



West Lothian

WEST LoTHIAN COUNCIL

26 SEP 2014

COMMITTEE SERVICES

FOR OFFICIAL USE ONLY

Reference No :
Date of Receipt :

NOTICE OF REVIEW

(LOCAL DEVELOPMENT – DECISION BY APPOINTED PERSON)

This Form is for a review by the West Lothian Council Local Review Body under Section 43A(8) of the Town and Country Planning (Scotland) Act 1997 in respect of decisions by the appointed person on local development applications.

The review will be conducted under the Town and Country Planning (Schemes of Delegation and local Review Procedure) (Scotland) Regulations 2008.

Please read and follow the accompanying West Lothian Council Local Review Body Guidance Notes when completing this form. Failure to supply all the relevant information or to lodge the form on time could invalidate your notice of review.

Use BLOCK CAPITALS if you are completing the form by hand.

PART A	APPLICANT'S DETAILS	Name	<u>ALDI STORES LTD</u>
		Address	<u>POTTISHAW ROAD, JUNCTION 4/M8</u> <u>BATHGATE</u>
		Postcode	<u>EH48 2FB</u>
		Telephone No. (1)	<u>REFER TO AGENT BELOW</u>
		Telephone No. (2)	<u>11</u>
		Fax :	<u>11</u>
		E-mail :	<u>11</u>
REPRESENTATIVE (if any)	Name	<u>GVA JAMES BARR</u>	
	Address	<u>QUAYSIDE HOUSE</u> <u>127 FOUNTAINBRIDGE, EDINBURGH</u>	
	Postcode	<u>EH3 9QG</u>	
	Telephone No. (1)	<u>0131 469 6003</u>	
	Telephone No. (2)	<u>0131 469 6019</u>	
	Fax :	<u>0131 469 6001</u>	
	E-mail :	<u>meg.nelson@gvajb.co.uk</u>	
Please tick this box if you wish all contact to be through your representative.		<input checked="checked" type="checkbox"/>	

Do you agree to correspondence regarding your review being sent by e-mail? *

YES ~~NO~~

PART B	APPLICANT REF. NO.	<u>PLANNING APPLICATION REF: 0152/FUL/14</u>
	SITE ADDRESS	<u>ALDI REGIONAL DISTRIBUTION CENTRE, POTTISHAW ROAD, JUNCTION 4/M8 BATHGATE, EH48 2FB</u>
	DESCRIPTION OF PROPOSED DEVELOPMENT	<u>'ERECTION OF 74M HIGH (TO BLADE TIP) WIND TURBINE'</u>
	DATE OF APPLICATION	<u>24/02/2014 SUBMITTED</u>
	DATE OF DECISION NOTICE (IF ANY)	<u>18 JULY 2014</u>

Note:- This notice must be served on the planning authority within three months beginning with the date of the decision notice or, if no decision notice was issued, from the date of expiry of the period allowed for determining the application.

Type of Application (please tick the appropriate box)

Application for planning permission (Including householder application)	<input checked="" type="checkbox"/>
Application for planning permission in principle	<input type="checkbox"/>
Further application (Including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)	<input type="checkbox"/>
Application for approval of matters specified in conditions	<input type="checkbox"/>

PART C	TYPE OF REVIEW CASE	<input checked="" type="checkbox"/>
	Refusal of application by appointed officer	<input type="checkbox"/>
	Failure by appointed officer to determine the application within the period allowed	<input type="checkbox"/>
	Conditions imposed on consent by appointed officer	<input type="checkbox"/>



Statement of reasons and matters to be raised

You must state, in full, the reasons for requiring a review of your case. You must also set out and include with your application all the matters you consider require to be taken into account and which you intend to raise in the review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

State here the reasons for requiring the review and all the matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form of which ten copies must be provided.

PLEASE REFER TO THE ENCLOSED 'APPLICANT'S
NOTICE OF REVIEW STATEMENT' WHICH
STATES IN FULL THE REASONS FOR
REQUIRING THE REVIEW.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

* YES ☒ NO

If yes, you should now explain why you are raising new material, why it was not raised with the appointed officer before, and why you consider it should now be considered in your review.

	N/A

List of documents and evidence

Please provide a list of all documents, materials and evidence which you wish to submit and rely on in your review. Ten (10) copies of these documents, materials and evidence must be lodged with this notice. If necessary, this can be continued or provided in full in a separate document.

1.	APPLICANT'S NOTICE OF REVIEW STATEMENT
2.	PLANNING APPLICATION FORM
3.	COVER LETTER FROM AGENT WITH APPLICATION
4.	PLANNING APPLICATION DRAWINGS (X5)
5.	SITE PHOTOS
6.	LANDSCAPE AND VISUAL IMPACT ASSESSMENT
7.	
8.	
9.	
10.	
11.	
12.	
13.	
14.	



PART D

REVIEW PROCEDURE

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process ask for further information or representations. The procedure adopted will be one or a combination of meetings; adjourned meetings; written submissions; hearing sessions and inspecting the land which is the subject of the review.

Please indicate what procedure (or combination of procedures) you think is most appropriate. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

Further written submissions

Hearing sessions(s)

Site inspection

Assessment of review documents only, with no further procedure

<input checked="checked" type="checkbox"/>
<input checked="checked" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

If you have selected "further written submissions" or "hearing session(s)", please explain which of the matters you have included in your statement of reasons you believe ought to be subject of those procedures, and why.

PLEASE REFER TO SECTION 3 OF THE
ENCLOSED 'APPLICANT'S NOTICE OF REVIEW
STATEMENT' WHICH EXPLAINS WHY A
HEARING SESSION IS REQUESTED FOR THIS CASE.

SITE INSPECTION

The Local Review Body may decide to inspect the land which is subject to the review.

Can the site be viewed entirely from public land?

☒ YES ☒ NO

Is it possible for the site to be accessed safely, and without barriers to entry?

☒ YES ☒ NO

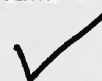
If you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain why that may be the case.

PART E

CHECKLIST

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review. Failure to supply all the relevant information or to lodge the form on time could invalidate your notice of review.

Full completion of all parts of this form



Statement of your reasons for requiring a review and matters to be raised



Statement of your preferred procedure



All documents, materials and evidence which you intend to rely on.
Copies must accompany this notice.



Where your case relates to another application (e.g. it is a renewal of planning permission or a modification, variation or removal of a planning condition, or an application for approval of matters specified in conditions), it is advisable to provide that other application reference number, approved plans and decision notice from that earlier consent.

*****DECLARATION*****

I, the ~~applicant~~ agent*, hereby require West Lothian Council to review the case as set out in this form and in the supporting documents, materials and evidence lodged with it.

I have been provided with a copy of the West Lothian Council Local Review Body Guidance Notes before lodging this notice.

I understand that the Council will make a copy of the notice of review (including my name, address and other personal information), the review documents and any notice of the procedure of the review available for inspection at an office of the Council until such time as the review is determined, and that all of that information may also be available on the Council website.

Signed GVA Grimley Ltd

Date 25 September 2014

* Delete as appropriate

Please return this completed form to :-

Val Johnston
Committee Services
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
EH54 6FF



GVA James Barr

A **Bilfinger Real Estate**
company



Report

GVA
Quayside House,
127 Fountainbridge,
Edinburgh
EH3 9QG

Applicant's Notice of Review Statement

**Proposed wind turbine for Aldi's Regional
Distribution Centre at J4M8, Pottishaw Road,
Bathgate**

On behalf of Aldi Stores Ltd



gva.co.uk/scotland

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1. Executive Summary

- 1.1 Aldi is seeking to review West Lothian Council's delegated decision to refuse planning permission for a single wind turbine (74 metres) at their J4M8 Regional Distribution Centre (RDC).
- 1.2 Aldi's entire Scottish operations are run from their RDC at J4M8. It is a very successful operation and is undergoing a period of sustained growth, as the business expands its new store operations throughout Scotland. Job numbers alone at their RDC have gone from 75 to 314 in recent years. Throughout Scotland, Aldi employs 1,600 people across 53 stores.
- 1.3 The wind turbine proposals are an essential part of Aldi's business plan to deliver their next wave of growth in Scotland. This can only be good for the longer term sustainable future of the West Lothian economy.
- 1.4 In response to increases in their energy consumption, the proposed turbine would help Aldi generate over half (54%) of their electricity requirements on-site, through renewable energy technology.
- 1.5 These type of forward-thinking renewable energy initiatives are wholly supported, in principle, by the Scottish Government (through their Scottish Planning Policy) and by West Lothian Council (in its adopted local plan).
- 1.6 Furthermore, J4M8 is specifically identified by the council in its own supplementary planning guidance for on-shore wind energy development and landscape capacity study for wind energy in West Lothian, as a potential location for this type of development.
- 1.7 In our view, this is in recognition of both site specific characteristics (i.e. J4M8 could be a suitable site for this type of development) and the energy requirements of international businesses, like Aldi, who have chosen West Lothian as their Scottish base. Indeed, the landscape capacity study specifically refers to the fact that, *'The modern technological, well designed character of these areas (i.e. including J4M8) could make them suitable locations for the siting of wind turbines, where there may be greater capacity than in some of the more sensitive, undeveloped countryside locations.'*
- 1.8 Furthermore, Aldi's own technical analysis of potential locations within West Lothian, which could feasibly accommodate this type of development to serve the business needs outlined above, concluded that J4M8 is one of only a very few opportunities that exist. In this particular case, it would obviously be the most sustainable and logical solution to deliver a wind turbine development, for Aldi, at J4M8.

2. Introduction

- 2.1 This Notice of Review Statement has been prepared by GVA James Barr on behalf our client, the applicant, Aldi Stores Ltd ('Aldi'). It is submitted to request a review of West Lothian Council's (WLC) delegated decision (on 18 July 2014) (**Appendix 1**) to refuse Aldi's detailed planning application (ref 0152/FUL/14) for a single wind turbine (74m high to blade tip). The site forms part of Aldi's Regional Distribution Centre (RDC), Pottishaw Road, close to Junction 4 of the M8 (J4M8), on the western edge of Bathgate, as shown in the location plan at **Appendix 2**.
- 2.2 This section of the M8 corridor is characterised by similar large industrial depots and distribution centres stretching for several miles along the edges of both Bathgate and Livingston adjacent to both sides of the motorway.
- 2.3 The site is suitably located in a commercial and industrial area, which is not sensitive in landscape and visual terms and where there are no planning policy designations or protections. There is a high level of man-made intervention in the area such as pylons, telegraph poles, masts and roads in the vicinity. WLC's own Report of Handling (at **Appendix 3**) confirms *'The proposal is sufficiently distant from residential property so as to not cause amenity problems.'* (page 3)
- 2.4 Earlier this year on 23 January 2014, the applicant withdrew a previous planning application at the site for a taller single wind turbine of 99.7m (to blade tip) (ref 0516/FUL/13) due to an objection from Edinburgh Airport in respect of radar visibility issues. The reduced height of the currently proposed turbine (by 25.7m) to 74m now satisfies the airport in this regard, who have no objection to it.
- 2.5 It is submitted that WLC planning officers' conclusion of an unacceptable adverse visual impact is not sufficiently justified or sound.
- 2.6 The Report of Handling fails to consider, or even mention, a relevant site specific provision regarding J4M8 as a potential location for a 'local landmark' wind turbine which is identified in both WLC's own Supplementary Planning Guidance (Spatial Framework and assessment criteria for on-shore wind energy development in West Lothian, 2013), and in its Landscape Capacity Study for Wind Energy in West Lothian (2011).
- 2.7 These documents specifically identify 'Junction 4 on the M8 close to the Whitehill Industrial Estate' as a potential location for a 'local landmark' wind turbine, in combination with the fact that the site lies within an area, which the SPG policy (Appendix 11) identifies as a 'potential area for wind energy development' (This crucial plan is shown at **Appendix 4** of this statement).

3. Reasons for seeking a review

- 3.1 The decision notice states the only reason for refusal is as follows:

'The proposed turbine, due to its size, would be out of scale with the surrounding environment and appear overly dominant and visually obtrusive in the local landscape, particularly from views from the A7066 to the north and from the A705 and M8 to the south. The proposal would thus have unacceptable adverse visual impacts, contrary to policy NWR 20 (renewable energy) of the West Lothian Local Plan.'

- 3.2 Aldi seeks a review of the refusal for three main reasons, as set out below.

1. Supportive Planning Policy

The Development Plan

- 3.3 We consider the proposals fully accord with the Development Plan, which comprises the South East Scotland Strategic Development Plan (SESplan) (approved June 2013) and the West Lothian Local Plan (WLLP) (adopted January 2009). Policies in these plans promote the use of renewable energy and encourages sustainable development.
- 3.4 The site is not subject to any site-specific policy designations or protections, either national or local.
- 3.5 The Report of Handling states clearly that the proposals comply with all of the following relevant WLLP policies;
- NWR 26 Renewable energy – detailed site planning considerations
 - NWR 27 Renewable energy – cumulative impacts
 - IMP 10 Noise
 - HOU9 Residential and visual amenity
- 3.6 The only planning policy which WLC find the proposals do not satisfy is;
- NWR 20 (Renewable Energy)
- 3.7 Policy NWR 20 signals WLC's positive approach to encouraging renewable energy schemes in the council area. It states, *'The council supports the development of renewable energy schemes provided that the schemes are environmentally acceptable and the criteria set out in this local plan can be met.'* It has indeed been proven and agreed by WLC that the proposals are environmentally acceptable

landscape character, Figure 2 of the LCS confirms the site lies within an 'urban' area rather than any particular landscape character type.

- 3.14 The SPG draws from the findings of the WLC's Landscape Capacity Study for Wind Energy in West Lothian (2011). The following key extract from the SPG (paragraph 6.31) is directly relevant to the LRB's consideration of the planning application. (It draws directly from the last paragraph of page iii of the LCS.) The SPG states;

'West Lothian has been successful in attracting employment creation within purpose-built business parks. The modern technological, well designed character of these areas could make them suitable locations for the siting of wind turbines, where there may be greater capacity than in some of the more sensitive, undeveloped countryside locations. Any sites considered suitable would need careful landscape and visual impact assessment, but could potentially become acceptable local landmarks. Potential locations identified in the council's LCS, subject to noise and aviation interests, may be within the Houston Industrial Estate northeast of Livingston, Starlaw Business Park and Deans Industrial Estate west of Livingston, the Pyramids Business Park to the east of Bathgate, Junction 4 on the M8 close to the Whitehill Industrial Estate, and within the East Mains Industrial Estate to the east of Broxburn.' (paragraph 6.31) (GVA emphasis)

- 3.15 The LCS repeats the above guidance on potentially acceptable wind turbines as local landmarks at the five listed locations. However it goes on to provide further context as regards scale and height. The LCS states, *'Any sites considered suitable would need careful landscape and visual impact assessment, but could potentially become acceptable local landmarks even where located close to housing (in a similar way to the two 120m high turbines erected at the Michelin tyre factory in Dundee in 2006). Potential locations within West Lothian may be within the Houston Industrial Estate northeast of Livingston, Starlaw Business Park and Deans Industrial Estate west of Livingston, The Pyramids Business Park to the east of Bathgate, Junction 4 on the M8 close to the Whitehill Industrial Estate, and within the East Mains Industrial Estate to the east of Broxburn.'* (paragraph 7-27) (GVA emphasis)

- 3.16 At only 74m high (to blade tip), Aldi's proposed turbine is of a significantly smaller scale and much lower in height than the 120m high examples quoted in the LCS. This is clearly demonstrated in the diagram at **Appendix 7**. To put this scale comparison into a local perspective the wind turbine proposed at Aldi is 74m to blade tip, this is similar in scale to the recently constructed 77m to blade tip wind turbine at Mosshall Farm, Blackburn. The two wind turbines at Michelin, Dundee are 120m to blade tip, this is similar in scale to the three 125m to blade tip wind turbines at Torrance Farm in North Lanarkshire, close to Harthill Services.

WLC Environmental Health, NATS, Ministry of Defence and Edinburgh Airport. There have also been no representations made. The Report of Handling confirms this, and that WLC has no concerns regarding cumulative impact in terms of other wind turbines in the area.

- 3.21 Aldi have demonstrated that it is technically feasible to operate a wind turbine in this particular location, supported by readings taken from the temporary meteorological mast on site (ref 0009/FUL/13, approved 27/02/13), which is 55m high.
- 3.22 As noted, Aldi have already reduced the turbine height from the 99.7m (to blade tip) previously withdrawn application. The 74m height of the proposed turbine has been carefully selected, and is justified below.

Justification of turbine size

- 3.23 Aldi are currently consuming electricity on-site at the RDC at a rate of 235kWh/hour (2,058MWh/annum). This is equivalent to 635 average households. To displace a significant percentage of this consumption a wind turbine needs to be sufficiently scaled. It was suggested by WLC in pre-application discussions that a wind turbine of less than 50m in height would be acceptable to the planning officer, however this is unacceptable to Aldi for operational reasons. Wind turbine output is proportional to the swept area of the turbines blades. As a squared law, a modest increase in rotor diameter, leads to a large increase in swept area and accordingly, turbine output. The effect of this is demonstrated in the drawing at **Appendix 9**. A wind turbine which is 47m high would only yield 322MWh/annum, whereas the proposed 74m wind turbine will yield 1,814MWh. This is a 563% increase in yield for a 57% increase in blade tip height.
- 3.24 In addition, Aldi's on-site wind monitoring demonstrates the site has high turbulence owing to the built environment. Wind turbines work poorly in turbulent airflow, in a similar way that an aeroplane's wings shudder when it flies through turbulence. To avoid turbulent airflow a rough rule is that the lower blade tip of the wind turbine should be two-thirds taller than the nearest building. This rule is also demonstrated in Appendix 9. A wind turbine of less than 50m to blade tip would not work effectively at Aldi's RDC as it would constantly be operating in turbulent airflow, whereas a 74m to blade tip wind turbine, being taller, would operate in clean uninterrupted airflow.
- 3.25 Additional to this, wind-speed decreases markedly between 50m (being the hub height of the proposed Enercon E48) and 30m of the demonstrated WTN 250. The recorded wind speed at 50m is 6.46m/s where at 30m it is 5.51m/s. This reduction in wind-speed leads to a large reduction in turbine yield.
- 3.26 The combination of smaller rotor diameter, turbulent airflow and lower wind speed result in the 47m to blade tip wind turbine being economically unviable.

Bathgate RDC - Aldi's Scottish business hub

- 3.33 Aldi's entire Scottish operation functions from its one Regional Distribution Centre (RDC), at J4M8 in Bathgate. All products sold in Scotland first arrive at the RDC before onward delivery to store. The RDC is an incredibly successful, busy and well run operation. Its strategic location on the M8 is important to Aldi. There are 314 people currently employed on site, having grown from 75 staff in 2004.
- 3.34 Reflecting Aldi's growth, the total electrical consumption at their RDC site at J4M8 has increased rapidly, by 21.9% over the last three years, and has now reached 2,058 MW/annum (at July 2014). Additional to this the price Aldi pay for electricity has increased by 9.6% over the same period. These two combined factors have lead to a 33.6% increase in electrical costs from 2012 to 2014. The proposed turbine is estimated to displace 54% of this requirement. This represents a radical improvement in energy efficiency which would also reduce the site's existing operating costs dramatically. These figures are represented in the chart at **Appendix 10**.

Exemplar West Lothian turbine would be a 'UK first' for Aldi

- 3.35 Aldi intends for the proposed turbine at J4M8 to be the front runner exemplar which will lead its other UK stores, with a view to installing a turbine at 9 other RDC sites in future. Aldi also intend to install solar panels on the roofs of all new stores.
- 3.36 Aldi's commitment to sustainability is already reflected in a range of measures such as the particularly efficient design and internal layout of its stores, LED lighting, thermodynamic heating systems, LPG dual fuel HGV trucks, utility monitoring systems, and sustainable packaging and recycling arrangements. Yet Aldi's desire to generate its own electricity on-site, as firstly proposed here at its J4M8 base, represents a significant new direction for the company's sustainability strategy, which we consider should be fully supported by WLC.

Planning policy supports sustainable economic growth

- 3.37 In this context, it is also relevant to consider the economic benefits of the proposals against development plan policy, which has been omitted from WLC's decision to date. Policy EM 4 Employment is relevant because it identifies a site-specific context for major 'flagship' economic development opportunity at J4M8, in recognition of the strategic potential of Scotland's Central Belt. The policy states, '*Springfield between Armadale and Whitburn, has potential in the long term for economic development to meet the next generation of employment land requirements. This will be dependent upon the introduction of major new transportation infrastructure...*' We consider the proposals assist in bringing WLC's economic development strategy to further fruition, and by their nature do indeed 'look further ahead' to the next generation, in this case

4. Requested procedure – site visit and hearing

- 4.1 Firstly, Aldi appeals to the LRB to undertake a site visit in this case. We feel this will be of great value in allowing Councillors to see the site and its context on the ground, as the appropriateness of wind turbine proposals and their particular site suitability can only be truly appreciated through visiting the site. Further, we consider the subjective nature of landscape and visual impact issues (which is the singular point at issue, and only reason for refusal), merits a site visit by the LRB in this instance.
- 4.2 Secondly, in view of the strategic importance of this application to the Aldi Scottish, and UK, business, as set out above at section 2, we would ask for the brief opportunity to address the LRB in person through a hearing procedure.
- 4.3 Aldi have made a significant investment already in seeking to deliver a sustainable energy solution for their RDC operation at J4M8, having already withdrawn one planning application for a taller turbine (99.7m to blade tip), and demonstrated that the proposed turbine is technically feasible through readings from a temporary met mast already on site.
- 4.4 In addition, Aldi now faces a particular timescale restraint, (requiring consent before the end of 2014 to enable satisfactory onward grid connection arrangements). Therefore we are keen to secure the most informed, rigorous and robust decision as possible for them. We respectfully consider that a hearing procedure would be most appropriate in achieving this level of scrutiny, at which our client and their landscape architect would have an opportunity to verbally articulate the case.

GVA James Barr.

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company**



Appendices

GVA James Barr

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Appendix 1

WLC Decision (Ref
0152/FUL/14),
18 July 2014



**West Lothian
Council**

**DECISION NOTICE
REFUSAL OF FULL PLANNING PERMISSION**
Town and Country Planning (Scotland) Act 1997, as amended

West Lothian Council, in exercise of its powers under the Town & Country Planning (Scotland) Act 1997 (as amended), **refuses full planning permission for the development described below, and in the planning application and attached docketted plan(s).**

APPLICATION REFERENCE: 0152/FUL/14

PROPOSAL AND LOCATION: Erection of a 74m high (to blade tip) wind turbine (grid ref. 298865 666470) at ALDI DISTRIBUTION CENTRE, POTTISHAW ROAD, Bathgate, EH48 2FB

APPLICANT: ALDI STORES LTD
REGIONAL DISTRIBUTION CENTRE
POTTISHAW ROAD
BATHGATE
EH48 2FB

The above local application was determined by an officer appointed by the council in accordance with its scheme of delegation. Please see the guidance notes for further information, including how to request a review of the decision.

Docketted plans, relative to this decision, are identified in Annex 1, Schedule of Plans. Where relevant, this includes the identification of varied plans.

Dated: 18/07/2014

**Chris Norman
Development Management Manager
West Lothian Council
County Buildings
High Street
Linlithgow
EH49 7EZ**

Signature _____

The council in exercise of its powers under the Town and Country Planning (Scotland) Act 1997 (as amended) refuses full planning permission for planning application 0152/FUL/14, for the reason(s) set out as follows:

- 1 The propose turbine, due to its size, would be out of scale with the surrounding environment and appear overly dominant and visually obtrusive in the local landscape, particularly from views from the A7066 to the north and from the A705 and M8 to the south. The proposal would thus have unacceptable adverse visual impacts, contrary to policy NWR 20 (renewable energy) of the West Lothian Local Plan.

ANNEX 1, SCHEDULE OF PLANS

1. Location plan 1:5000 no. 02
2. Location plan 1:2500 no. 01
3. Layout plan 1:1250 no. 03
4. Layout plan 1:500 & turbine plan & elevations no. 04
5. Service unit plan & elevations no. 05

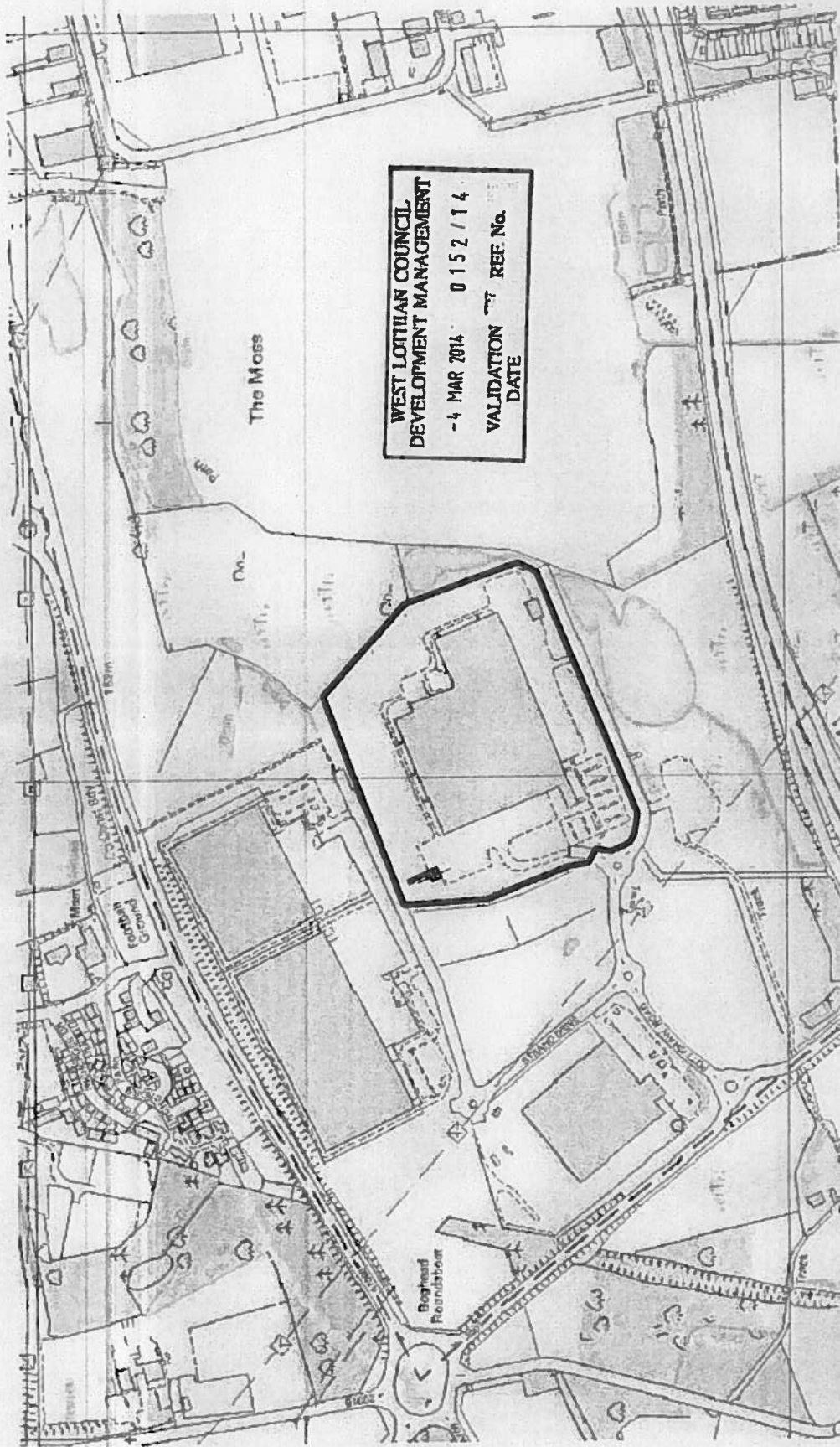
GVA James Barr

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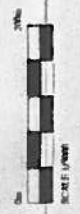
Appendix 2

Site Location Plan



LOCATION PLAN 1/5000

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 reserved by RDP - Architecture and the right
 to reproduce this drawing in any form or by any
 means is hereby granted to the client, other
 than for the purpose of the original contract.

Notes & notes
 A. Attention to lines & services are to be shown with level & planning def. required.
 B. Service installation must be noted.

rdp - architecture
 52 Kemps St, Gourock, Perth 1st.
 tel. 01479 637163 email: rdparch@btinternet.co.uk

client: ADF STORE LTD.
 Job no. 817 07/10/02

project: POTTISWY ROAD, JUNCTION 40A2,
 BATHGATE, EH48 2FB
 drawing: 104-13 drawn: MRS checked: MRS

GVA James Barr

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Appendix 3

WLC Report of
Handling (Ref
0152/FUL/14)



West Lothian
Council

DATA LABEL: PUBLIC

HANDLING REPORT

Ref. No.: 0152/FUL/14 **Email:** tony.irving@westlothian.gov.uk
Case Officer: Tony Irving **Tel No.:** 01506 282410
Ward: Whitburn and Blackburn **Member:** James Dickson
Mary Dickson
George Paul
Barry Robertson

Title Erection of a 74m high (to blade tip) wind turbine (grid ref. 296865 666470) at ALDI DISTRIBUTION CENTRE, POTTISHAW ROAD, Bathgate, EH48 2FB
Application Type Local Application
Decision Level LIST 06/06/2014
Site Visit 08/05/2014
Recommendation refuse permission
Decision REFUSAL OF FULL PLANNING PERMISSION
Neighbour Notification Neighbour notification procedures have been carried out correctly - case officer verification _____

Description of Proposals

It is proposed to erect a wind turbine within the employment area at J4M8. The site is a distribution depot for Aldi. The base of the turbine would be at a height of approx 165m above ordnance datum (AOD).

The turbine would have a tapered tubular tower and be 50m high to the centre of the rotor hub. It would have three blades and with a blade radius (length) of 24m, giving a total height of 74m. It would sit on a buried concrete foundation.

Vehicular access would be taken through the yard of the distribution depot.

The turbine would be an Enercon E48 with a rating of 800 kilowatts. It would be in place for a maximum of 25 years after which it would be decommissioned.

Ancillary works would consist of:

1. A control building close to the turbine
2. An area of hardstanding for construction and servicing.

The application is accompanied by:

1. Associated infrastructure, planning & transport report.
2. Landscape and visual impact assessment.

3. Noise assessment
4. Habitat, birds and mammals assessment.

Site History

0009/FUL/13 Erection of a temporary 55m high meteorological mast . Granted 27/02/13.

0518/FUL/13 Erection of a 99.7 m high (to blade tip) wind turbine. Withdrawn 23/01/14.

Representations

None.

Consultations

This is a summary of the consultations received. The full documents are contained in the application file.

Consultee	Objection	Comments	Planning Response
WLC Transportation	No	-	Noted.
WLC Environmental Health	No	Appropriate noise limits can be achieved.	Noted.
Edinburgh Airport	No	There is no conflict with safeguarding criteria.	Noted.
NATS (En Route) plc	No	There is no conflict with safeguarding criteria.	Noted.
Ministry of Defence	No	There is no conflict with safeguarding criteria. The turbine should be fitted with Infrared lighting.	Noted.

Policy

The development plan comprises of the Strategic Development Plan for Edinburgh and South East Scotland (SESplan) and the West Lothian Local Plan (WLLP).

Relevant development plan policies are listed below.

Plan	Policy	Assessment	Conform
WLLP	NWR 20 Renewable energy - general	<p>It is considered that the proposal will have acceptable environmental impacts with the exception of visual impacts.</p> <p>The turbine would be out of scale with the surrounding environment and appear over dominant and obtrusive in the local landscape, particularly from views from the A7066 to the north and from the A705 and M8 to the south. This would be to the</p>	No

		detriment of the visual and environmental quality of the locality.	
WLLP	NWR 26 Renewable energy - detailed site planning considerations	The proposal satisfies the specific site planning considerations.	Yes
WLLP	NWR 27 Renewable energy - cumulative impacts	It is considered that there will be no adverse cumulative impacts.	Yes
WLLP	IMP 10 Noise	Information on the noise impacts of the proposal has been submitted. The turbine will have acceptable noise impacts.	Yes
WLLP	HOU 9 Residential and visual amenity	The proposal is sufficiently distant from residential property so as to not cause amenity problems.	Yes
WLLP	IMP 14 Supplementary planning guidance	<p>The council's draft SGP Spatial Framework and Assessment Criteria for On-Shore Wind Energy Development in West Lothian is applicable. This builds on the Landscape Capacity Study for Wind Energy in West Lothian (LCS).</p> <p>The SPG/LSC identifies the site within an urban area. The LCS at figure 6 shows the site as within an area that has potential for wind energy development. The landscape capacity study however makes it clear that each proposal will need detailed site specific assessment. In this case it is considered that the height of the turbine would have adverse visual impacts.</p>	In part

Also of relevance is the Scottish Government Online Renewables Advice – Onshore Wind Turbines.

Statement / Assessment / Report

Environmental Statement

Not required.

Appropriate assessment under the Conservation (Natural Habitats, & c.) Regulations 1994

Not required.

Design statement or design & access statement

None submitted.

Any report on the impact or potential impact of the development

1. Associated infrastructure, planning & transport report.
2. Landscape and visual impact assessment.
3. Noise assessment
4. Habitat, birds and mammals assessment.

Other Considerations

N/A.

Conclusions and Reason for Decision

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise.

It is considered that the turbine would have adverse visual impacts. Other environmental impacts are acceptable.

The site is within an urban area. The highest nearby buildings are approx 15m high (warehouses to north of site) and the adjacent electricity pylons are 46.5m high. The submitted LVIA includes photomontages from various locations to demonstrate that the visual impact of the turbine would be acceptable. It is considered that from several viewpoints (VP) the photomontages downplay the visual impact.

VP 1 & 2 are taken from the A7066 to the north of the turbine. VP 1 is directly at the large warehouses and thus the view of the turbine is obscured by this. It is considered that from along the A7066 to east of VP 1 there will be clear views to the turbine and that it will appear larger and more prominent than the existing pylons. VP 2 is taken from the roundabout at the junction of the A7066 with Simpson Avenue. This shows the existing view with the 55m high meteorological mast. VP 2 shows the 50m high hub of the turbine being considerably below the 55m mast height. It is considered that this downplays the visual impact of the turbine. It is considered that from this view the turbine would be more significant in scale.

VP 7 is taken from the A705 to the south of the turbine. This shows the turbine in relation to the existing 46.5m high pylons. It is considered that this downplays the visual impact of the turbine. It is considered that from this view the turbine would be more significant scale.

It is thus considered that the turbine would be significantly larger in scale than the existing adjacent pylons and would have a more significant visual impact from views from the A7066 and A705 than the photomontages would indicate.

There are no viewpoints from the M8, but it is considered that the turbine would again appear more significant in scale than the adjacent pylons.

It is concluded that from various locations in the surrounding locality (A7066, A705 and M8) the turbine, due to its height, would appear overly dominant in the landscape and would have an unacceptable adverse impact on the visual amenity and environmental quality of

the locality.

The presumption in favour of renewable energy schemes, as set out in the development plan, and the wider benefits that would accrue by the generation of electricity from a renewable resource, as well as its contribution to meeting national renewable energy targets, is outweighed by the adverse visual impacts that the development would have locally.

It is concluded that the proposal would have unacceptable adverse visual impacts. The proposal is thus considered to be contrary to local plan policy NWR 20.

There are no material considerations that outweigh the development plan presumption against the proposal.

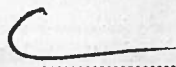
It is therefore recommended that planning permission be refused.

Case Officer 

Date..... 18/07/14

Senior Officer.....

Date.....

Development Management Manager..... 

Date.....

GVA James Barr

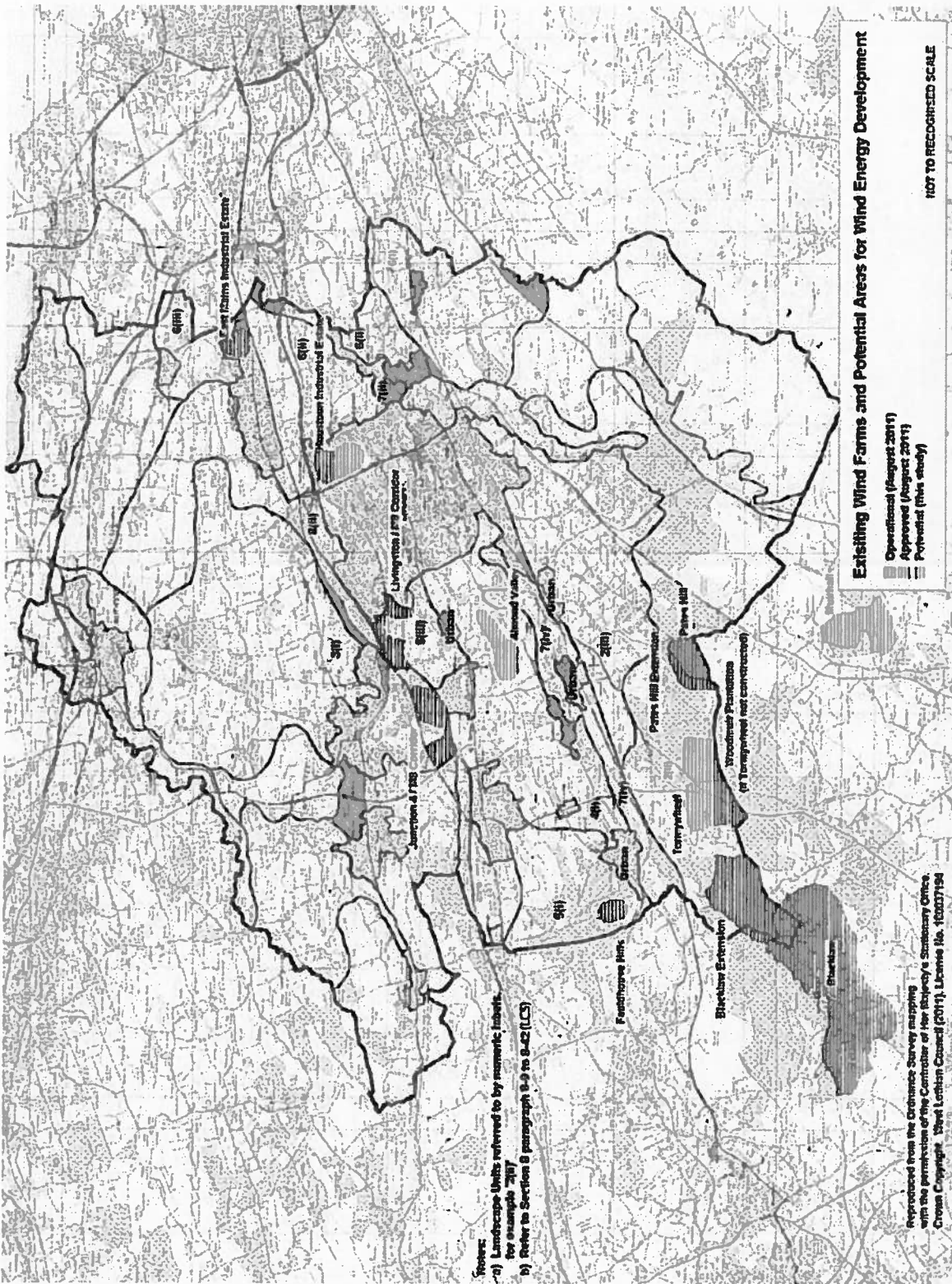
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Appendix 4

Extract from WLC
Supplementary Planning
Guidance 2013, Spatial
Framework and
assessment criteria for on-
shore wind energy
development in West
Lothian – Appendix 11

Appendix 11 Existing wind farms and potential for wind energy development



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Appendix 5

Statement of
Reliance from DWA
Landscape
Architects Ltd,
16 September 2014

Loganwood Wind Ltd
Loganwood House
High Mathernock Farm
Auchentiber Road
Kilmacolm
PA13 4SP

22nd Sept 2014

AM/JP 409.01

Attention of David Connell

Dear Mr Connell

ALDI STORES LANDSCAPE AND VISUAL IMPACT RESPONSE

The following is a statement relating to the photo montages contained within the Landscape and Visual Impact Assessment produced by DWA landscape Architects Ltd in relation to the proposed Wind Turbine Development at the ALDI Stores Ltd depot in Bathgate, West Lothian.

These were included in the document as part of the requirements of "Assessing the impact of small-scale wind energy proposals on the natural heritage (February 2012)", the guidelines produced by Scottish Natural Heritage and generally accepted as the standard level of assessment for turbine developments of this size.

As stated in the methodology in the report "These photo montages have been carried out in accordance with "Visual Representation of Windfarms Good Practice Guidance (29 March 2006)" and "Photography and Photomontage in Landscape and Visual Impact Assessment: Landscape Institute Advice Note 01/11" where it is appropriate to the scale of the proposals."

The montages were prepared by creating a wireframe model of the terrain around the proposed location to a radius of 20km. This is based on Land-form PROFILE height data provided by Ordnance Survey which is imported into Key Terra Firm 7.1 ground modelling software (produced by Key Systems Ltd) to produce a digital terrain model, within an AutoCAD based drawing. A scale digital model of the proposed turbine to the correct dimensions, was then placed upon this wireframe at the grid locations proposed. A series of virtual cameras were then set up within the wireframe terrain model at the correct height and location at which the photographic images were taken and a corresponding image produced at a 50mm focal length.

These virtual views were then overlaid to the images taken within the landscape and the image of the proposed turbine overlaid to produce the photo montage sheets included in the report.

This was done with the greatest possible accuracy and intentions of representing the turbine truly within the landscape.

Designing for the present whilst protecting the future

Directors: David Wilson Dip LA, CMLI, MBA
Andrew McLatchie MIA (Hons) CMLI
Julie Spence BSc (Horticulture with Plantsmanship)

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It should be noted however that with any such processes there is potential for levels of inaccuracy to become involved. Firstly, the topographical data is limited in its accuracy and resolution as it is based on grid data at 10m square centres. This only allows a certain level of detail which is then further reduced by the spacing of the wireframe grid which is subsequently based upon it. The size of the data set to produce the ground model and wireframe must be balanced with the processing capability of the computer hardware employed and by the level of density of the wireframe which will present a clear image upon which to judge the results. The size of the data can be reduced by limiting the radius of the model but this then reduces the surrounding context shown and again limits the usefulness of the image. Secondly, the accuracy of the locations of the virtual camera, direction of view and height can cause inaccuracies when being replicated from the data taken from the photo location. This is recorded using GPS information but this has limitations to accuracy in the equipment and in its translation to the model. Thirdly there is human error in preparing the photo montages. The wireframe model shows a low resolution, bare earth scenario without any buildings, woodland, roads or infrastructure upon it. The photograph must be overlaid with this bare earth wireframe image taking into account points of common reference where possible. Accuracy is increased by basing the wireframe on as much topographical data as possible but a certain amount of judgement must be used to align the images correctly.

The above limitations on accuracy from photo montages are why it has been recommended in the guidance that they are not used as a basis for decision making in determining the level of impact of wind turbine developments. These should only be used for illustrative purposes and in fact wireframe models should be used rather than photo montages wherever possible. The LVIA document submitted to planning contained a detailed visual impacts assessment which systematically assessed the level of potential impact upon the important visual receptors within the study area which was supplemented by ZTV drawings and photo montages, but not based upon them.

The refusal from West Lothian Council and justification for it focused heavily on perceived inaccuracies in the Photo Montages and used these as a basis for the refusal. It states:

- *"It is considered that the proposal will have acceptable environmental impacts with the exception of visual impacts. The turbine would be out of scale with the surrounding environment and appear over dominant and obtrusive in the local landscape, particularly from views from the A7066 to the north and from the A705 and M8 to the south. This would be to the detriment of the visual and environmental quality of the locality."*

And continues to give the following reasons for the refusal

- *"VP 1 & 2 are taken from the A7066 to the north of the turbine. VP 1 is directly at the large warehouses and thus the view of the turbine is obscured by this. It is considered that from along the A7066 to east of VP*

1 there will be clear views to the turbine and that it will appear larger and more prominent than the existing pylons. "

The intention of the two viewpoints along the A7066 was to demonstrate the difference in views to the turbine along this road. VP1 is intended to demonstrate that the large warehouses will obscure views of the turbine from this direction which is where the closest houses lie to the north. These warehouses will effectively screen views of the turbine and therefore minimise visual impacts. This view therefore intentionally shows a location where the turbine cannot be seen in order to illustrate a specific point. The secondary viewpoint VP2 is therefore included to demonstrate the counterpoint to this situation where views will be possible further east.

- ***"VP 2 is taken from the roundabout at the junction of the A7066 with Simpson Avenue. This shows the existing view with the 55m high meteorological mast. VP 2 shows the 50m high hub of the turbine being considerably below the 55m mast height. It is considered that this downplays the visual impact of the turbine. It is considered that from this view the turbine would be more significant in scale."***

This viewpoint was selected to demonstrate the clear views from the A7066 across the open ground between the industrial buildings and shows that clear views would be possible which is acknowledged in the LVIA. The queries relating to the scale in relation to this photo montage may in fact be valid in relation to the meteorological mast but this was created with the intention of presenting an accurate impression and there has been no intention to conceal the visibility of the turbine from this location as it is specifically highlighted in the text. It should be noted that the visibility from this location is brief, it being concealed by the built form further west and obscured and diminished but tree cover and distance to the east of the roadway. This is a lower sensitivity receptor through an industrially developed landscape and the housing to the north will not have significant views of the turbine. The visual impact upon the A7066 is also described in the text of the LVIA which states:

"The stretch of this road between Whitehill Industrial Estate and the roundabout with the A801 will have fairly clear views of the turbine to the south although the base will be partially screened by the large warehouse buildings when travelling adjacent to them in the western half of this section of the road. Further east of the Whitehill Industrial Estate the tree cover and built elements will screen views. Magnitude over this stretch will be high however. (Photo Montages one and two illustrate views from this road.)"

- ***"VP 7 is taken from the A705 to the south of the turbine. This shows the turbine in relation to the existing 46.5m high pylons. It is considered that this downplays the visual impact of the turbine. It is considered that from this view the turbine would be more significant scale. It is thus considered that the turbine would be significantly larger in scale than the existing adjacent pylons and would have a more significant visual impact"***

from views from the A7066 and A705 than the photomontages would indicate."

In reality the pylons are of varying heights as they cross the landscape so that the height of the power lines are relatively consistent as the topography varies below. They therefore cannot be used as an accurate measure to gauge against the height of the turbine – particularly when considered in relation to the perspective of the image where they diminish in size into the distance. The turbine was scaled using the available information in the image and ground model and using some features in the landscape as a guide. Again the detailed assessment of the receptor is contained within the text of the report, and it is this which should be considered rather than the illustrative photo montage.

- *"There are no viewpoints from the M8, but it is considered that the turbine would again appear more significant in scale than the adjacent pylons."*

There are no viewpoints taken from the M8 motorway as there were considered no locations where these could be taken without unacceptable risk to the photographer or other road users. This receptor was assessed however in the text of the LVIA. The question of the pylons on the adjacent landscape is not considered a significant one as the landscape is highly developed at present with a great mix of Pylons, large industrial units, major and minor transport infrastructure and residential developments amid countryside and greenspace. This is one of the most developed corridors in Scotland with a multitude of turbines, TV masts, mobile phone antenna and pylons of varying size scattered along the route, and already desensitising the M8 as a visual receptor. The LVIA assesses the magnitude of change upon the road as:

"Views from the M8 will only be possible from a relatively short stretch between Polkemmet Country Park and Blackburn. From Polkemmet to the new Heartlands development to the south of the M8 views will be broken up by elements in the landscape and views of the blades are all that are likely to be possible. (Photo montage five demonstrates view from this direction close to the M8 at Heartlands.) Between Heartlands and East Whitburn views will become clearer but will still be partially screened by tree cover. Clear views will be possible between East Whitburn and Blackburn at the closest sections of the M8 to the site around Junction 4. Further east views of the turbine are obscured from view. This is because the busy road tends to pass through a depressed channel in the landscape particularly relative to built up areas. There is also a high degree of tree cover and structure planting along this corridor which helps to screen views over distance from the majority of the road. There are a number of large industrial buildings in this particular section of the road which add to the screening effect. Over this stretch, around junction 4, the magnitude of change will be high but over the road as a whole it will be low."

The stretch of road where these large elements would be seen together is a very short one and will be in the context of a highly developed industrial area.

- ***"It is concluded that from various locations in the surrounding locality (A7066, A705 and M8) the turbine, due to its height, would appear overly dominant in the landscape and would have an unacceptable adverse impact on the visual amenity and environmental quality of the locality."***

The study clearly concluded that some visual impact was likely to result from the proposals but this would mainly fall upon the industrial surroundings to the site and M8 transport link, and that this may be in accordance with the "Landscape Capacity Study For Wind Energy Development In West Lothian"(SPG)(December 2011) which allowed:

"West Lothian has been successful in recent years in attracting new high technology electronics, software and biotechnology businesses located within purpose built business parks and campuses. The modern technological, well designed character of these areas could make them suitable locations for the siting of wind turbines, where there may be greater capacity than in some of the more sensitive, undeveloped countryside locations. Any sites considered suitable would need careful landscape and visual impact assessment, but could potentially become acceptable local landmarks even where located close to housing (in a similar way to the two 120m high turbines erected at the Michelin tyre factory in Dundee in 2006). Potential locations within West Lothian may be within the Houstoun Industrial Estate northeast of Livingston, Starlaw Business Park and Deans Industrial Estate west of Livingston, The Pyramids Business Park to the east of Bathgate, Junction 4 on the M8 close to the Whitehill Industrial Estate, and within the East Mains Industrial Estate to the east of Broxburn."

The refusal notice highlighted the potential visual impact in the local vicinity. This has been acknowledged in the LVIA, and also in the Councils SPG document as being potentially acceptable as a landmark turbine development, similar to those present in other locations in the Central Belt. The industrial location on the M8, separate from the Pyramid features to the east, could provide the opportunity of this and allow the renewable energy association with some major industries in the west Lothian area to be promoted. This has potential benefits for both West Lothian and the businesses themselves. This does not mean that the proposal should be accepted without scrutiny but may provide a mitigating context which does not immediately seem to have been recognised.

I trust this statement is in order but should you have any queries regarding the above please do not hesitate to contact our office.

Yours sincerely

Andy McLatchie
Director

GVA James Barr

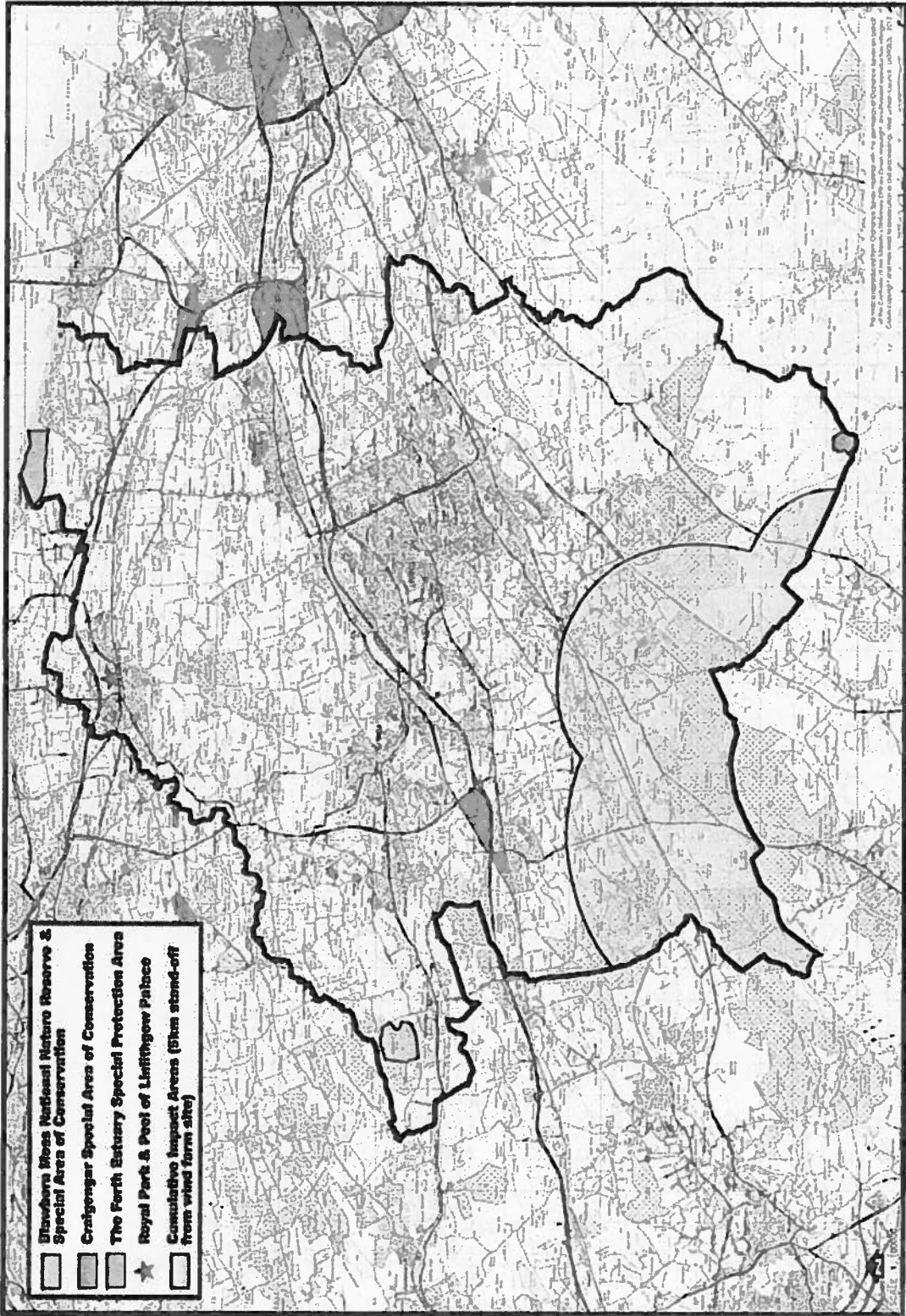
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Appendix 6

Extract from WLC
SPG Wind Energy
2013 – Appendix 12

Appendix 12 Areas requiring significant protection (see para 6.42)



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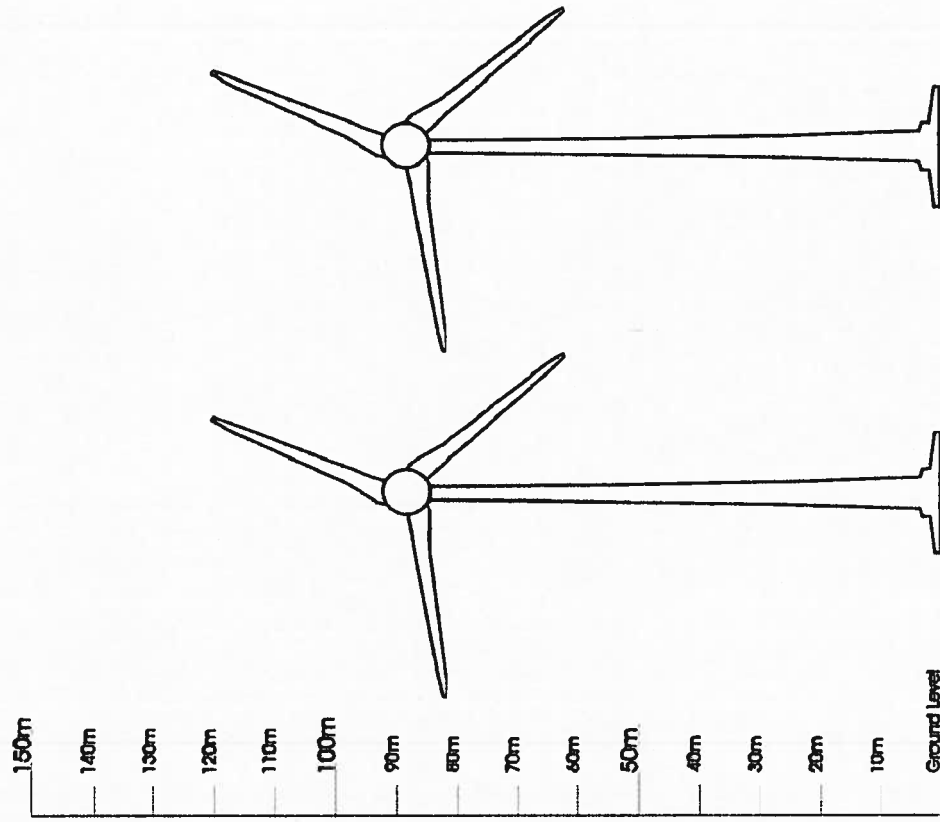
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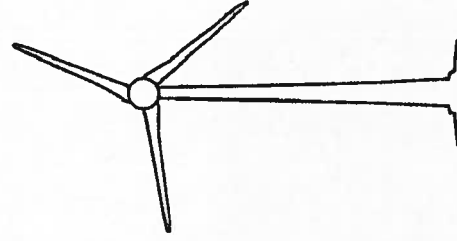
Appendix 7

Comparison size
drawing of Michelin
Tyre factory turbines
(120m at Dundee) and
proposed turbine (74m
at Aldi RDC Bathgate)

APPENDIX 7 – Comparison drawing of the Michelin Tyre factory turbines quoted in WLC’s LCS (120m at Dundee) and the proposed turbine (74m at Aldi RDC Bathgate)



Operational Wind Turbines
Michelin, Dundee.
Two 120m to blade tip.



Proposed Wind Turbine
Aldi, Bathgate.
One 74m to blade tip.

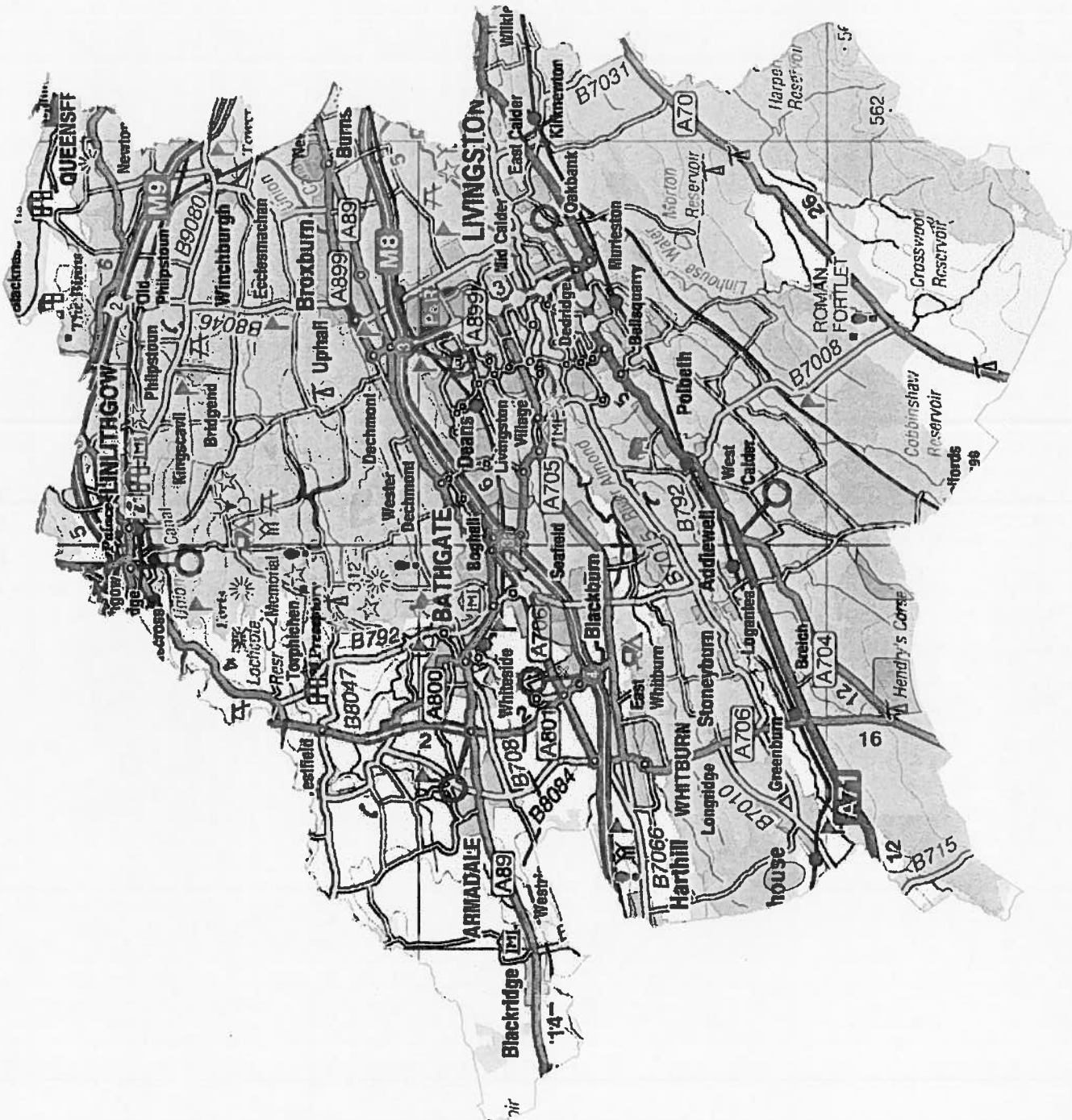
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Appendix 8

Aviation constraints plan
(for turbines over 75m)
overlaid with WLC SPG
and LCS Areas with
Potential for wind energy
development plan
(Loganwood Wind Ltd)



Legend

- Potential (WTCLCS)
- Unitary Authority
- 75m Radar Ceiling
- Proposed Turbine (Aldi Stores Ltd)

GVA James Barr

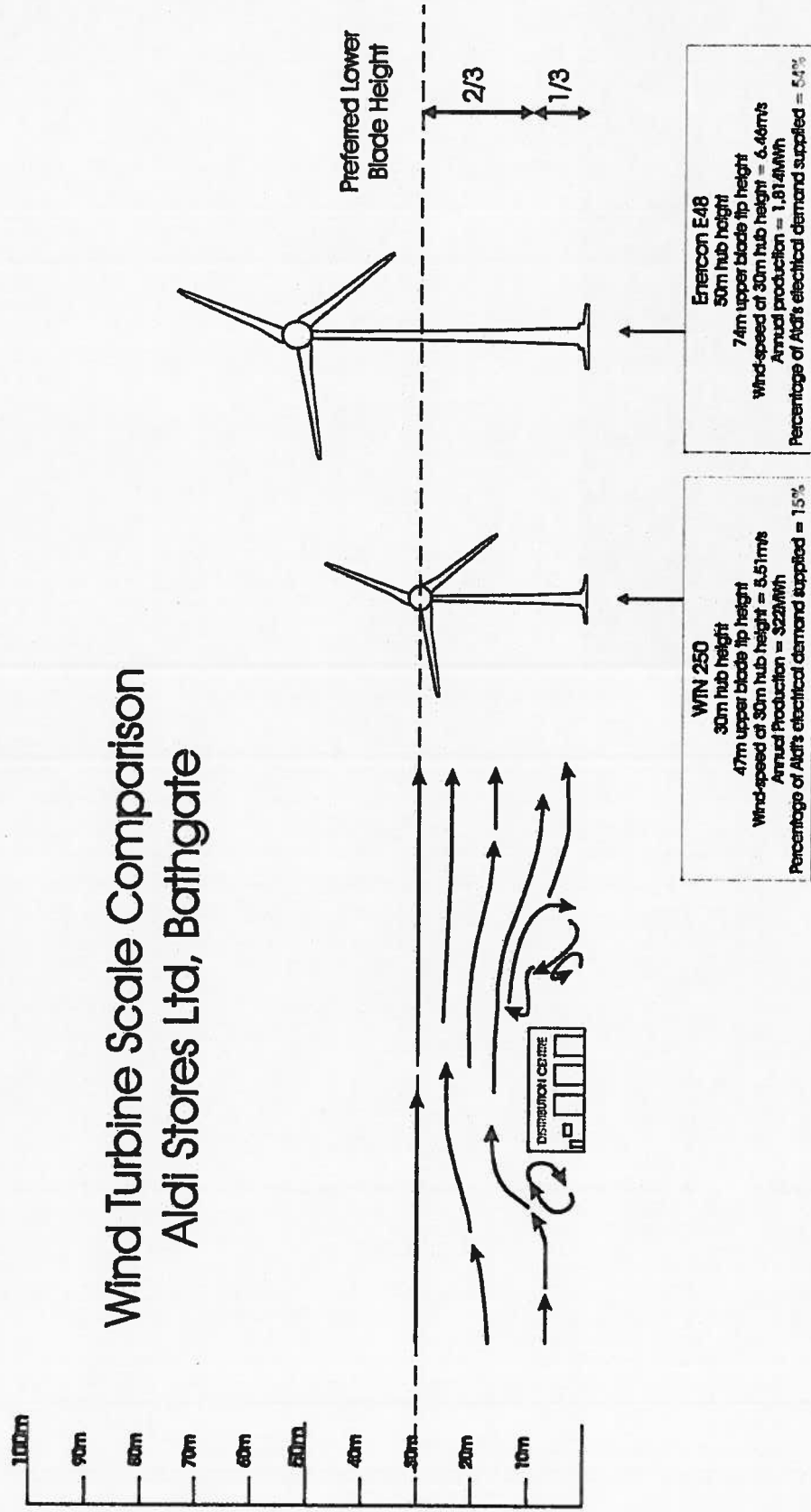
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Appendix 9

Wind turbine height
and scale
justification
diagram

Appendix 8



Source: Loganwood Wind Ltd

GVA James Barr

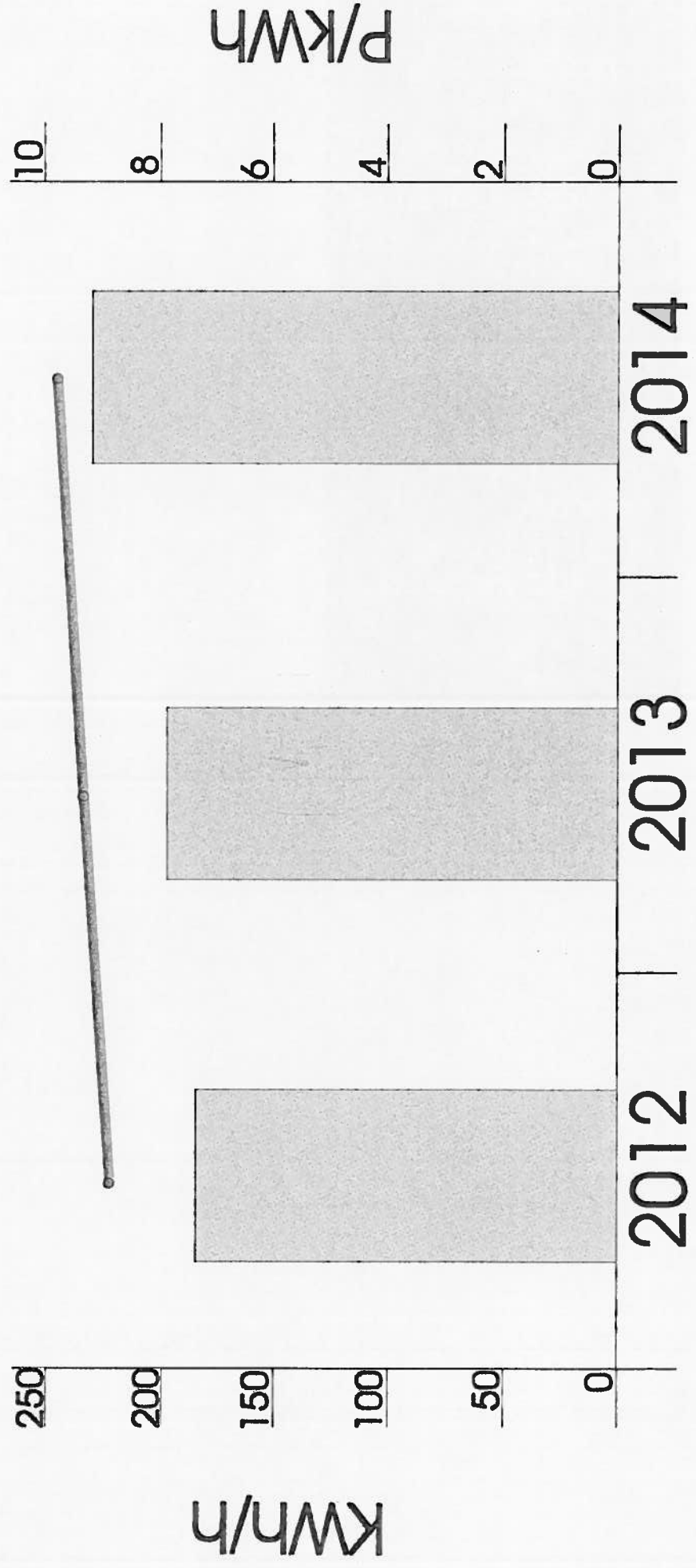
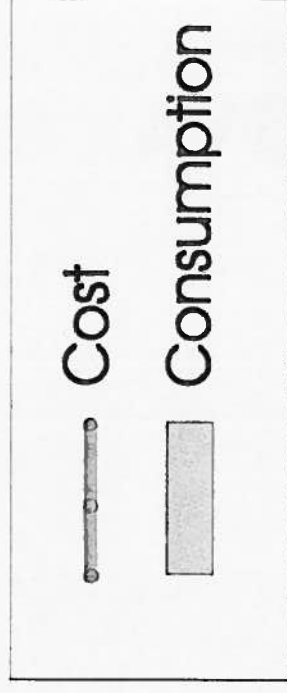
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Appendix 10

Chart to show 2012-
2014 electrical
costs and
consumption at
Aldi RDC Bathgate

Aldi Stores Ltd
Electrical Costs & Consumption
RDC Bathgate
2012/2014





Development Management
West Lothian Council
County Buildings
Linlithgow
West Lothian
EH49 7EZ

24 February 2014

Dear Sirs

**PLANNING APPLICATION FOR THE ERECTION OF A SINGLE WIND
TURBINE AT ALDI STORES DISTRIBUTION DEPOT
POTTISHAW ROAD BATHGATE EH48 2FB
ONLINE REF: 000083463-001**

I refer to my previous discussions with Esme Clelland in respect of this new application which is for a smaller wind turbine than that proposed in the previous application, 0516/FUL/13, which was withdrawn in January 2014.

The application has been submitted on-line and I enclose for your attention a CD which includes all of the supporting documentation for the application, all plans, Landscape Assessment, Infrastructure Assessment, Habitat Assessment including Bat Survey and Noise Survey. As this application has been submitted within one year of the previous application I understand that there is no fee payable in this instance.

I trust that the enclosed information will enable the application to be registered.

Please do not hesitate to contact me if you require any further information or clarification at this time.

Yours sincerely

J BRYCE BOYD

West Lothian Council
Development Management

26 FEB 2014

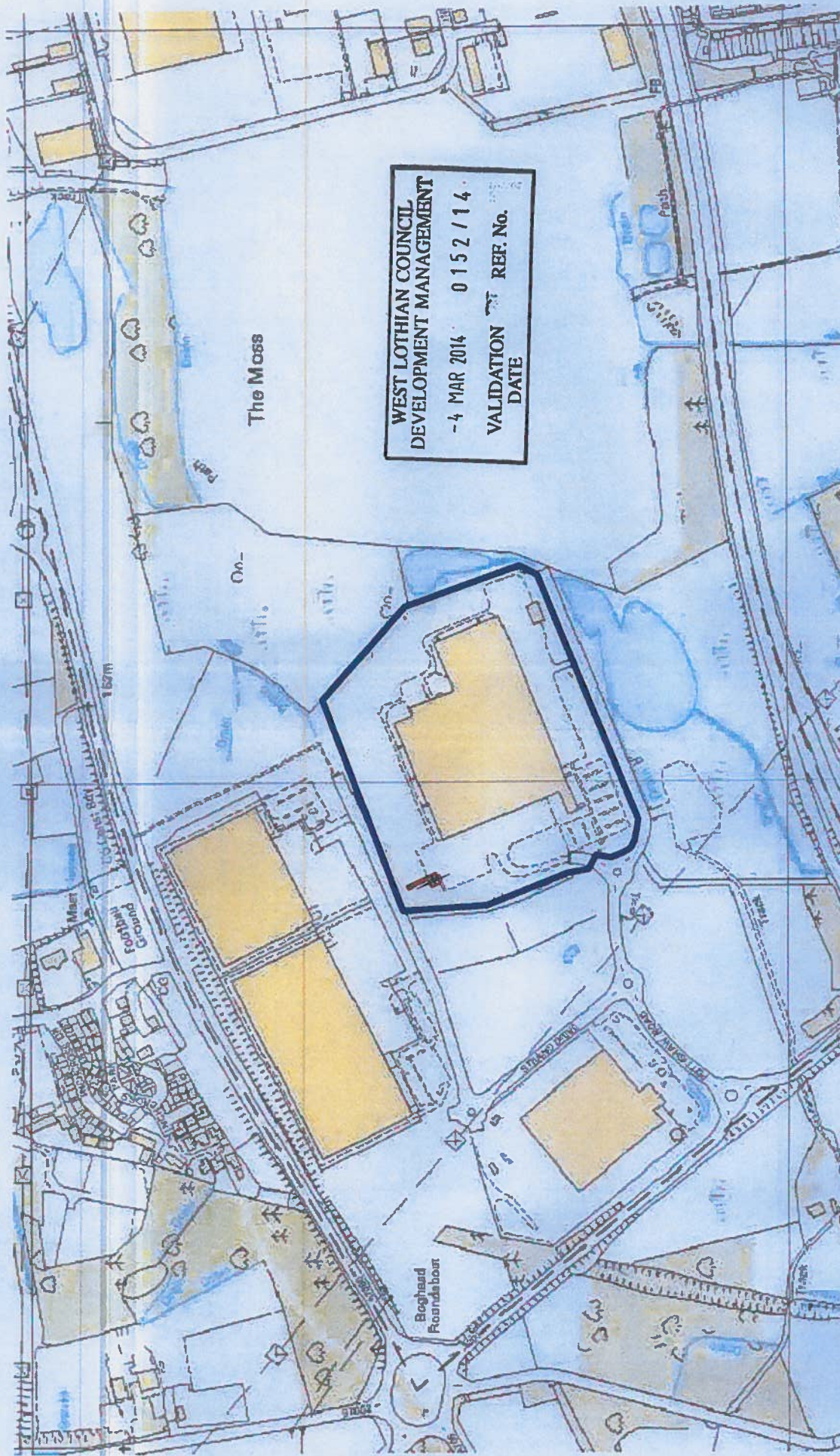
Date.....

Ref No.....

Ref To.....

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Replied.....



LOCATION PLAN 1/5000

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revisions & notes
 A - Alteration to layout & service unit in accordance with client & planning dept requirements.
 B - Service unit in position (moved from)

r d p - architecture
 52 Kempock St, Gourrock, Pat19 1nd.
 tel. 01475 837185 e-mail rdparch@hotmail.co.uk

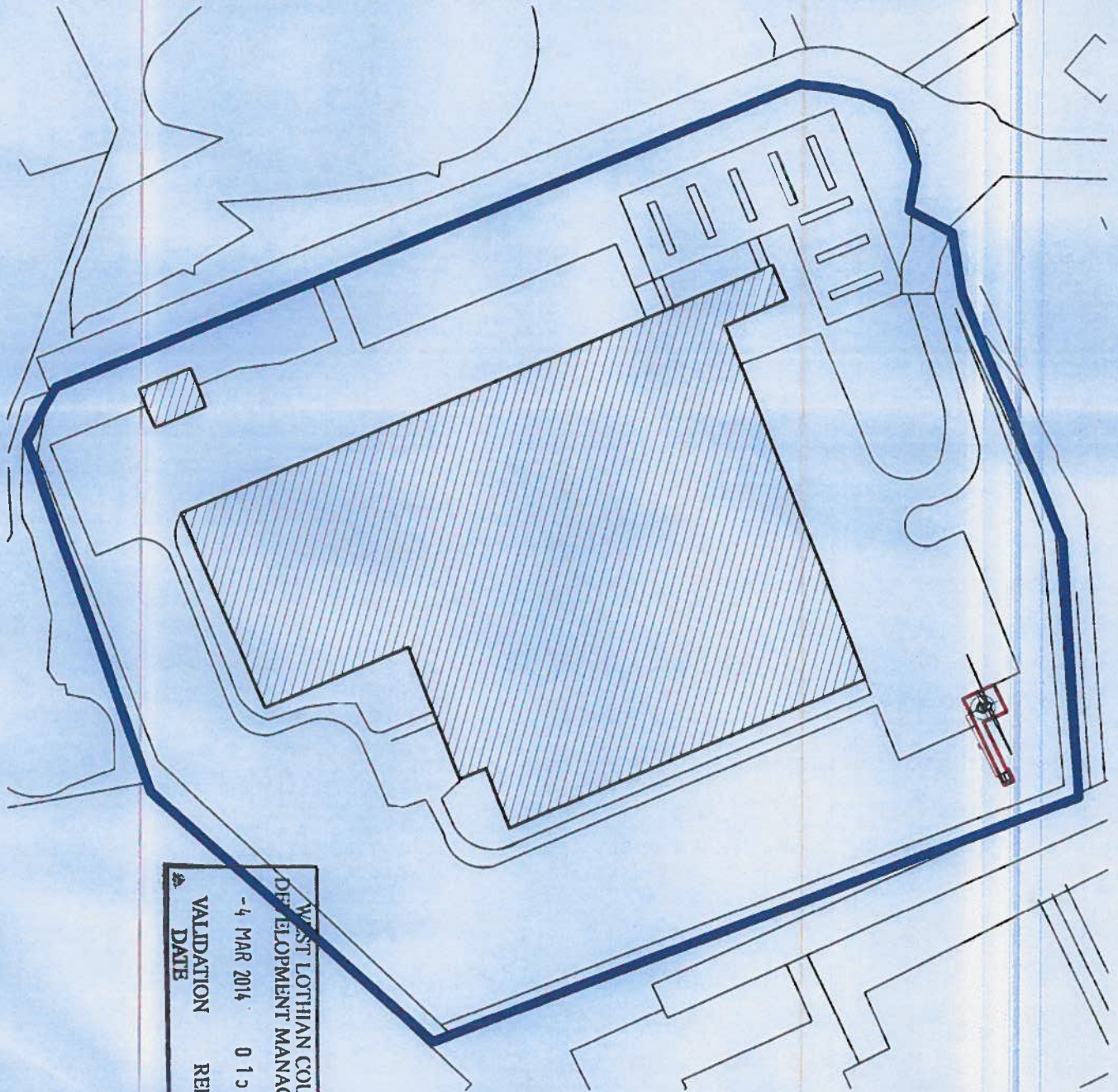
client: ALDI STORES LTD.
 Job no. 517 dng. no. 02

project: POTTISHAW ROAD, JUNCTION 4MB,
 BATHGATE EH48 2FB
 drawing size - A3 drawn: MM checked: PKR

r d p - architecture
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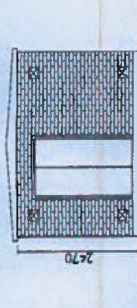
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A - Alteration to turbine & service unit in accordance with client & planning dept' req'mts.
B - Service station position moved north

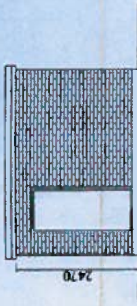
WEST Lothian Council
DEVELOPMENT MANAGEMENT
- 4 MAR 2014 0102114
VALIDATION REF. No.
DATE



client: ALDI STORES LTD.
job no: 617
drg. no: 01
drawing size: A3
drawn: MM
checked: PKR
project: POTTISHAW ROAD, JUNCTION 4/M8, BATHGATE, EH48 2FB



FRONT ELEVATION OF SERVICE UNIT AS PROPOSED 1/100



SIDE ELEVATION OF SERVICE UNIT AS PROPOSED 1/100



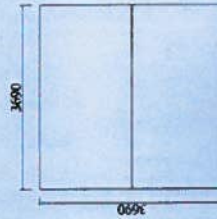
REAR ELEVATION OF SERVICE UNIT AS PROPOSED 1/100



SIDE ELEVATION OF SERVICE UNIT AS PROPOSED 1/100

SERVICE UNIT SPECIFICATION

External Walls - Grey external facing brick.
Entrance Door - Steel security door painted green.
Store Door (side elevation) - Hardwood door painted green.
Roof - Grey glass fibre membrane.



PLAN OF SERVICE UNIT AS PROPOSED 1/100

WEST LOTHIAN COUNCIL
DEVELOPMENT MANAGEMENT

- 4 MAR 2014 - 0152 / 14

VALIDATION DATE REF. No.



SCALE 1/100

revisions & notes

A - amendments to layout & services are in accordance with client & planning dept' approvals.

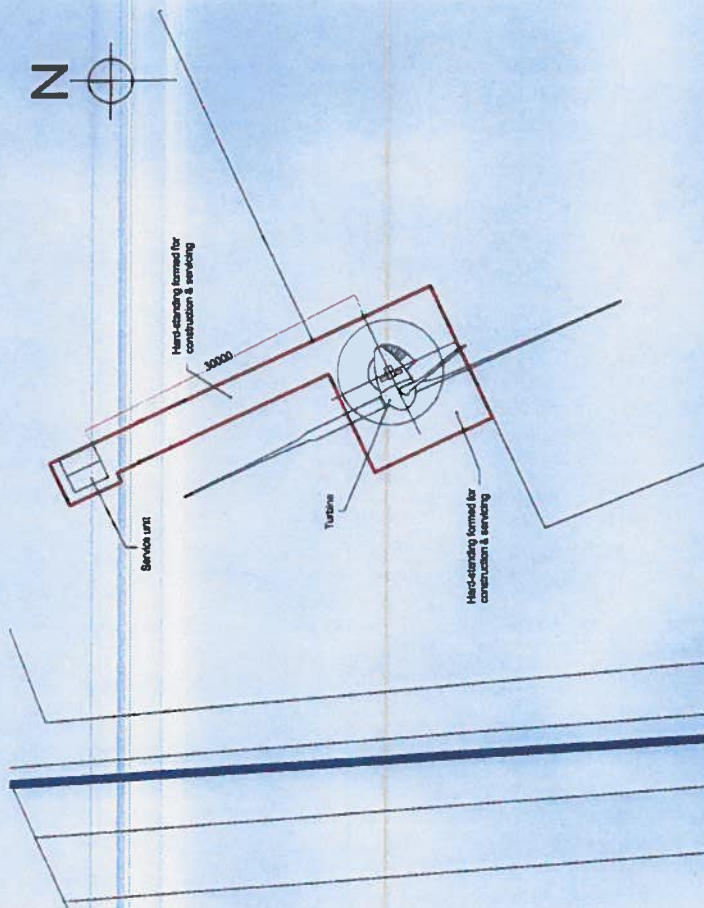
B - Services location position marked red

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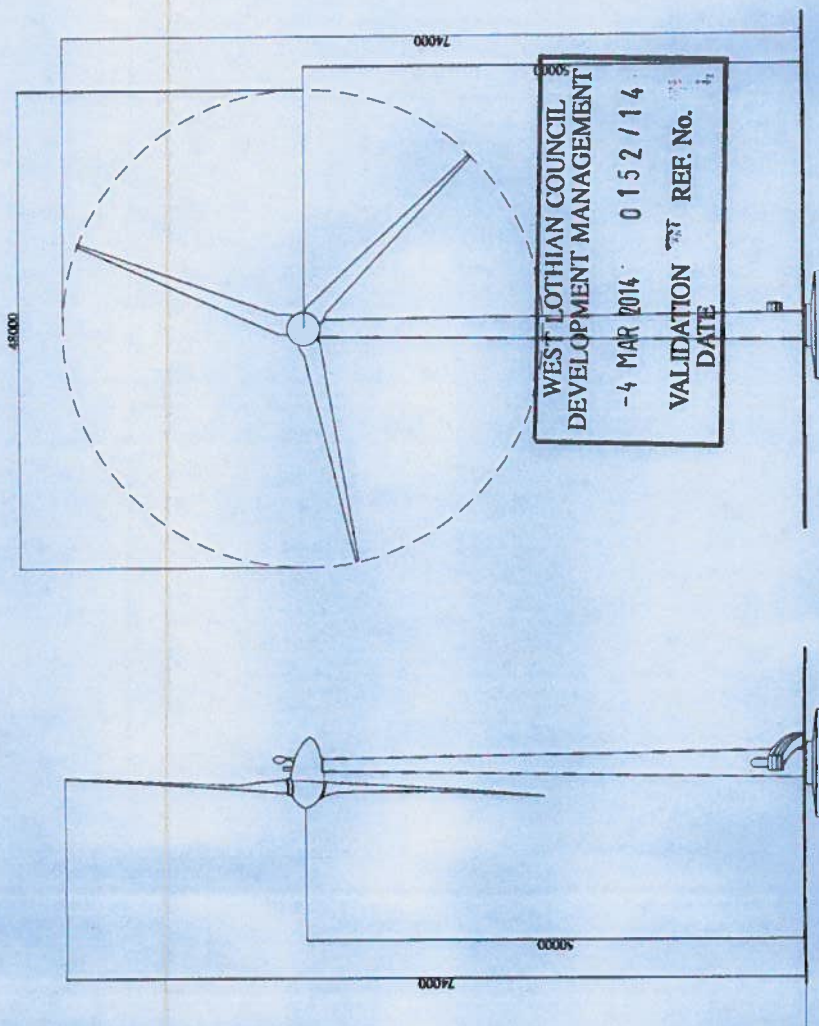
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BATHGATE, EH48 2FB
drawing size - A3 drawn: MM checked: PKR



SITE PLAN AS PROPOSED 1/500



PLAN OF TURBINE AS PROPOSED 1/500



SIDE ELEVATION OF TURBINE
AS PROPOSED 1/500

FRONT ELEVATION OF TURBINE AS PROPOSED 1/500

WEST LOTHIAN COUNCIL
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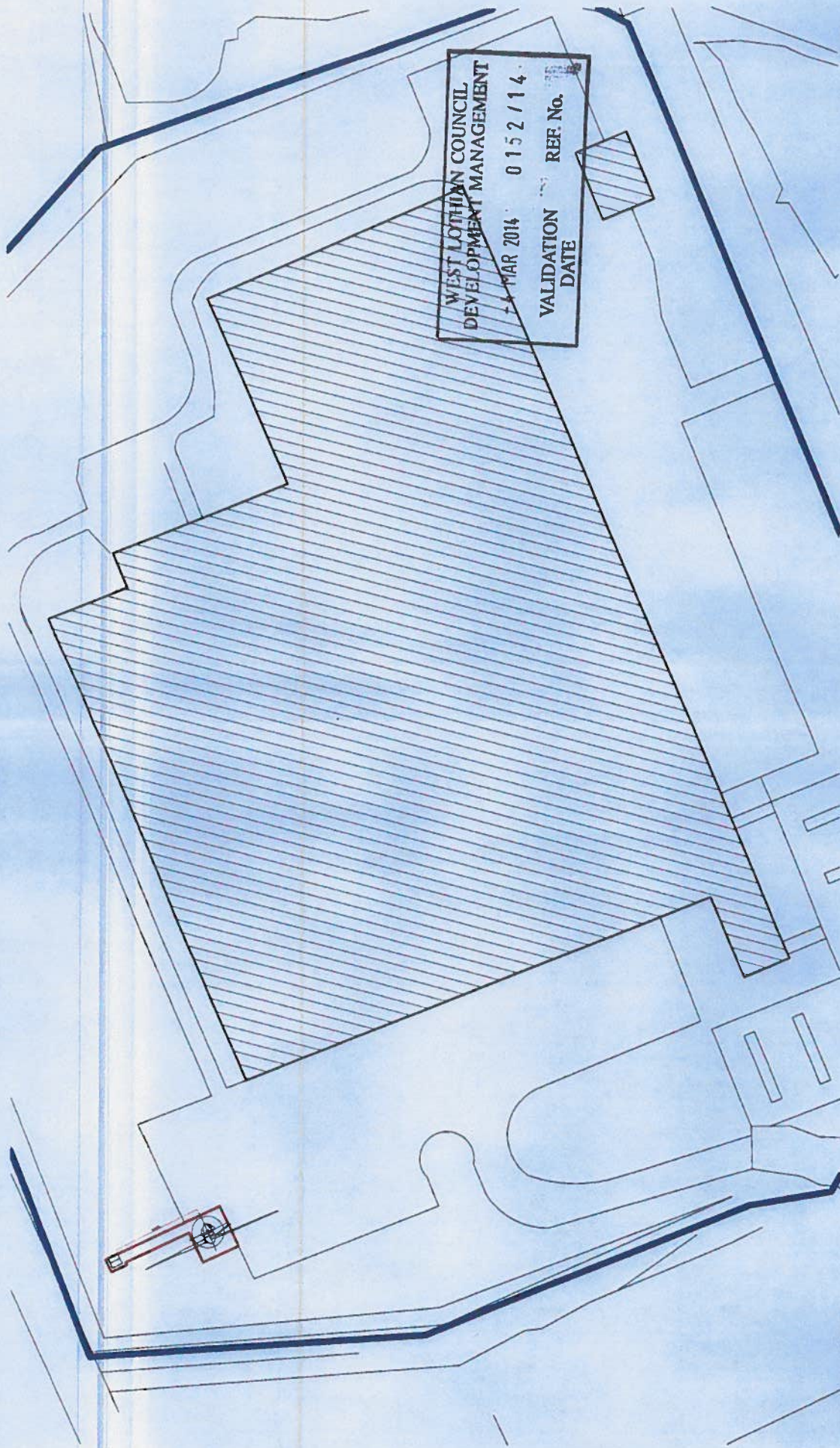
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revisions & notes
A - Amendment to turbine & service unit in accordance with client & planning dept requests.
B - Service station position moved West

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Job no. 517 dig. no. 04

project: POTTISHAW ROAD, JUNCTION A48,
BATHGATE EH48 2FB
drawing size - A3 drawn: MM checked: PKR



WEST LOTHIAN COUNCIL
DEVELOPMENT MANAGEMENT
14 MAR 2014 0152114
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SITE PLAN 1/1250



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permissions & notes
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B - services shown position inferred from text

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BATHGATE, EH48 2FB
drawing size: A3 drawn: MM checked: PKR



23 06 2014



23 06 2014



- 32 -

ALDI DEPOT, BATHGATE SINGLE WIND TURBINE

LANDSCAPE & VISUAL IMPACT ASSESSMENT

On behalf of
ALDI Stores Ltd

January 2014



landscape Architects Ltd

121 GARDEN STREET, HAMILTON, ML3 5AA
TEL: 01896 300033 FAX: 01896 300035
WWW.DESIGNWORKARCHITECTS.CO.UK

LANDSCAPE AND VISUAL IMPACT ASSESSMENT

on Behalf of

ALDI Stores Ltd

In regard to

Single Wind Turbine

at

Bathgate Distribution Centre,

West Lothian

Prepared

January 2014

prepared by



Designing for the present whilst protecting the future
AROS HOUSE, 121 CADZOW STREET HAMILTON ML3 6JA
Tel: 01698 200035 Fax: 01698 200036
www.dwalandscapearchitects.co.uk



Contents

- 1. Introduction
- 2. Methodology
- 3. Location and Context
- 4. Landscape Character and Capacity
- 5. Proposed Development
- 6. Visual Impacts
- 7. Photographic Study
- 8. Cumulative Impact
- 9. Overall Conclusions

Illustrations

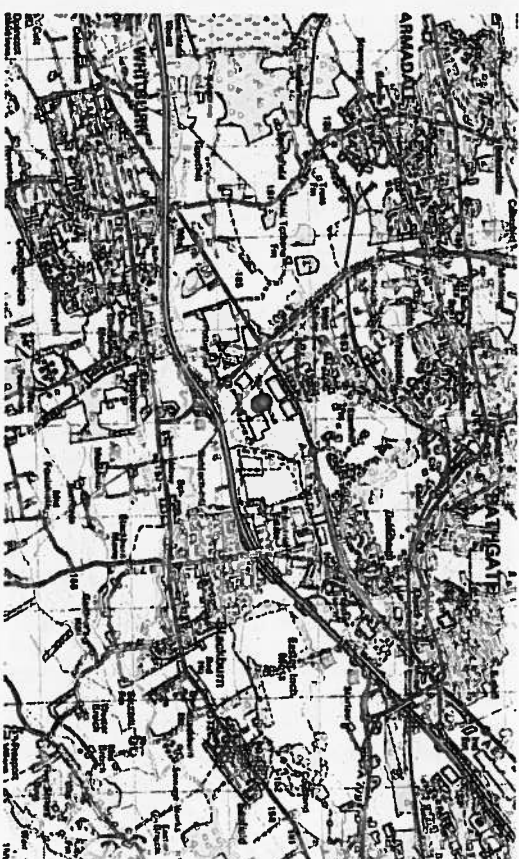
- L1 Location and Context
- L2 Topography
- L3 Zone of Theoretical Visibility to 20km
- L4 Zone of Theoretical Visibility to 10km
- P1 - 7 Photo Montages
- L5 Other Wind Farm Activity

1. Introduction

- 1.1 ALDI Stores Ltd (ALDI) have commissioned DWA Landscape Architects Ltd (DWA) through Loganwood Wind Ltd to carry out a Landscape and Visual Impact Assessment (LVIA) of the proposal to install a single wind turbine at the ALDI Depot at Bathgate in West Lothian. The intention of this turbine is to aid the self sufficiency and sustainability of the facility in keeping with the environmental policies and aspirations of the company.
- 1.2 The proposal is to install an Enercon E48 turbine. This will stand at a height of 50m to the top of the tower and 74m to the tip of the blade. It will have a 48m blade diameter. This proposal supersedes a previous, taller model of turbine (99m to blade tip) put forward for the site.
- 1.3 The potential impacts of this development will be assessed in relation to the various guidelines which have been published on the matter but will refer mostly to "Assessing the impact of small-scale wind energy proposals on the natural heritage (February 2012)" produced by Scottish Natural Heritage.
- 1.4 Other documents which will be referred to will be:
 - Guidelines for Landscape and Visual Impact Assessment (Third Edition) published by the Landscape Institute (April 2013)
 - Scottish Planning Policy (February 2010)
 - Micro Renewables and the Natural Heritage Guidance Note (October 2009)
 - Scottish Natural Heritage
 - Guidelines on the Environmental Impacts of Windfarms and Small Scale Hydroelectric Schemes published by Scottish Natural Heritage
 - Photography and Photomontage in Landscape and Visual Impact Assessment: Landscape Institute Advice Note 01/11
 - Visual Representation of Windfarms Good Practice Guidance (March 2006) published by Scottish Natural Heritage Cumulative Effect Of Windfarms (Version 2 revised 13.04.05) published by Scottish Natural Heritage
 - The Lothians Landscape Character Assessment (No 91), prepared by ASH Consulting Group, Published by SNH
 - Windfarms in Scotland (July 2011) – Map prepared by published by Scottish Natural Heritage
- 1.5 The proposed site lies within West Lothian Council so the following planning documents have been reviewed.
 - Edinburgh & the Lothians Structure Plan 2015
 - West Lothian Local Plan 2009
 - Landscape Capacity Study For Wind Energy Development In West Lothian (SPG) (December 2011)

1.6

This Landscape Statement will also review and assess the impacts upon the landscape character, conservation designations, known archaeology and in most detail, the visual impacts of the proposals on the wider landscape.



● Turbine to be located at NS 968 664 (159m AOD)

2. Methodology

2.1

The methodology of this study has been developed by DWA Landscape Architects Ltd (DWA) through experience and in accordance with "Assessing the impact of small-scale wind energy proposals on the natural heritage (February 2012)" produced by Scottish Natural Heritage. This suggests the following level of assessment should be undertaken for turbines over 50m in height

"Turbines over 50m in height - For turbines of this scale, a more detailed LVIA is likely to be required. We recommend that the LVIA, as a minimum, should include:

- *a ZTV map out to 20km (may need to be larger radius for very large turbines);*
- *visualisations and photomontages, focusing on key viewpoints. The number and location of viewpoints should be proportional to the scale of the development and the sensitivity of the location, and should be agreed with the planning authority. In most locations between 5 and 10 viewpoints should be sufficient;*
- *an assessment of the sensitivity of the landscape, magnitude of change and residual impacts;*
- *a base plan map of all other wind turbine proposals in the public domain to 20km.*

The height thresholds are not absolute. For example, a 100m turbine in a low sensitivity location will require less assessment than a 55m turbine in a more sensitive landscape. Therefore, the above requirements are an indication of the level likely to be required, but this should be tailored to the height of the turbine and the sensitivity of the location. The assessment should focus on the likely key landscape and visual interactions of the proposal with other constructed, consented or applied-for wind farms, and other significant man-made structures within a 20km radius of the site. In certain circumstances, for example where sequential impacts with other developments may be a key issue, it may be appropriate to extend the study area but this is less likely to be required for small developments. Our guidance on cumulative effects provides further information."

2.2

In order to assess the likely impacts of the proposal a baseline for the existing landscape must first be established. This will be the standard against which any change can be measured against and therefore the degree of impact determined. In order to do this the location and context of the surrounding area has been reviewed. This covers the general area, topography, and any landscape conservation or cultural heritage designations.

2.3

The following section then looks at the Landscape Character of the area as formally established in the "The Lothian's Landscape Character Assessment (No 91), prepared by ASH Consulting Group. Published by SNH" which gives a formal designation of the nature of the site and surrounding area and identifies specific sensitivities and issues. The "Landscape Capacity Study For Wind Energy Development In West Lothian" will also be considered.

2.4

Once a familiarity with the surrounding area has been established a short description of the proposals is given in order to establish the nature of what is to be introduced to the landscape.

2.5

Once the context and proposals have been established a study of the impacts that will be created can be carried out. Section 6 is a detailed study of the Visual Impact of the proposed turbine on the wider landscape and potentially sensitive receptors within it. This is carried through firstly establishing the Zone of Theoretical Visibility (ZTV) that could be caused on the landscape if a "Bare Earth" situation was the case using only topographical information to establish where views will and will not be possible. This is achieved through the use of ground modelling computer software and ordnance survey topographical data and is described in more detail in this section. The guidelines recommend a radius of 20km.

2.6

Following the creation of the ZTV drawing an on-site review of the sensitive receptors is undertaken to establish the baseline sensitivity of the receptor. The magnitude of change is then assessed through consideration of the physical features of the landscape and distance to the turbine and the resultant impact of the proposal suggested.

2.7

In addition to the study of these receptors an assessment has been made of the potential cumulative effect created by this proposal in relation to other existing or proposed wind energy developments within a 20km radius. Again a computer generated ZTV drawing has been created to assess this potential impact. This is in accordance with the recommendations set out in the SNH guidelines.

2.8

The study will put forward some conclusions from the above assessments and will conclude with seven photo montages showing how the turbine will appear from key points in the landscape which have been established through onsite analysis of the key receptors and locations. These photo montages have been carried out in accordance with "Visual Representation of Windfarms Good Practice Guidance (29 March 2006)" and "Photography and Photomontage in Landscape and Visual Impact Assessment: Landscape Institute Advice Note 01/11" where it is appropriate to the scale of the proposals.

3. Location and Context

Area

3.1 The study area considered radiates out from the turbine location to 20km in all directions. Within this a more detailed study will be carried out of the landscape within 10km of the turbine. This area is an extensively developed landscape being part of the Scottish Central Belt, where the largest concentration of the population of the country resides outwith the major cities.

3.2 The proposed turbine is to be located at the edge of the Aldi Stores Ltd distribution depot on the western edge of Bathgate, close to Junction 4 of the M8. This section of the M8 corridor is characterised with similar large industrial depots and distribution centres stretching for several miles along the edges of both Bathgate and Livingston adjacent to both sides of the motorway.

3.3 There are, however a considerable number of settlements within the study area particularly associated with the motorway corridor, although originally predating it. The newly developed village of Wester Inch lies to the north along with the older villages of Redmill and Birmiehill. Bathgate lies to the east, with Livingston beyond in this direction and Armadale to the west. To the south, lying upon raised ground on either side of the wide River Almond Valley lie the settlements of Whitburn, Blackburn and Seafield. Beyond the Almond Valley to the south, lie West Calder, Polbeth, Breich and Faldhouse.

3.4 The M8 motorway passes close to the south of the site linking east and west via Glasgow and Edinburgh. A series of other 'A' roads and local access routes radiate from the M8 through the settlements and join other local routes. To the north of the site the Bathgate to Glasgow railway line passes through the study area from east to west.

Topography

3.5 The site lies on the northern side of the Almond River Valley which forms a wide channel running west to east through the area and parallel with the M8 immediately south of the site. The route turns further south to the east as it passes through Blackburn and moves towards Livingston. This valley flattens out into a raised plateau towards the northwest becoming the Slarmanan Plateau. To the north east the topography rises more sharply at Cairnpapple and Cockleroy Hills as part of the Bathgate Hills. Beyond these to the north is the River Forth and its wide estuary.

3.6 To the south of the Almond Valley lies a ridgeline upon which the settlements of Whitburn, Faldhouse and Longridge sit. To the east, on the opposite side of the valley, Blackburn and Seafield lie along a slight rise between the Almond Water and Bathgate. Beyond this to the south the land falls again towards the Breich Water in another wide valley in which the settlements of Breich, West Calder and Polbeth lie.

These two watercourses meet to the south east of Seafield at a flattened area and continue east through Livingston. The landscape continues to rise on the south side of the Breich Water. These geographical features mean that there is variation in the topography in a series of ridges and valleys running approximately east to west changing the elevation north to south and meaning the elevation is more even from east to west.

Core Paths

3.7 There are two core path within 2km of the proposed location and one national Cycle Route. These are listed below and shown on drawing L1:

- **National Cycle Route 75** (Core Path 1)
- **Core Path 25** (Whitrigg Circular)
- **Core Path 19** (East Whitburn to Stoneburn)

Cultural Heritage

3.8 As a landscape which has been continuously settled for thousands of years the study area has a range of cultural heritage features across it which range in age and historical significance. Some of these will be more sensitive to potential visual impacts than others but the following list of potential receptors has been compiled from a range of sources but primarily the "Pastmap" online database, which provides map based information on Scheduled Monuments, Listed Buildings and Gardens and Designed Landscapes. To these, a list of Properties in Care within 10km has been added.

Scheduled Monuments (within 5km)

- A. Bathgate Castle
- B. Kirkton Old Parish Church
- C. Gaia Brae Standing Stone
- D. Five Sisters Shale Bing
- E. Raven Craig Cairn

Listed Buildings (within 2km)

- F. East Whitburn House
- G. Blackburn Village Bridge

Designed Gardens and Landscapes / Properties in Care / World Heritage Site (within 10km)

- a. Cairnpapple Hill (PIC)
- b. Torphichen Preceptory (PIC)
- c. Harburn House (G&DL)

Garden Designed Landscape

Scheduled monument

Listed Building

AGLV

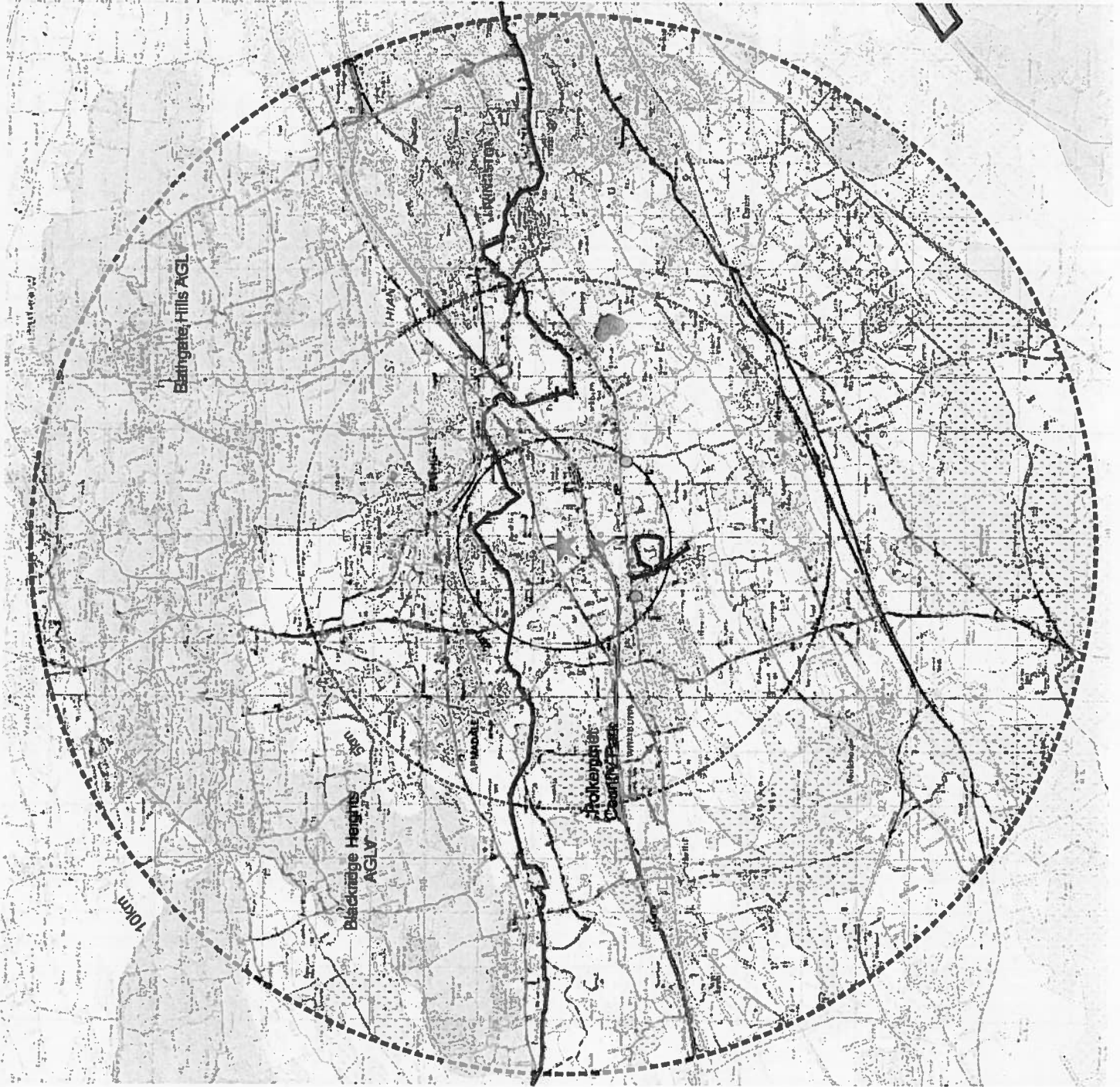
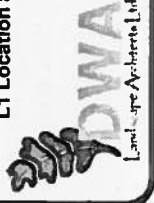
National Cycle Path

Country Park

Core Path

★ Proposed Turbine

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L1 Location and Context
January 2014



Conservation

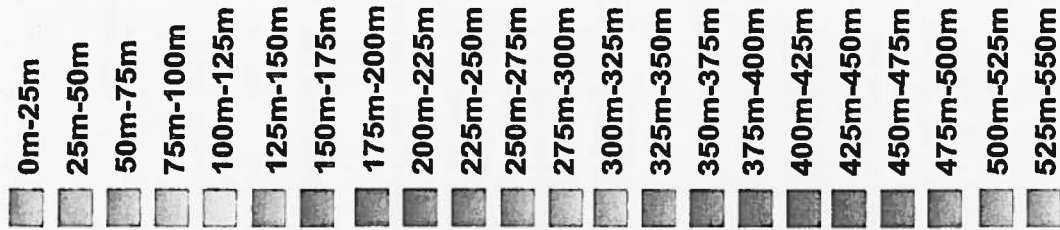
3.9 There are also several sites within the landscape which have been given a conservation designation. These can be for a number of reasons due to their rarity as habitats for ecology or geological significance or for their recognised aesthetic qualities. These may be due to their location as rare undeveloped areas within a largely developed landscape in order to protect them against future development. Those which have a specific visual sensitivity such as Area of Great Landscape Value or Country or Regional Parks for their recreational value and potential attraction to visitors who may experience visual impact.

Conservation Designations (within 10km)

1. Bathgate Hills & Blackridge Heights (AGLV)
2. Polkemmet (Country Park)
3. Dechmont Law (AGLV)
4. Beecraigs (Country Park)
5. Slamannan Plateau (AGLV)
6. Muiravonside (Country Park)
7. Almondell & Calderwood (AGLV)

Conclusions

3.10 The sites location within the Scottish Central Belt means that the landscape of the study area is an extensively developed one. This is a densely populated area with a mix of residential and industrial receptors along with a high number of transport and infrastructure, cultural heritage and conservation receptors. It is not necessarily the case that these will experience a significant visual impact however, and it is likely that impacts will be experienced to varying degrees throughout, and many will experience no impact. The physical separation and nature of the development will mean that physical impact upon the landscape will not be an issue. Section Six will assess in detail the degree of visual impact that may be generated across the study area.



Proposed Turbine

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L2 Topography
January 2014



4. Landscape Character and Capacity

4.1 Scottish Natural Heritage have published a series of Landscape Character Assessments which seek to define the landscape character across Scotland, identify pressures upon the character and provide guidance for future management and development of the landscape in a manner to best protect its character. The majority of these studies are now approximately twenty years old and, whilst many of the issues remain the same, some of the pressures upon the landscape have evolved in this time. This is particularly true of renewable energy where natural planning policy and public attitudes have altered significantly in this time period.

4.2 The landscape of the site is defined in "The Lothians Landscape Character Assessment (No 91), prepared by ASH Consulting Group" where it is described as the Lowland Plateaux landscape character type:

Lowland Plateaux

"In the west of the region the lowland plains rise gently to merge with an undulating area of plateaux. In addition to their topography, they are characterised by a rather wetter, more exposed climate, heavier soils, and a land cover pattern dominated by grassland types."

4.3 This is further defined as the West Lothian Plateaux:

"A heavily-modified lowland plateau landscape which shelves gently eastward to merge gradually with the farmland plain of the lower Almond. The valley of the Almond barely registers as a topographic feature in this broadly undulating and predominantly open terrain. However a number of its southbank tributaries, including the Linthouse Water, Breich Water, Murleston Water and West Calder Burn form narrow and deeply-incised features which link the upland fringe of the Pentlands to the Lowland Plain. The plateau is formed of folded sedimentary rocks of Carboniferous age, holding extensive oilstone and coal bearing measures. To the east, igneous intrusions create a strongly rolling terrain which peaks at Dechmont Law (217m) to the north of Livingston.

The land cover of the area consists almost entirely of improved pasture, divided by a mixture of fences, thin fragmented hedgerows, small shelterbelts and broken lines of hedgerow trees. Woodland is generally scattered and small to medium-scale, comprised of coniferous, broadleaved and deciduous species. Significant areas of woodland and shelterbelts define the layout of Livingston and enclose its edges. Stretches of wetter, less cultivable land throughout the valley support rough grasses, scrub and marshy hollows. At Tailend Moss, on the edge of Livingston, heather, cranberry and cotton-grass constitute an important raised bog community. Further fragments of lowland peatland are also of nature conservation value.

The powerful influence of extensive industrial and residential developments from the 19th and 20th centuries has pervaded the agricultural plain. The oil-shale and mining boom of the 19th century drastically reshaped the settlements of the area including Armadale, Addiewell and Bathgate, although the cores of the villages of Mid and East Calder have remained relatively intact. The remaining bings, the most prominent of which is the Five Sisters near West Calder, provide visible reminders of the oilshale industry, forming distinctive landmarks. Where oil-shale and colliery bings have been reclaimed, e.g. at North Addiewell, they have begun to form valuable islands of woodland and associated semi-natural habitats. More recently, 1960s and 1970s housing estates and a shopping precinct have transformed the town of Blackburn. Livingston New Town sprawls north and south of the River Almond, its layout of low-density housing and industrial estates has engulfed the original village, along with farmhouses and mansions which were scattered across this area prior to the 1960s.

The minor roads and access tracks which once served the area have been overtaken by a highly prominent and often visually intrusive transport and communications network consisting of parallel and intersecting major roads, a railway line, the M8 motorway and associated structures and pylon lines.

The effects of the last two centuries, due to large-scale industrial and residential development, have heavily modified the agricultural landscape, through degradation of farmland and engulfment of older settlements. Despite being an open landscape, the visual horizon is often dominated by modern architectural or infrastructural features.

Positive Attributes

- Matrix of productive agricultural grassland and scattered woodland, shelterbelt, and hedgerow features;
- Localised areas of valuable semi-natural habitats.

Negative Attributes

- Open, gently undulating, visually sensitive terrain;
- Major transport and communications corridor with continuing pressures for expansion;
- Significant urban/rural fringe conflicts;
- Need for renewal and re-integration of land used by previous industry.

Key Strategic Aim

- In accordance with the Central Scotland Forestry Strategy, fundamental restructuring is required through a range of measures to increase woodland cover and create a new landscape framework of sufficient scale to accommodate continuing development pressure."

Landscape Capacity Study

4.4 In order to deal with the changing pressures relating to renewable energy development

West Lothian Council have produced the "Landscape Capacity Study For Wind Energy Development In West Lothian (SPG) (December 2011)". Of most significance to the proposed turbine is the following paragraph:

"West Lothian has been successful in recent years in attracting new high technology electronics, software and biotechnology businesses located within purpose built business parks and campuses. The modern technological, well designed character of these areas could make them suitable locations for the siting of wind turbines, where there may be greater capacity than in some of the more sensitive, undeveloped countryside locations. Any sites considered suitable would need careful landscape and visual impact assessment, but could potentially become acceptable local landmarks even where located close to housing (in a similar way to the two 120m high turbines erected at the Michelin tyre factory in Dundee in 2006). Potential locations within West Lothian may be within the Houstoun Industrial Estate northeast of Livingston, Starlaw Business Park and Deans Industrial Estate west of Livingston, The Pyramids Business Park to the east of Bathgate, Junction 4 on the M8 close to the Whitehill Industrial Estate, and within the East Mains Industrial Estate to the east of Broxburn."

Conclusions

- 4.5 The developed nature of the M8 corridor means that there is capacity within the area to create a landmark turbine development somewhere within the vicinity of the Bathgate and Livingston area. No such development has yet been proposed or permitted and there is an opportunity to fill this potential with the proposed turbine. There has been precedent for such development in recent times with the development at Dundee mentioned in the text. There have been several other examples of such development across Scotland and these have been reviewed in detail in Section 3 of the Associated Infrastructure Assessment prepared in association with this development. There are therefore no conflicts with the Landscape Character or capacity of the area provided landscape and visual impacts are within acceptable levels.

5. Proposed Development

Proposed Turbine

- 5.1 The proposal is for a single Enercon E48 turbine at the ALDI Stores Ltd distribution depot near Bathgate. This will have a 50m tower with a blade tip height of 74m. The rotor diameter will be 48m. It will be located at coordinates NS 968 664 at an elevation of 159m AOD. It is described as follows by the manufacturer:

"The E-48 is a wind energy converter with a three bladed rotor, active pitch control, variable operating speed and a rated power of 800 kW. Its 48 m rotor diameter and 50 – 76 m hub heights enable the turbine to make efficient use of the prevailing wind conditions at the respective sites to produce electrical energy."

The main objective of ENERCON design and engineering is to minimise loads. All turbine components are developed and constructed accordingly. The result is a turbine which is, amongst other things, convincing due to its low load level and long service life.

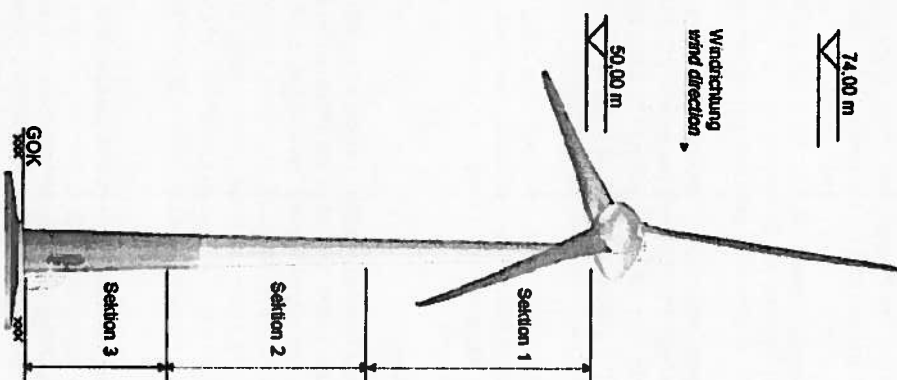
Output controlled by variable speed allows the E-48 to attain maximum operation efficiency without increasing operating loads in the full and partial load ranges and at the same time prevents undesirable output peaks thus guaranteeing excellent yield and a high quality of power fed into the grid."

Construction

- 5.2 Details of the construction traffic are set out in the traffic assessment document which accompanies this proposal. The site sits in a well developed industrial or commercial area with well established transport links. A crane will be required during the installation process but this will sit upon the existing hardstanding adjacent to the proposed location and will not require any temporary access tracks or crane pads to be installed. Additional impact caused during installation will therefore be restricted to the erection of a crane during assembly which should not take more than a few days.

Decommissioning

- 5.3 Similarly during decommissioning the existing infrastructure should be sufficient to allow plant machinery to deconstruct and remove the turbine with a minimum of impact.



6. Visual Impacts

Zone of Theoretical Visibility

6.1 The following is a study of the Zone of Theoretical Visibility (ZTV) that the proposed development would be anticipated to create, i.e. the parcel of land from which the turbine would be seen. For the purposes of this study an area of 20km in all directions from the site was therefore used for a detailed visual analysis. This is considered as an adequate radius to cover the likely impacts caused by the turbine within this landscape and given the contextual factors described in the previous sections. The analysis follows the method set out in "Guidelines for Landscape and Visual Assessment" Second Edition 2002, published by the Landscape Institute.

6.2 The ZTV has been established through ground model analysis software and topographical Land-Form PROFILE data supplied by Ordnance Survey. The ZTV output data shows the areas from which the site can be seen based on the topography of the landscape alone. The ground model takes no account of settlements or built structures in the landscape and is a "Bare Earth" representation.

6.3 Within the ZTV, there will be areas, which will have a higher degree of visual sensitivity than others. Elements from which the site can be seen from are referred to as visual receptors. These visual receptors have been considered through desktop study and then with on-site analysis.

Visual envelope over 20km

6.4 Drawing L3 shows a ZTV which predicts theoretical visibility over the entire landscape at a range of 2km. As stated, this does not however take into account any screening elements or obstacles about ground level such as buildings or tree cover. The settlements of East Whitburn, Whitburn, Blackburn, Inch, Inchcross, Whiteside, Birniehill and Falside as well as some smallholdings and farms and the M8 motorway all lie at least partly within this radius. A detailed assessment of all of the receptors at this range will be undertaken in the course of this section to determine the level of visual impact experienced by these.

6.5 Beyond 2km the theoretical visibility remains consistent to 3km where the topography of the Almond Valley begins to break up the visual envelope as the land falls on the southern side of the ridge between the Almond and Breich Water Valleys. This also occurs to the north and west as the landscape rises towards the Slammanan Plateaux. Beyond 5km the theoretical visibility is more clearly dictated by the valley landscape as views to the south are interrupted by the Breich Water Valley and continue on the higher, and less populated ground to the south. To the northeast the Bathgate Hills constrain views and to the northwest the raised Slammanan Plateaux contains views. Theoretical views extend further to the east and west along the Almond Valley and M8

corridor but the less varied topography and high density of tree cover and settlement will help to prevent views from extending far in these directions in many cases. Beyond 10km for the proposed site the ZTV shows very scattered visibility which is restricted to areas of high ground where there are fewer receptors which could be potential impacted.

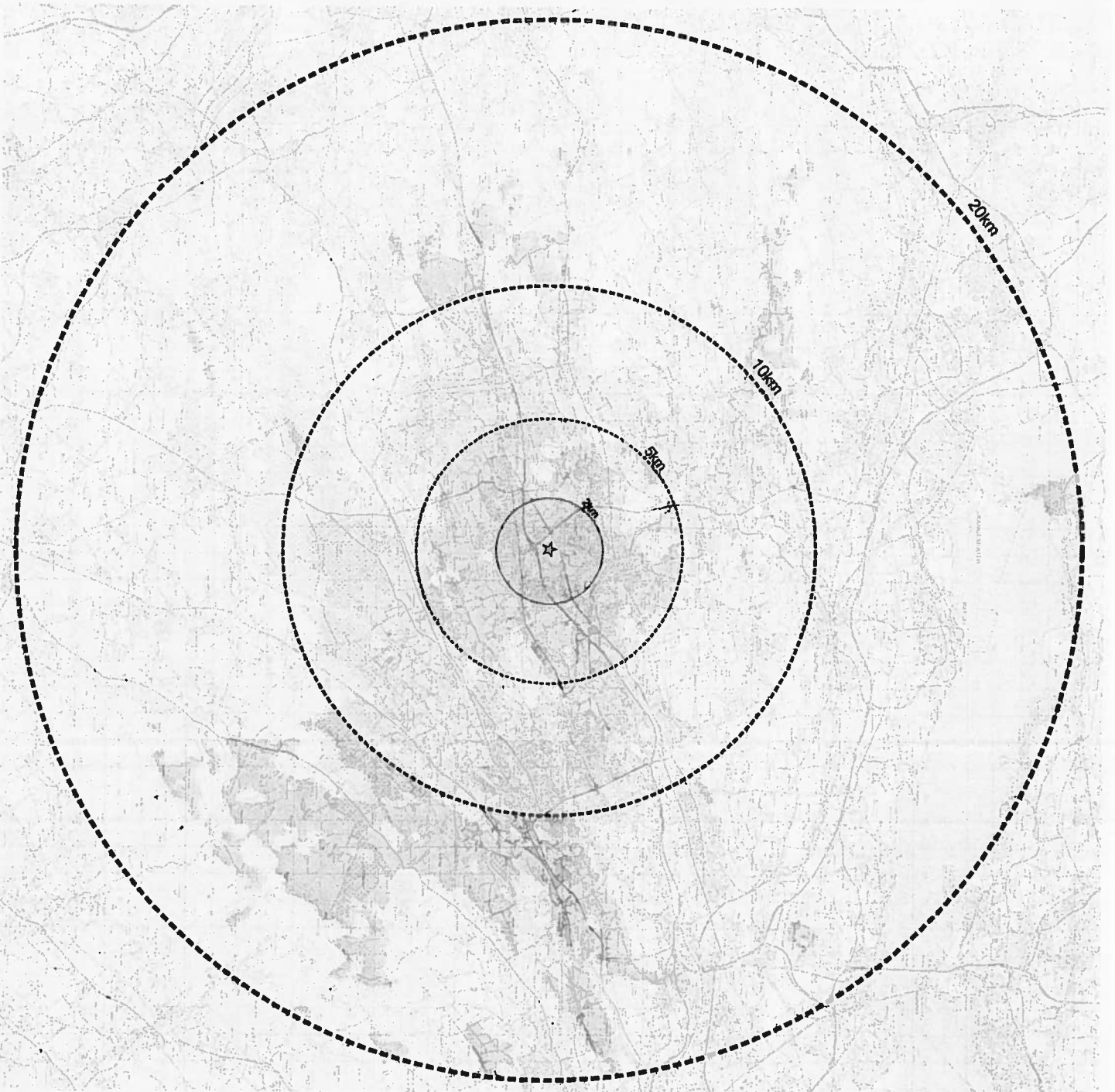
Receptors

6.6 An assessment of the impact upon the main settlements which lie within a 10km radius of the site has been made. Drawings L3 and L4a show the Zones of Theoretical Visibility or ZTV diagram which has been prepared using the method described previously. Coloured areas show a theoretical visibility of the turbine and clear areas show that views will not be possible from these locations. In addition to the settlements there are other features such as transport routes, core paths, country parks and cycle networks which are also considered as receptors, requiring analysis.

6.7 The distance the receptor is from the turbine is first considered, as the level of impact is greatly affected by proximity to the source. Impacts reduce considerably the further the receptor is from the turbine as acknowledged in Visual Assessment of Wind Farms: Best Practice produced by SNH. Assessing the impact of small-scale wind energy proposals on the natural heritage (February 2012), also from SNH suggests a radius of 20km for turbines over 50m. Based on the ranges given in previous legislation and the experience of the assessors, it is suggested that the following ranges are considered when assessing a 74m turbine.


- 0-2km the turbine is "likely to be prominent feature"
- 2-5km it is "Relatively Prominent"
- 5-10km it is "Only Prominent in Clear Visibility"
- 10km or beyond, it is "Only seen in clear visibility".

6.8 In reality this will depend on the circumstances of the location and the relationship with the surrounding landscape but gives an indication of the visual range of a turbine. For the purposes of clarity receptors have been divided into categories which reflect their range from the turbine so that the implications of the above can be considered at each stage of the assessment.



- Visual Envelope 0-2km
- Visual Envelope 2-5km
- Visual Envelope 5-10km
- Visual Envelope 10-20km

★ **Proposed Turbine**



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L3 ZTV to 20km
January 2014

Determination of impact levels

6.9 Impacts reduce considerably the further the receptor is from the turbine. The sensitivity of the receptor is then considered to ascertain its susceptibility to impact. This is assessed through consideration of the nature of the receptor i.e. the number of people who might see a development and the reason they are there i.e. a passing view or a permanent residence. Permanent residences will have a potentially high sensitivity to visual impact in their primary views (and to a lesser extent in their secondary views) as will tourist attractions or landscapes with designated value. Transport routes, industrial complexes and farms may have less sensitivity and some conservation sites or historic features may have even less. The level of sensitivity will vary in each case and a brief explanation of each sensitivity classification is given for each receptor.

6.10 The impacts of the proposal are then assessed, firstly based on the ZTV model, and then through site study which will establish a predicted magnitude of change in the views from a receptor, should the development be implemented. This will be determined by assessing the existing view of the site from the receptor and predicting how this will change, taking into account the distance to the turbine, the existing features and screening elements (or lack of), the orientation of primary views and the overall composition of the view in light of the proposal. A resultant predicted impact derived is the 'magnitude of change' caused by the proposal in relation to what exists at present.

6.11 The resulting impact takes into consideration the distance to the receptor, the sensitivity of the receptor and the magnitude of change caused by implementing the proposal. This is subject to the professional opinion of the landscape architect, through basing the assessment on physical data and on site observation. It is intended that the resultant impact will represent as true a reflection as is possible.

6.12 The level of sensitivity and the level of impact are each assessed according to one of six levels:

- Negligible / None
- Low
- Medium to Low
- Medium
- High to Medium
- High

6.13 The following receptors have been separated into 5 categories as listed below:

- Farms, Dwellings and Small Hamlets
- Towns and Villages
- Transport Routes
- Cultural Heritage
- Nature Conservation

FARMS, DWELLINGS AND SMALL HAMLETS

6.14 Small farmsteads or rural households will be sensitive to changes in their permanent views although these may often be mitigated by the presence of agricultural outbuildings and a general anticipation of industrial or agricultural activity across the landscape.

0-2km from Development

6.15 Pottishaw – 0.742km from the turbine

Sensitivity - As a working farm, this receptor will have a **medium** sensitivity to visual impact.

Magnitude of change – The farmhouse sits on the southern side of the farm complex with the outbuildings lying to the north, east and west. This means that there would not be clear views from the residential section towards the turbine. This would be further mitigated by tree cover in the landscape and the presence of the large Kuehne Nagel building between the receptor and proposed turbine. Some views may remain above this large industrial building due to the close proximity but magnitude of change would be very low

Level of Impact – Low

6.16 Standhill Farm – 0.760km from the turbine

Sensitivity - As a working farm, this receptor will have a **medium** sensitivity to visual impact.

Magnitude of change – The farmhouse sits on the western side of the farm complex and there would be views across the landscape towards the turbine. This would be partially screened by the large warehouse to the immediate north of the proposed turbine location but its height would mean that views of the blade would be possible. Magnitude of change would be **medium**.

Level of Impact – Medium

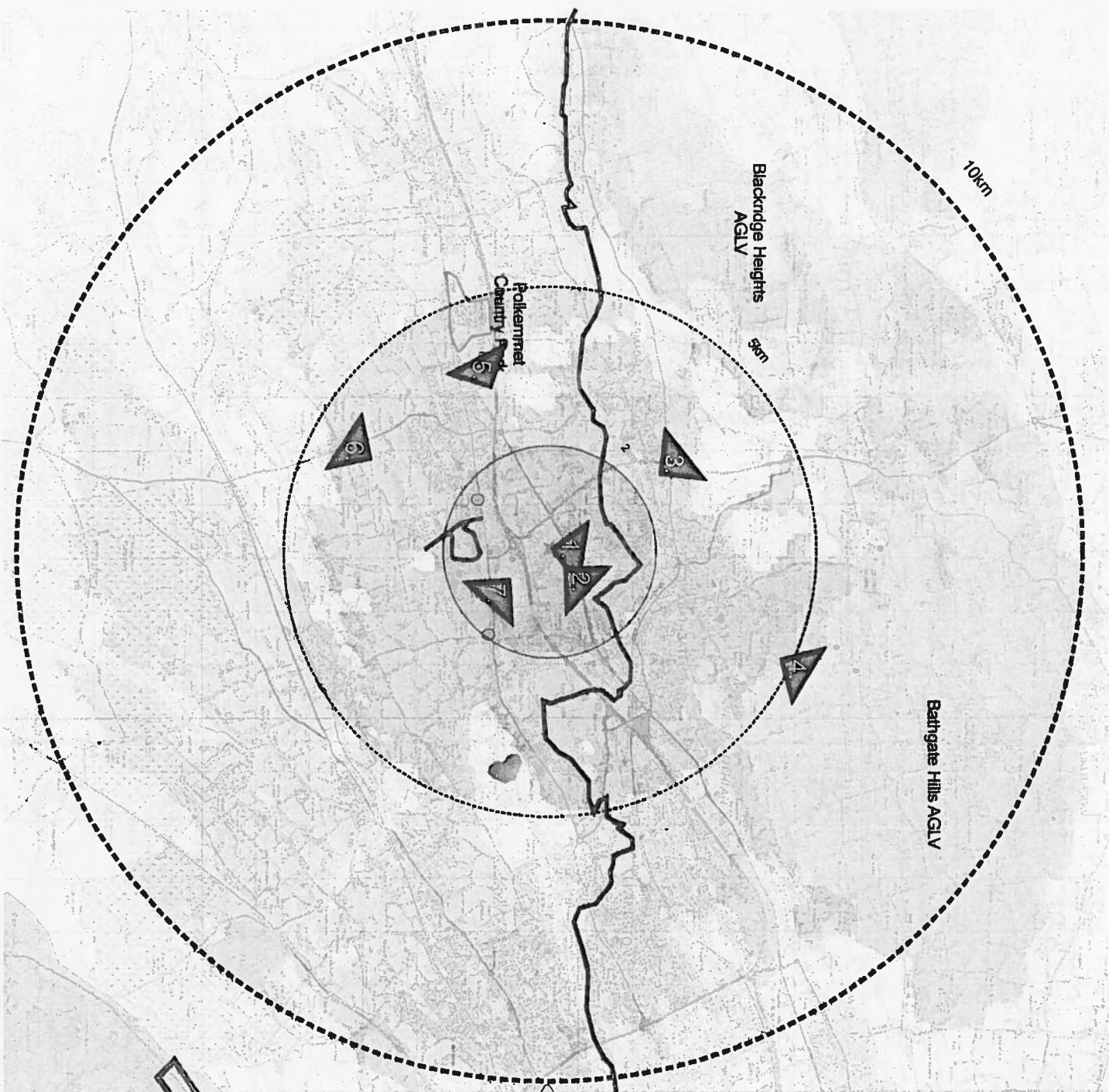
6.17 Drum (The Steadings) – 0.927km from the turbine

Sensitivity – This settlement comprises of a cluster of rural homesteads. This receptor will have a **high** sensitivity to visual impact.

Magnitude of change – The majority of the dwellings lie in a terraced row facing south away from the direction of the turbine which would lie to the west. There is a large area of woodland and mature tree cover along the side of the road immediately to the west which would have a screening effect on any views. Views cannot be entirely ruled out but magnitude of change would be very low.

Level of Impact – Low

6.18 Swineabbey, East Whitburn – 1.17km from the turbine



Visual Envelope 0-2km

Visual Envelope 2-55km

Visual Envelope 5-10km

Photo Montages Points

★ Proposed Turbine



DWA
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L4 ZTV to 10km
January 2014

Sensitivity - This settlement comprises of a cluster of rural homesteads. This receptor will have a **high** sensitivity to visual impact.

Magnitude of change - This small group of houses lies to the south across the Almond Valley as the land begins to rise up on the opposite side of the M8 motorway. The houses are orientated in various directions but some face north across the valley and would have direct views across the landscape to the proposed turbine. The lower part would be screened by trees in the foreground and by the large buildings next to the proposed site which would have a mitigating effect however magnitude of change would be **high to medium**.

Level of Impact - **High to Medium**

6.19 **West Mains** - 1.229km from the turbine

Sensitivity - As a former working farm and now an industrial operation, this receptor will have a **medium** sensitivity to visual impact.

Magnitude of change - This receptor lies to the northwest. The dwelling house looks south from amid a complex of farm buildings and potentially has views of the turbine according to the ZTV. In reality there are many elements in the landscape such as the development at Eastern Inch and the tree belt immediately south of the farm which would screen views. These views cannot be entirely disregarded but magnitude of change is likely to be **low**.

Level of Impact - **Low**

6.20 **Whiteside Lane Cottage**- 1.445km from the turbine

Sensitivity - As a rural homestead, this receptor will have a **high** sensitivity to visual impact.

Magnitude of change - This property lies to the north of West Mains farm on the north side of the railway line linking Bathgate with the west. This railway line has a degree of tree cover associated with it which would have a screening effect but views of the blades cannot be entirely ruled out. Magnitude of change would be **negligible** however.

Level of Impact - **Negligible**

6.21 **Reyssielaw**- 1.470km from the turbine

Sensitivity - As a rural homestead, this receptor will have a **high** sensitivity to visual impact.

Magnitude of change - This rural homestead lies to the north again facing southwest. There is a clear space of open fields to the south which would allow views to carry further but beyond this there is a high degree of tree cover in the landscape between the proposed turbine and receptor, which a tree belt immediately running south from the

east of the dwelling. Views of the blades may be possible above the tree cover but magnitude of change would be **negligible**.

Level of Impact - **Negligible**

6.22 **Whiteside Farm**- 1.567km from the turbine

Sensitivity - As a conversion to a cluster of rural homesteads, this receptor will have a **high** sensitivity to visual impact.

Magnitude of change - This residential cluster lies to the immediate west of Reyssielaw. Tree cover along the railway line to the south would screen views in the direction of the site. Views of the blades cannot be discounted from some parts of the receptor but these are unlikely to affect the houses. Magnitude of change would be **negligible**.

Level of Impact - **Negligible**

6.23 **Hall Torbane Farm**- 1.631km from the turbine

Sensitivity - As a working farm, this receptor will have a **medium** sensitivity to visual impact.

Magnitude of change - This receptor lies to the west towards Armadale. The main dwelling house lies on the eastern side and views of the turbine would be possible although some screening would come into effect in the landscape. Magnitude of change would be **medium**.

Level of Impact - **Medium**

6.24 **Mosshall Farm**- 1.791km from the turbine

Sensitivity - As a working farm and agricultural industry site, this receptor will have a **medium** sensitivity to visual impact.

Magnitude of change - This receptor faces south looking towards the Almond Valley and views of the turbine would be possible across the landscape from it. Magnitude of change would be **high to medium**.

Level of Impact - **Medium**

6.25 **The Fieldings Equestrian Centre**- 1.835km from the turbine

Sensitivity - As an agricultural industry site, this receptor will have a **medium** sensitivity to visual impact.

Magnitude of change - This lies adjacent to the settlement of East Whitburn and the houses of the settlement would help to screen views of the turbine from this receptor. Views cannot be discounted from the entire complex but the main core of buildings should be screened from any views. Magnitude of change would be **very low**.

Level of Impact – Low

- 6.26 Torbanehill Mains – 1.961km from the turbine

Sensitivity - As a working farm, this receptor will have a medium sensitivity to visual impact.

Magnitude of change – The main dwelling of the farm lies to the south facing in that direction. It lies low in the landscape relative to the proposed turbine and views would be at least partially screened by tree cover over the distance. Magnitude of change would be negligible.

Level of Impact – Negligible

Beyond 2km from Development

- 6.27 Beyond this range there are many farms and dwellings within the landscape although these are generally restricted to the low lying valley. These small holdings generally tend to be sheltered and often lie in tree covered surroundings. This means that views would diminish quickly and whilst some receptors would have some clear views of the proposed turbine the majority would not and the distance would begin to mitigate and changes to views or impacts experienced by any receptors where views are present.

Conclusion

- 6.28 There are a few individual farm buildings and homesteads within 2km of the site however the larger settlements, industrial development and transport infrastructure mean that these are not extensively present and already lie within a context of development. Impact levels can therefore be considered to be generally lower as the magnitude of change created in introducing a further industrial element will be less significant than in other, more rural locations.

TOWNS AND VILLAGES

- 6.29 These receptor types refer to larger rural settlements, villages and towns. These groups of receptors are made up of a range of individual receptors of significant levels of sensitivity including many listed buildings. Sensitivity will therefore be high. This is generally mitigated by the increase in density of screening elements within these types of receptors such as tree cover and built structures. Often they are also associated with water courses and historically are located in sheltered niches in the landscape helping to further limit views in some directions.

0-2km from Development

- 6.30 Inchcross – 404m from the turbine to nearest property

Sensitivity – This small hamlet lies to the north of the site. As a residential settlement it will have a high sensitivity to visual impact.

Magnitude of change – This small settlement is a relatively new development of large detached houses across the A7066. The houses most affected would be those on the southern edge adjacent to the 'A' road although none of these face directly south towards the turbine being orientated east and west. Views of the turbine would be clear from the southern edge if not for the large warehouse structure on the south side of the A7066 which would in fact screen much of the turbine leaving views of the blade tips only. At this close range the movement of the blades would have an increased visual impact but the screening effect of the buildings on the majority of the turbine would mitigate this to some degree. Overall magnitude of change would be medium based on the houses on the southern side of the development. The effects of any shadow flicker upon these dwellings should also be considered but is beyond the scope of this study. (Photo montage 1 shows the view from close to this location. Other images were taken within the housing estate but buildings and tree cover on the boundary with the A7066 meant that there were no clear views of the site which would be suitable for the creation of a photo montage. This has obvious implications for the potential visual impact from this estate.)

Level of Impact – Medium

- 6.31 Inch, West of Simpson Primary School – 601m from the turbine to nearest property

Sensitivity – This new housing development lies to the east of the site. As a residential area it will have a high sensitivity to visual impact.

Magnitude of change – This large new development is currently under construction. Some of the houses on southern and western boundaries would have views of the turbine. Within the development clear views would quickly become screened by other development. Magnitude of change would be high for those houses on the nearest edge of the development although this would diminish quickly within the development and with distance from the turbine. Some views would remain within the site in some places where localised circumstances allow. (Photo Montage 2 shows the view from the roundabout at the entrance to this development on the A7066.)

Level of Impact – High

- 6.32 Redmill – 920m from the turbine to nearest property

Sensitivity – This small hamlet lies in a small valley to the south of the site. As a residential settlement it will have a high sensitivity to visual impact.

Magnitude of change – This small settlement lies to the south across the M8 on the south of the Almond Valley. It lies low in the valley close to the river on its north side. There is much tree cover in the valley particularly next to the river. This would help to screen views from many places in the settlement but the close proximity means that views are likely from the southern side of the settlement at least of the blades and upper areas of the turbine. Magnitude of change would be medium.

Level of Impact – Medium

6.33 Birniehill – 990m from the turbine to nearest property

Sensitivity – This small settlement lies in a small valley to the north of the site. As a residential settlement it will have a high sensitivity to visual impact.

Magnitude of change – This settlement lies to the north on the far side of an industrial area. This and other elements in the landscape screen clear views from many places in the settlement but some views of the turbine on the far side of the industrial landscape would be possible in places. This is an already degraded landscape and magnitude of change could be considered low.

Level of Impact – Low

6.34 Blackburn – 1.16km from the turbine to nearest property

Sensitivity – This small town lies in a small valley to the south east of the site. As a residential settlement it will have a high sensitivity to visual impact.

Magnitude of change – This settlement sits on the north side of the Almond Valley where the land rises up between Bathgate and the course of the River Almond. This is a gentle rise in the topography which means that some properties within these settlements would have clearer views of the turbine from within, without clear view to the north being prevalent throughout. The areas where views are most likely would be at the western edge and some areas at the north western edge. Further east screening elements would hide views to the north and tree cover associated with the M8 and Almond River corridors would add to the screening effect. There would be no views from the centre of the settlement. Overall Magnitude of change would be negligible or none but **medium to low** in a few areas where views would be possible in the north and western edges. (*Photo montage 7 illustrates views from the west of Blackburn on the A705*)

Level of Impact – Medium to Low

6.35 East Whitburn – 1.19km from the turbine to nearest property

Sensitivity – This small hamlet lies in a small valley to the south of the site and is separated from the larger settlement of Whitburn by an area of open countryside. As a residential settlement it will have a high sensitivity to visual impact.

Magnitude of change – The settlement would experience a similar impact to Blackburn. Views would be possible from the peripheral dwellings closest to the turbine but would be screened from within. Magnitude of change within the settlement would be negligible or none but would be **high to medium** for these dwellings on the eastern edge, diminishing with distance from the turbine.

Level of Impact – High to Medium

6.36 Inch, East of Simpson Primary School – 1.21km from the turbine to nearest property

Sensitivity – This new development lies to the east of the site on the eastern side of the other new development at Inch described previously. As a residential settlement it will have a high sensitivity to visual impact.

Magnitude of change – This development sits in a lower lying flat area to the east of the site and north of the A7066. Some obscured views may be possible from a very few dwellings on the western edge of the development but the great majority of this development would have no views of the turbine. Magnitude of change would be negligible

Level of Impact – Negligible

6.37 Whiteside – 1.35km from the turbine to nearest property

Sensitivity – This small settlement lies to the north of Birniehill. As a residential settlement it will have a high sensitivity to visual impact.

Magnitude of change – The position of this settlement and the screening elements between it and the proposed site would mean that magnitude of change would be negligible.

Level of Impact – Negligible

6.38 Whitburn – 1.48km from the turbine to nearest property

Sensitivity – This small town lies to the south west of the proposed site. As a residential settlement it will have a high sensitivity to visual impact.

Magnitude of change – Similarly to East Whitburn this settlement would have views from areas on the eastern periphery, closest to the proposed turbine, which would quickly diminish within the settlement. In the north the built form lies low in the Almond Valley where topography and tree cover helps to screen views in many instances. Views would become more possible with distance south as the land rises but screening elements would become more frequent. Magnitude of change would be low reducing quickly to negligible or none. (*Photo montage 5 illustrates views from the north west of Whitburn at the site of the new Heartlands development.*)

Level of Impact – Low

6.39 Falside – 1.78km from the turbine to nearest property

Sensitivity – This area of Bathgate lies further north of the site than Whiteside. As a residential settlement it will have a high sensitivity to visual impact.

Magnitude of change – This settlement lies in a dip in the landscape so that the southern edge is lower than the northern edge. The ZTV predicts that some theoretical view would be possible. The reality is that tree cover and other screening elements would screen most of the views from the settlement and any views which remained would be partially screened and of a small magnitude. Magnitude of change would be negligible

Level of Impact – Negligible

2-5km from Development

6.40 Bathgate – 2km from the turbine to nearest property

Sensitivity – This large town lies to the east of the site. As a residential settlement it will have a high sensitivity to visual impact.

Magnitude of change – The town lies on a relatively flat plateau on the northern side of the Almond Valley although the topography begins to rise on the north eastern side of the town. The flat nature of the landscape and the dense development with a considerable industrial sector in the west and south adjacent to the M8 corridor means that there are unlikely to be views of the turbine from sensitive residential areas for the majority of the settlement. Some views may start to become possible on the eastern side as the land rises up but these will be over a greater distance and Magnitude of change will be low.

Level of Impact – Low

6.41 Armadale– 2.31km from the turbine to nearest property

Sensitivity – This large village lies to the north west of the site. As a residential settlement it will have a high sensitivity to visual impact.

Magnitude of change –The topography and tree cover in the landscape mean that views will generally not be possible from this settlement particularly the western side where the ZTV shows that theoretical views are not possible. In the rest of the settlement views would be screened by built form and tree cover. Magnitude of change would be negligible. *(Photo montage 3 demonstrates views from the east side of Armadale.)*

Level of Impact – Negligible

6.42 Seafield– 3.36km from the turbine to nearest property

Sensitivity – This village lies to the east of the site. As a residential settlement it will have a high sensitivity to visual impact.

Magnitude of change – Seafield sits upon the area of raised land between Bathgate and the River Almond. Some views will be possible however from the northern edge of the village looking back towards the site. Magnitude of change would be medium to low.

Level of Impact – Medium to Low

6.43 Stoneyburn– 3.61km from the turbine to nearest property

Sensitivity – This small hamlet lies in the Breich Water Valley to the south of the site. As a residential settlement it will have a high sensitivity to visual impact.

Magnitude of change – The ZTV shows that only a small part of Stoneyburn will have potential views of the turbine. In reality screening elements will reduce views to a negligible level. Magnitude of change will be negligible

Level of Impact – Negligible

6.44 Longridge – 4.13km from the turbine to nearest property

Sensitivity – This small hamlet lies along a ridge to the south west of the site. As a residential settlement it will have a high sensitivity to visual impact.

Magnitude of change – Views across the wide Almond Valley will be possible from the northern edge of the site before the settlement extends south over the ridge into lower ground. This will screen the majority of the settlement from views but clear views will be possible from the northern edge. Magnitude of change will be medium reducing quickly to none. *(Photo Montage 6 shows the view from the A706 at the edge of Longridge)*

Level of Impact – Medium

6.45 Loganlea– 4.29km from the turbine to nearest property

Sensitivity – This small hamlet lies to the south east of Stoneyburn. As a residential settlement it will have a high sensitivity to visual impact.

Magnitude of change – The ZTV shows the majority of the settlement will have no possible views. Again screening elements will allow no views in reality. Magnitude of change will be none

Level of Impact – None

6.46 Addiewell – 4.49km from the turbine to nearest property

Sensitivity – This village lies in a valley to the south east of Stoneyburn and Loganlea. As a residential settlement it will have a high sensitivity to visual impact.

Magnitude of change –Views will not be possible from this settlement due to the topography and other screening elements. Magnitude of change will be none.

Level of Impact – None

5-10km from Development

6.47 Bridgehouse/Bridgecastle – 5.2km from the turbine to nearest property

Sensitivity – As a residential settlement it will have a high sensitivity to visual impact.

Magnitude of change –These small settlements sit to the north of Armadale and are unlikely to have clear views of the turbine from many locations. Some views may be possible but these would be mostly screened and over some distance. Magnitude of change will be negligible.

Level of Impact – Negligible

6.48 Torphichen – 5.4km from the turbine to nearest property

Sensitivity – As a residential settlement it will have a high sensitivity to visual impact.

Magnitude of change –The ZTV shows scattered potential views. These are unlikely to be significant and magnitude of change would be negligible

Level of Impact – Negligible

6.49 West Calder – 5.4km from the turbine to nearest property

Sensitivity – As a residential settlement it will have a **high** sensitivity to visual impact.

Magnitude of change – This settlement lies to the south of the Breich Water in a low lying area close to the valley floor. The topography between it and the site along with the presence of these settlements and tree cover mean that views of the turbine will not be possible from this small town. Magnitude of change will be none

Level of Impact – None

6.50 Livingston – 5.5km from the turbine to nearest property

Sensitivity – As a residential settlement it will have a **high** sensitivity to visual impact.

Magnitude of change – Livingston lies to the east along the Almond Valley at a similar elevation. As a New Town it has been laid out with a high degree of woodland cover and structure planting. This tends to ensure that views do not carry far beyond the town itself except to areas of particularly high ground north and south. Views to the turbine to the west will therefore not be possible. Magnitude of change will be none

Level of Impact – None

6.51 Harthill/Greenrig – 5.8km from the turbine to nearest property

Sensitivity – As a residential settlement it will have a **high** sensitivity to visual impact.

Magnitude of change – These settlements lie to the west along the M8 corridor, again on a similar elevation. The ZTV shows views being possible from this location but in reality it is unlikely that there will be anywhere within the settlements where views of the turbine would be possible. If any exist they will be brief and of a **negligible** magnitude of change over this distance.

Level of Impact – Negligible

6.52 Westfield – 6km from the turbine to nearest property

Sensitivity – As a residential settlement it will have a **high** sensitivity to visual impact.

Magnitude of change – The ZTV shows scattered potential views. These are unlikely to be significant and magnitude of change would be **negligible**

Level of Impact – Negligible

6.53 Polbeth – 6km from the turbine to nearest property

Sensitivity – As a residential settlement it will have a **high** sensitivity to visual impact.

Magnitude of change – This settlement lies to the north east of West Calder and will similarly not have views of the turbine. Magnitude of change will be none.

Level of Impact – None

6.54 Blackridge – 6.2km from the turbine to nearest property

Sensitivity – As a residential settlement it will have a **high** sensitivity to visual impact.

Magnitude of change – This small village lies to the west of Armadale and would not have any views of the turbine due to screening elements over the landscape. Magnitude of change would be none.

Level of Impact – None

6.55 West Harwood – 7.2km from the turbine to nearest property

Sensitivity – As a residential settlement it will have a **high** sensitivity to visual impact.

Magnitude of change – This small hamlet lies to the south amid a great deal of tree cover. It is unlikely to have views of the turbine and any which exist will be of a negligible magnitude of change.

Level of Impact – Negligible

6.56 Eastfield – 7.4m from the turbine to nearest property

Sensitivity – As a residential settlement it will have a **high** sensitivity to visual impact.

Magnitude of change – This settlement lies to the west of Harthill and would not have any views of the turbine. Magnitude of change would be none.

Level of Impact – None

6.57 Mid Calder – 9.5km from the turbine to nearest property

Sensitivity – As a residential settlement it will have a **high** sensitivity to visual impact.

Magnitude of change – This settlement lies to the east of Livingston. It will not have any views of the turbine. Magnitude of change will be none.

Level of Impact – None

6.58 It should be noted that within this highly populated area with several towns and large villages many will have no views of the turbines at all. Fauldhouse, Dechmont, Avonbridge, Standburn, Linlithgow and Uphall all lie within the 10km study area but will have no views of the proposed development.

Conclusion

6.59 As an extensively developed landscape, particularly surrounding the M8 corridor, there are many settlements which have potential views of the turbine. The topography of the Almond Valley means that views across Bathgate and Livingston are limited due to screening elements quickly reducing views within the settlements themselves. The topography to the south of the M8 corridor contains views from travelling further than the Almond Valley into the Breich Water Valley. Settlements to the south of the site along the M8 corridor will have views of the turbine from many locations. These will fall mainly on the edges closest to the turbine as, again, screening elements in the settlements will quickly reduce views outwith them. Views from Inch to the north will also be possible but these will be mitigated by the large buildings to the north of the proposed location which

will help to screen the turbine, at least in part. There will inevitably be a visual impact upon some dwellings that will be deemed negative by some residents as is the nature of turbine developments in the view of the public. It will be mitigated by the industrial nature of the landscape however and this must also be measured against the current favourable national policy towards wind energy. The concept of a landmark turbine in this area also suggests that some visibility of the turbine will be acceptable and a positive feature provided that a reasonable stand-off can be maintained. The industrial surroundings of the immediate vicinity of the proposed location will act as a buffer to a large degree to maintain this stand-off.

TRANSPORT ROUTES

6.60 Receptors travelling along main transport routes will experience a constantly changing view of the surrounding countryside. Some views will be brief and others may change more gradually over distance but all will generally be briefly experienced and the degree of impact will alter quickly as progress is made on the route. Orientation relative to direction of travel can also be a factor as views which fall directly in the line of sight will be more noticeable than those lying perpendicular to the direction of travel.

0-2km from Development

6.61 A7066 - 0.325km from the turbine

Sensitivity - This road is a main local route carrying heavy traffic. It will have a **medium** sensitivity to visual impact.

Magnitude of change - The stretch of this road between Whitehill Industrial Estate and the roundabout with the A801 will have fairly clear views of the turbine to the south although the base will be partially screened by the large warehouse buildings when travelling adjacent to them in the western half of this section of the road. Further east of the Whitehill Industrial Estate the tree cover and built elements will screen views. Magnitude over this stretch will be high however. *(Photo Montages one and two illustrate views from this road)*

Level of Impact - Medium

6.62 M8 - 0.495km from the turbine

Sensitivity - This is the main road link between Glasgow and Edinburgh and the busiest route in Scotland. It will have a **medium** sensitivity to visual impact.

Magnitude of change - Views from the M8 will only be possible from a relatively short stretch between Polkemmet Country Park and Blackburn. From Polkemmet to the new Heartlands development to the south of the M8 views will be broken up by elements in the landscape and views of the blades are all that are likely to be possible. *(Photo montage five demonstrates view from this direction close to the M8 at Heartlands.)* Between Heartlands and East Whitburn views will become clearer but will still be partially screened by tree cover. Clear views will be possible between East Whitburn and Blackburn at the closest sections of the M8 to the site around Junction 4. Further east views of the turbine are obscured from view. This is because the busy road tends

to pass through a depressed channel in the landscape particularly relative to built up areas. There is also a high degree of tree cover and structure planting along this corridor which helps to screen views over distance from the majority of the road. There are a number of large industrial buildings in this particular section of the road which add of the screening effect. Over this stretch, around Junction 4, the magnitude of change will be high but over the road as a whole it will be low.

Level of Impact - Medium

6.63 A801 - 0.495km from the turbine

Sensitivity - This road is a busy local route. It will have a **medium** sensitivity to visual impact.

Magnitude of change - Views will be possible from this road in the stretch between the M8 and the Kuehne Nagel buildings. Further north this large building will screen views of the turbine and beyond this partially screened views in scattered pockets will be possible. Magnitude of change will be high to medium and will diminish with distance northwards. *(Photo montage 3 illustrates the view from close to the junction with the A89)*

Level of Impact - Medium

6.64 B7002 - 0.695km from the turbine

Sensitivity - This road will be used primarily as local access and will be of a **low** to **medium** sensitivity.

Magnitude of change - This road extends north from the roundabout on the A801. Views will be possible from scattered points along this road but will mostly be at least partially screened by the large building to the north and by tree cover in the landscape. Magnitude of change would be low.

Level of Impact - Low

6.65 A706 - 0.720km from the turbine

Sensitivity - This road is a busy local route. It will have a **medium** sensitivity to visual impact.

Magnitude of change - This road approaches the roundabout on the A801 and becomes the A7066 north of the site. There would be some views of the turbine although partially screened by tree cover and buildings. These views will become more screened with distance to the west. Magnitude of change will be **medium** to **low**. *(Photo Montage 6 shows the view from the A706 at the edge of Longridge)*

Level of Impact - Medium to Low

6.66 A705 - 1.150km from the turbine

Sensitivity - This road is a main local route carrying heavy traffic running parallel with the M8 through the area. It will have a **medium** sensitivity to visual impact.

Magnitude of change – Clear views will be possible in the stretch between Blackburn and East Whitburn directly to the south of the site, although small scale localised screening such as adjacent to Redmill will have an effect in places. The turbine will be perpendicular to the direction of travel which will have a mitigating effect on the views of drivers. Further to the east and west the built forms of the settlements will screen views although brief glimpses will be possible in places. *Magnitude of change will be medium over the short stretch and negligible beyond. (Photo Montage 7 shows the view from the A705 near Blackburn).*

Level of Impact – Medium

6.67 **B792** – 1.540km from the turbine

Sensitivity - This road will be used primarily as local access and will be of a **low** to **medium** sensitivity.

Magnitude of change – This road passes through Blackburn into Bathgate and the built form of both settlements will screen views of the turbine along its full length. A brief glimpse may be possible as the road passes over the M8 but tree cover along the road would appear to minimise this. *Magnitude of change would be negligible.*

Level of Impact – Negligible

6.68 **Railway** - 1.170km from the turbine

Sensitivity - This railway line carries trains from Bathgate to the west. It is not the main Glasgow to Edinburgh line however. It will be of **medium** sensitivity.

Magnitude of change – This railway passes through a depressed channel to the north of the site. It is frequently surrounded by trees but it is likely that some views of the turbine would be possible from scattered places. These would be of the blades only and seen at speed. *Magnitude of change would be negligible.*

Level of Impact – Negligible

6.69 **National Cycle Path 75 (Core Path 1)** – 1.150km from the turbine

Sensitivity – This route is a nationally recognised recreational route. It will have a **medium** sensitivity to visual impact

Magnitude of change – This NCR path once followed the line of the dismantled railway through the study area closest to the site. This railway line has been reopened in recent years and the cycle route altered to follow along side the railway. The majority of the route in the study area would have no views as it passes through a built up environment and areas of tree cover however it is likely that occasional views of the turbine would be possible to the south from the stretch of the route between Bathgate and Armadale. These will however cause a **low** magnitude of change.

Level of Impact – Low

6.70 **Core Path 25 (Whitrigg Circular)** - 1.350km from the turbine

Sensitivity - This route is a locally recognised recreational route. It will have a **medium** to **low** sensitivity to visual impact

Magnitude of change – This route forms a loop extending east from core path 19 (below) and passes through an area of woodland planting. This will often screen views of the turbine but clear views are inevitable in at least some sections of the path. *Magnitude of change would be medium.*

Level of Impact – Medium to Low

6.71 **Core Path 19 (East Whitburn to Stoneyburn)** - 1.390km from the turbine

Sensitivity - This route is a locally recognised recreational route. It will have a **medium** to **low** sensitivity to visual impact

Magnitude of change – This path appears to follow the line of a dismantled railway and runs along the eastern edge of East Whitburn. The landscape to the immediate east of the path lies behind a slight rise which will screen views across the Almond Valley from the highest sections but the views will open out with distance north and clear views will be possible closer to the A705. *Magnitude of change will be medium.*

Level of Impact – Medium to Low

2.5km from Development

6.72 **B708** – 2.15km from the turbine

Sensitivity - This road will be used primarily as local access and will be of a **low** to **medium** sensitivity.

Magnitude of change – This road links Armadale and Bathgate by passing over the A801. Views will generally not be possible except at the point where the road is elevated to cross the A road. Here views of the turbine would be possible off to the south, perpendicular to the direction of travel. The turbine would be partially screened and *magnitude of change would be negligible.*

Level of Impact – Negligible

6.73 **B8084** – 2.25km from the turbine

Sensitivity - This road will be used primarily as local access and will be of a **low** to **medium** sensitivity.

Magnitude of change – Some views of the turbine would be possible to the east from this road as it heads north from the M8 towards Armadale. These will be screened in places and away from the direction of travel. *Magnitude of change would be negligible.*

Level of Impact – Negligible

6.74 **A89** – 2.32km from the turbine

Sensitivity - This road is a busy local route. It will have a **medium** sensitivity to visual impact.

Magnitude of change – This road runs through Bathgate where views will be screened. Some views to the turbine in the south would likely be possible when it emerges from the west of Bathgate to join the A801 to the north of the site. *The magnitude of change*

would however be negligible. (Photo Montage 3 shows the view from the A89 near Armadele).

Level of Impact – Negligible

6.75 A800 – 2.46km from the turbine

Sensitivity - This road is a busy local route. It will have a medium sensitivity to visual impact.

Magnitude of change – Views may be possible from the northern section of this road where this road leaves the A801. This will be over some distance and the lower sections of the turbine would be screened. Further south on the road views would be screened, particularly when entering Bathgate. Magnitude of change would be negligible.

Level of Impact – Negligible

6.76 B7066 – 2.53m from the turbine

Sensitivity - This road will be used primarily as local access and will be of a low to medium sensitivity.

Magnitude of change – This road passes along the north side of Whitburn. It will have views of the turbine in places and magnitude of change would be medium to low.

Level of Impact – Medium to Low

6.77 B7069 – 2.69km from the turbine

Sensitivity - This road will be used primarily as local access and will be of a low to medium sensitivity.

Magnitude of change – This passes through the centre of Whitburn and will be screened by the buildings. Magnitude of change will be none.

Level of Impact – None

6.78 A779 – 3.5km from the turbine

Sensitivity - This road is a busy local route. It will have a medium sensitivity to visual impact.

Magnitude of change – Views of the turbine are unlikely to be possible from this road which lies at the edge of Livingston. Magnitude of change would be negligible.

Level of Impact – Negligible

6.79 B7015 – 3.71km from the turbine

Sensitivity - This road will be used primarily as local access and will be of a low to medium sensitivity.

Magnitude of change – This road runs in the Breich Water valley to the south of the Almond Valley and it is unlikely that significant views of the turbine would be possible. Magnitude of change would be negligible.

Level of Impact – Negligible

6.80 B7010 – 4.37km from the turbine

Sensitivity - This road will be used primarily as local access and will be of a low to medium sensitivity.

Magnitude of change – This road runs also in the Breich Water Valley to the south of the Almond Valley and it is unlikely that significant views of the turbine would be possible. Magnitude of change would be negligible.

Level of Impact – Negligible

5-10km from Development

6.81 A71 – 5.1km from the turbine

Sensitivity - This road is a busy local route. It will have a medium sensitivity to visual impact.

Magnitude of change – This is a busy road running approximately parallel with the M8 to the south. This road runs through the Belch Water Valley through West Calder and other settlements. The topography combined with the distance and screening elements in the landscape will mean that significant views are not likely to occur along the route. Any views which occur would be brief, over distance and perpendicular to the direction of travel. Magnitude of change would be negligible.

Level of Impact – Negligible

6.82 A704 – 5.4km from the turbine

Sensitivity - This road is a busy local route. It will have a medium sensitivity to visual impact.

Magnitude of change – This road leaves the A71 west of West Calder and heads south west over the higher ground towards Forth. Views over the topography are more possible but the increased distance and developed context of the landscape would mean that significant change in views is unlikely. Magnitude of change would be low.

Level of Impact – Low

6.83 A899 – 8.7km from the turbine

Sensitivity - This road is a busy local route. It will have a medium sensitivity to visual impact.

Magnitude of change – This road passes through the centre of Livingston. Views of the turbine would not be possible and magnitude of change would be none.

Level of Impact – None

Conclusion

6.84 The main transport receptor within the area is the M8 motorway. This will have views of the turbine from a section close to Junction 4 where the views open up to give clear lines

of site to the north. These views will continue west for approximately 5km to the stretch adjacent to Polkemmet Country Park although the tree cover and large Kuhnne and Nagel buildings will screen it to some degree. To the east some views will be possible from a few locations but the depressed elevation of the roadway, tree cover and development adjacent to the road will screen views in the majority of cases. If the concept of a landmark feature turbine is to be brought forward then the limited stretch of road where clear views of the turbine are possible should not present a visual impact which is unacceptable.

- 6.85 Other roads to the north may have scattered views of the turbine but impact levels will not be significant. To the south the A705 and A706 will have views to the turbine as they pass through open countryside on the south side of the valley but views will be screened as they pass through the settlements.

CULTURAL HERITAGE

- 6.86 Cultural heritage receptors can be historical elements within the landscape such as Scheduled Monuments, Listed Buildings or Gardens and Designed Landscapes or can simply be significant local features which contribute to the character of the study area. Levels of sensitivity will vary greatly depending on the nature of the receptor and may not be related to their classification but rather there function, attraction to visitors and the importance of "setting" to their character.

0-2km from Development Scheduled Monuments

- 6.87 Bathgate Castle – 1.92km from the turbine

Sensitivity - This historic feature is marked on maps and listed as Bathgate Castle under the Scheduled Monuments register. It is however part of the fairway of Bathgate Golf Course and exists as no more than a slight mounding of earth. It will have no real visual sensitivity.

Magnitude of change – Views from this area will be across the golf course which is a large area of open space however there is a large industrial area on the eastern side of the site and a large degree of tree cover on the western edge of the course. Magnitude of change will be low.

Level of Impact – Negligible

Listed Buildings

- 6.88 East Whitburn House (CAT C) – 1.61km from the turbine

Sensitivity - This listed building was a farm house and bams which have been converted into terrace and mews housing. As a residential building it will have a high sensitivity to visual impact

Magnitude of change – The main listed buildings faces north east but could have potential views of the turbine. There is however a large amount of tree cover to the north of the buildings screening views to the A705. This combined with the existing buildings on the south side of the A705 would mean that clear views of the turbine across the Almond Valley would be unlikely. The magnitude of change will be negligible

Level of Impact – Negligible

- 6.89 Blackburn Village Bridge – 1.97km from the turbine

Sensitivity - This bridge over the river Almond lies to the south of Blackburn. It is an old road bridge which has been modified to suit greater traffic loads. It will have a very low sensitivity to visual impact.

Magnitude of change – The bridge lies at the low point in the valley over the river with buildings to the north. Views will not be possible and magnitude of change will be none

Level of Impact – None

Gardens and Designed Landscapes / Properties in Care / World Heritage Site

- 6.90 There are none affected at this range

2-5km from Development

Scheduled Monuments

- 6.91 Kirkton Old Parish Church – 2.69km from the turbine

Sensitivity - This is the ruin of a large old church in the east of Bathgate. It will have a low sensitivity to visual impact

Magnitude of change – It is very unlikely that any views would be possible from this location due to screening elements within the town and the distance between the receptor and proposed turbine. Magnitude of change would be negligible.

Level of Impact – Negligible

- 6.92 Gala Brae Standing Stone - 3.88km from the turbine

Sensitivity - This historic feature exist as a stone on a bluff in an agricultural field. It is historically significant but will have a low sensitivity to visual impact.

Magnitude of change – The stone sits on a small hill on raised ground with views over Bathgate. The turbine would therefore be visible on the opposite side of town. Magnitude of change would be medium to low.

Level of Impact – Low

- 6.93 Five Sisters Shale Bing - 4.4km from the turbine

Sensitivity - The five sisters are a manmade topographical feature north of West Calder formed from spoil from oilshale mining and are designated as an industrial heritage

feature. They are a well known visual feature in their own right and there are opportunities to climb them although there does not appear to be a formal path network or infrastructure associated with a recognised recreational feature. They will be of medium sensitivity to visual impact.

Magnitude of change – Views of the turbine would be possible over the ridge between the Almond and Breich Water valleys. Magnitude of change would be medium to low.

Level of Impact – Medium to Low

6.94 Raven Craig Cairn - 4.62km from the turbine

Sensitivity - This small feature sits on top of a rocky outcrop amid an area of woodland. It is not particularly well known or frequented. It will have a low sensitivity to visual impact.

Magnitude of change – There may be views across the landscape to the south west towards the site beyond Bathgate. Magnitude of change will be low.

Level of Impact – Low

Gardens and Designed Landscapes / Properties in Care / World Heritage Site

6.95 There are none affected at this range

5-10km from Development

Gardens and Designed Landscapes / Properties in Care / World Heritage Site

6.96 Cairnpapple Hill (PIC) - 5.5km from the turbine

Sensitivity - There is a small barrow on top of this hill. It attracts visitors to the site but also for the panoramic views of the landscape around. It will be of high to medium sensitivity to visual impact.

Magnitude of change – The views from the top of Cairnpapple Hill are restricted in the direction of Bathgate and the site. Views are possible from the western side of the Hill but this is away from the Property in Care element of the hill top, on the opposite side of the telecommunications mast adjacent to it. From the west of the hill and at this distance to the turbine it would appear as a very small element amid a highly developed landscape. Magnitude of change would therefore be low.

Level of Impact – Low

6.97 Harburn House (G&DL) - 8.7km from the turbine

Sensitivity - As a designed landscape this receptor will have a medium sensitivity to visual impact.

Magnitude of change – This receptor lies 8.7km to the south east on the edge of the ZTV. Harburn House itself appears to be outwith the ZTV and would have no views. Views from the remainder of the landscape are unlikely to be possible and any which remain would be of a negligible magnitude of change.

Level of Impact – Negligible

Conclusion

6.98 Of the identified features within the study area there are few which have a potential view of the turbine. Tophichen Preceptory does not fall within the ZTV. Of those which do fall within the ZTV visual envelope, there are none which would experience any significant level of visual impact.

NATURE CONSERVATION

6.99 Nature conservation sites are usually designated for their ecological or geological features or for their aesthetic value. Generally the former types of sites have a low sensitivity to visual impact but often have the potential to draw visitors to them and so should be considered. The latter types of sites such as National Scenic Areas or Areas of Great Landscape Value have a high to medium sensitivity to visual impact as they have been designated in order to preserve their visual qualities.

0-2km from Development

6.100 There are none at this range

2-5km from Development

6.101 Bathgate Hills & Blackridge Heights (AGLV) - 2.32km from the turbine

Sensitivity – The Bathgate Hills designated landscape occupies the raised land to the north east of Bathgate with the Blackridge Heights to the north west. These form a continuous arc around the site which stretches over a large area of the landscape north of the site (see drawing L11). An Area of Great Landscape Value (AGLV) is a locally designated status and its level of protection can vary between local authorities. In general they are designated on account of their scenic and unspoiled characteristics. Sensitivity to visual impact will therefore be high to medium.

Magnitude of Change – The ZTV shows that the great majority of the AGLV would be unaffected by the proposals with only the section at the western edge of the Bathgate Hills and south eastern facing slopes of the Blackridge Heights having theoretical views. Much of these areas will have localised screening but some views will remain. Magnitude of change will be medium to low. *(Photo Montage 4 shows the view from the viewpoint at the Knock in the Bathgate Hills).*

Resultant Impact - Medium to Low

6.102 Polkemmet (County Park) - 4.18km from the turbine

Sensitivity – This country park lies to the west of Whitburn. It is generally a venue for recreational activities and a set aside space for woodland and nature. Sensitivity to visual impact outwith the park will be **medium**.

Magnitude of Change –The ZTV predicts theoretical visibility and this may be the case from some locations in the Park however the high level of tree cover around the periphery and within will mean that views will generally be screened particularly given the similarity in elevation across the landscape to the turbine. Magnitude of change would be **low**.

Resultant Impact - Low

5-10km from Development

6.103 Dechmont Law (AGLV) - 6.38km from the turbine

Sensitivity – This small AGLV lies to the north of Livingston. Sensitivity to visual impact will be **high to medium**.

Magnitude of Change – The ZTV shows that only some of this area would have potential views and the presence of Livingston and tree cover would mean that any views would in reality be screened. Magnitude of change would be **none**.

Resultant Impact - None

6.104 Siamannan Plateau (AGLV) - 8.54km from the turbine

Sensitivity – This designated area lies across the high ground to the north west Sensitivity to visual impact will **high to medium**.

Magnitude of Change –The ZTV shows scattered pockets of visibility over this area and the distance between the turbine and area along with the inevitable screening element in the landscape will reduce these further. The magnitude of change to views from this area of land will therefore be **negligible**.

Resultant Impact - Negligible

6.105 Muiravonside (Country Park) - 8.63km from the turbine

Sensitivity – This small country park lies in a wooded area to the north. Sensitivity to visual impact outwith the park will be **medium**.

Magnitude of Change –The ZTV shows only a small area at the edge of this country park as having potential views. This would in reality not be possible at this distance and magnitude of change would be **none**.

Resultant Impact - None

6.106 Almondell & Calderwood (AGLV) - 9.42km from the turbine

Sensitivity – This small designated area lies to the south east of Livingston. Sensitivity to visual impact will be **high to medium**.

Magnitude of Change –The ZTV predicts views of the turbine but the sites location on the opposite side of Livingston will mean that views will be screened. Magnitude of change will be **none**.

Resultant Impact - None

Conclusion

6.107 Again of the potential sites identified, most will not be affected by the proposals at all. Beecraigs Country Park does not fall within the ZTV. Of those which will, the levels of impact will be low with only the Bathgate Hills & Blackridge Heights having an elevated impact level. This will again be within the context of an industrialised landscape and levels of impact will remain within acceptable levels.

Visual Impact Conclusions

Impact from 0 to 2km

6.108 In general the densely populated nature of the landscape will mean that there are many receptors within a 2km radius which will have views of the turbine. The industrial estate in which the turbine is proposed to sit will act as a buffer to the most sensitive residential receptors and will screen views of the turbine from some of the houses to the north and greatly screen the turbine from others. Localised screening will mitigate some views from within built up areas and tree cover will screen some views from open countryside.

Impact from 2 to 5km

6.109 Views of the turbine will become less frequent between the 2 and 5km range, particularly within the most densely built up areas where the built form will screen views out across the relatively even topography. The area where views would be most probable would be from the A705 along the ridge on the southern side of the Almond Valley although these will again be screened within settlements. Views from cultural heritage and conservation receptors should not prove to be a significant issue.

6.110 There will be clear views from a section of the M8 between East Whitburn and Blackburn and scattered or partially screened views between East Whitburn and Polkemmet Country Park to the west. If the turbine is to be viewed as a landmark feature however then the visibility of the turbine should therefore be considered more acceptable and indeed a degree of visual presence is to be encouraged.

Impact from 5 to 10km

6.111 From a distance of over 5km views of the turbine would be restricted to a scattered few locations where the topography of the surrounding landscape would allow. These views would be over distance and would be set within a context of an extensively developed landscape and in the immediate context of an industrial area. Views over 5km should not cause significant visual impacts.

7 Photographic study

7.1 The following photo montages show the predicted visual impact from the turbine from points within the landscape.

7.2 View Point One – Inchcross

- Location - NS 967 668
- Distance to Turbine - 425m
- Approximate Elevation - 154m
- Receptor Type – Settlements
- Sensitivity - High

Comment - The image shows the view from adjacent to the Inchcross residential estate to the north of the proposed turbine. It is taken looking across the football park to the east of Standhill Road. Other images were taken within the housing estate but buildings and tree cover on the boundary with the A7066 meant that there were no clear views of the site which would be suitable for the creation of a photo montage. This has obvious implications for the potential visual impact from this estate. In the photo montage prepared the large warehouse buildings screen the great majority of the turbine with only potential views of the blades possible. From the A7066 road the warehouses will entirely screen the turbine.

7.3 View Point Two – A7066

- Location - NS 973 670
- Distance to Turbine - 675m
- Approximate Elevation - 150m
- Receptor Type – Road
- Sensitivity - Medium

Comment - The image shows the view along the A7066 which runs to the north of the site, parallel to the M8. The view is taken from the roundabout at the entrance to the new Wester Inch housing development. Here the views of the turbine will be clear over the flat ground between the large commercial and industrial warehouse style buildings.

Further west the large warehouses which can be seen on the right screen views of the turbine from the road and to a large degree from the houses on the north side. Views further east will continue for some way but will eventually be screened by buildings and tree cover from Whitehill Industrial Estate and beyond.

7.4 View Point Three – A89/A801

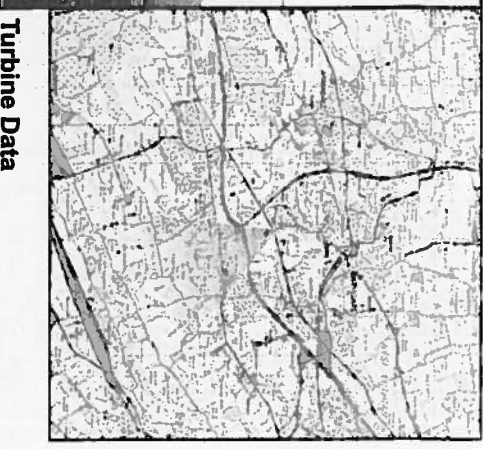
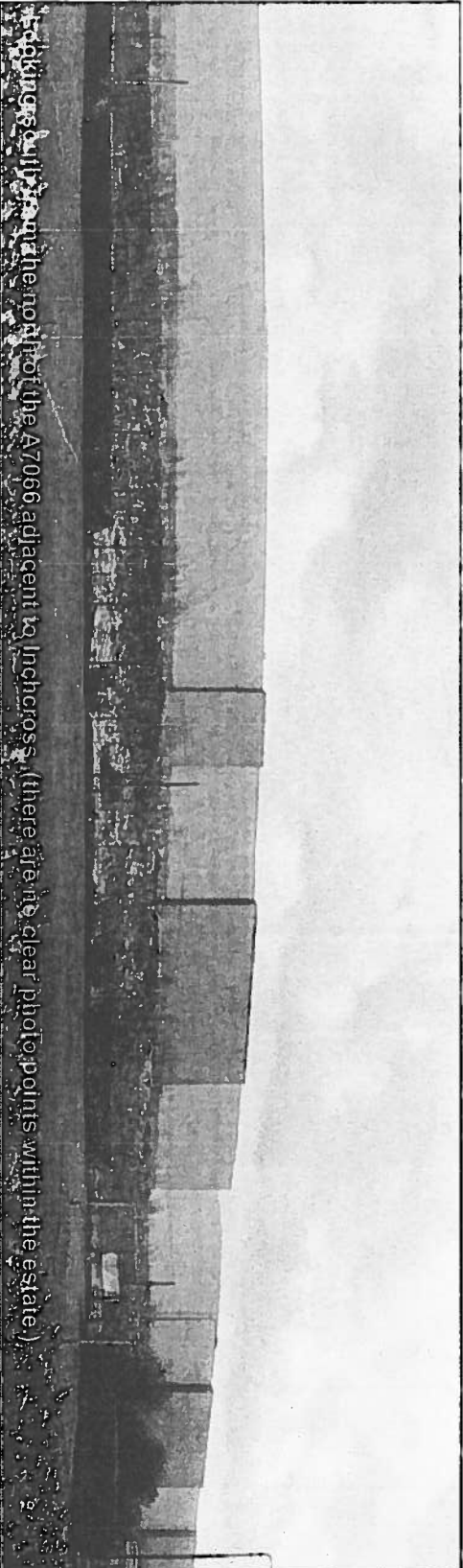
- Location - NS 952 688
- Distance to Turbine - 2.9km
- Approximate Elevation - 155m
- Receptor Type - Road
- Sensitivity - Medium

Comment - The image shows the view south from the A89/A801 to the north west of the site and adjacent to Armadale. Here the tree cover will screen views from the road although some scattered views may be possible. Overall the visibility of the turbine will be very restricted from this direction.

7.5 View Point Four – The Knock (viewpoint)

- Location - NS 990 711
- Distance to Turbine - 5.09km
- Approximate Elevation - 295m
- Receptor Type - Viewpoint
- Sensitivity - Medium

Comment - The view from the Knock viewing point in the Bathgate Hills to the north east. Here there are panoramic views of the landscape in all directions and Bathgate can be seen through a gap in the undulating topography. The turbine will clearly be seen but within a wide panorama of the area and will appear as a small element. It will also be seen within the context of an industrial landscape which should mitigate potential impacts. It may be noted that views will not be possible from the other view point to the north at Cairnpaple Hill where a Historic Scotland Property in Care is located and is more likely to attract visitors.



Turbine Data

Position - NS 968 664

Elevation - 159m

Hub Height - 50m

Blade Diameter - 48m

Total Height - 74m

Photographic Data

Position - NS 967 668

Elevation - 154m

Distance to Turbine - 425m

Viewer Eye Distance - 19.7cm@A3
- (39.4cm @ A1)

Camera - Canon EOS 1000D

Lens - 50mm Tamron Lens

Wire Frame of site using topographical grid

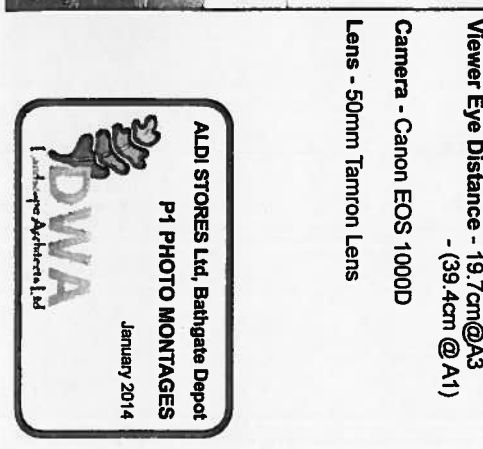

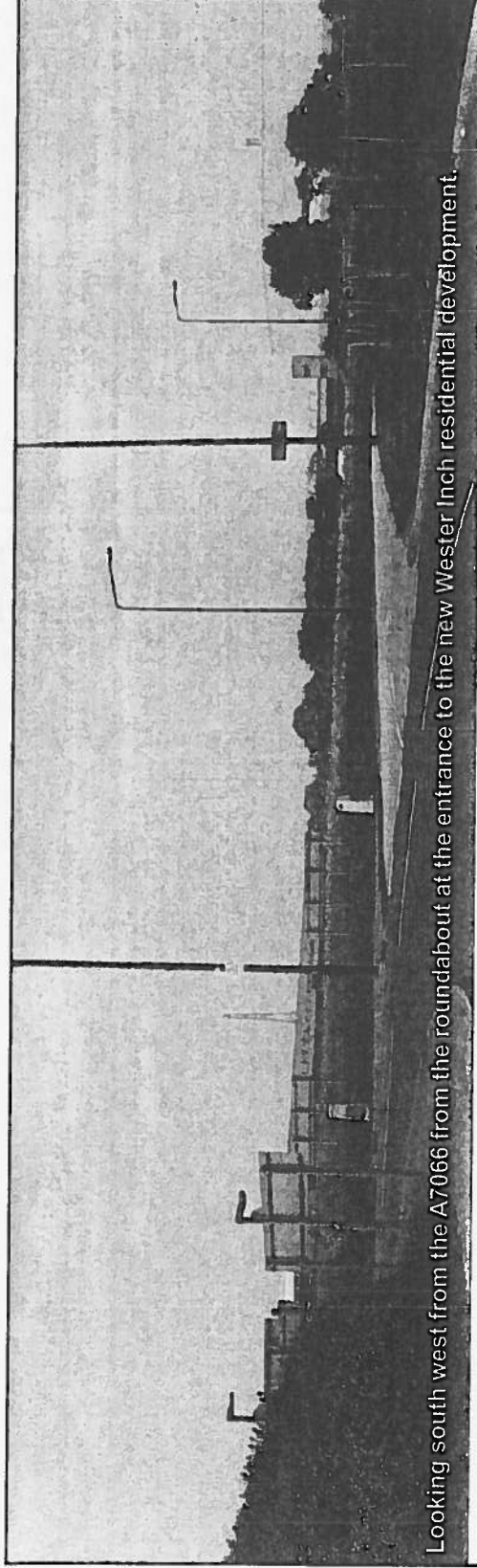


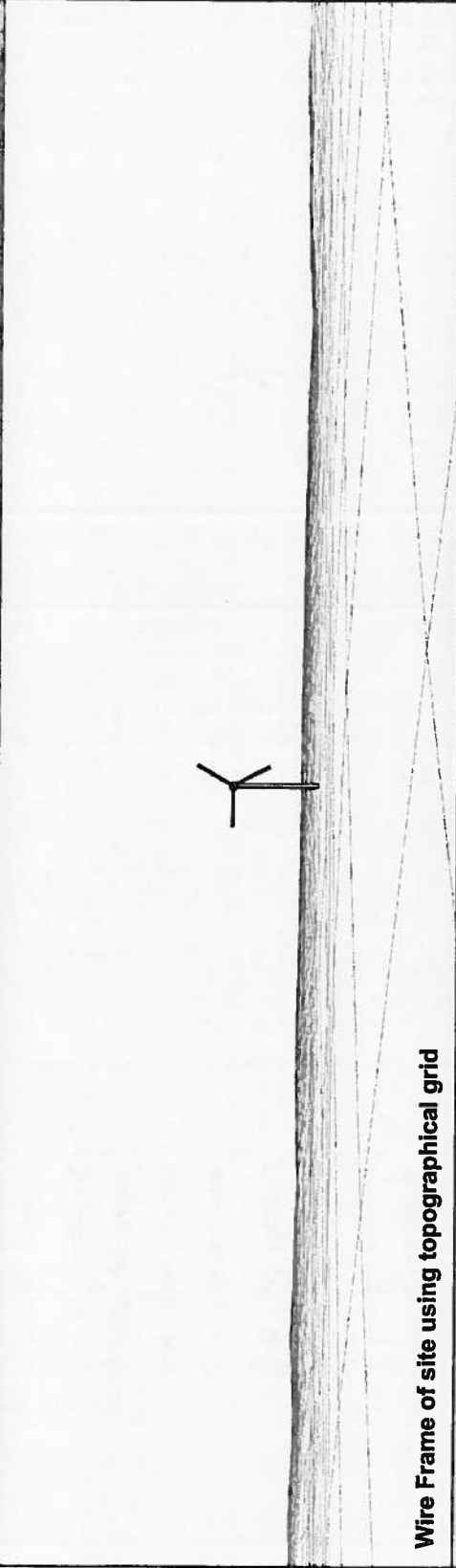
Photo Montage of turbine in landscape The large warehouse buildings screen the majority of the turbine.



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P1 PHOTO MONTAGES
January 2014



Looking south west from the A7066 from the roundabout at the entrance to the new Wester Inch residential development.



Wire Frame of site using topographical grid

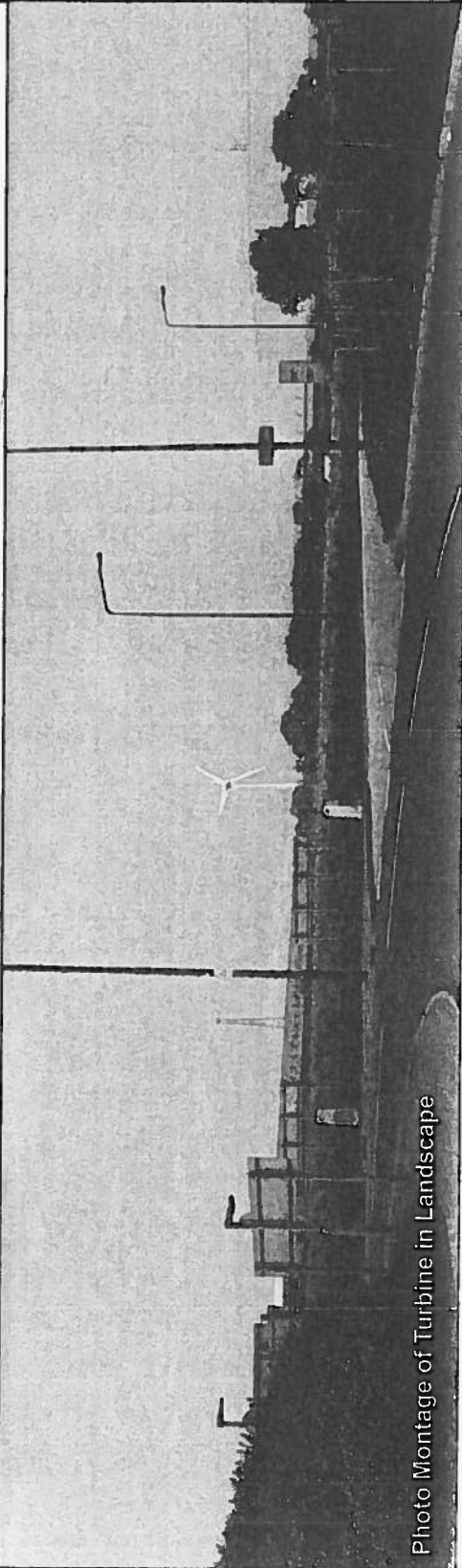


Photo Montage of Turbine in Landscape



Turbine Data

Position - NS 968 664

Elevation - 159m

Hub Height - 50m

Blade Diameter - 48m

Total Height - 74m

Photographic Data

Position - NS 973 670

Elevation - 150m

Distance to Turbine - 675m

Viewer Eye Distance - 19.7cm@A3
- (39.4cm @ A1)

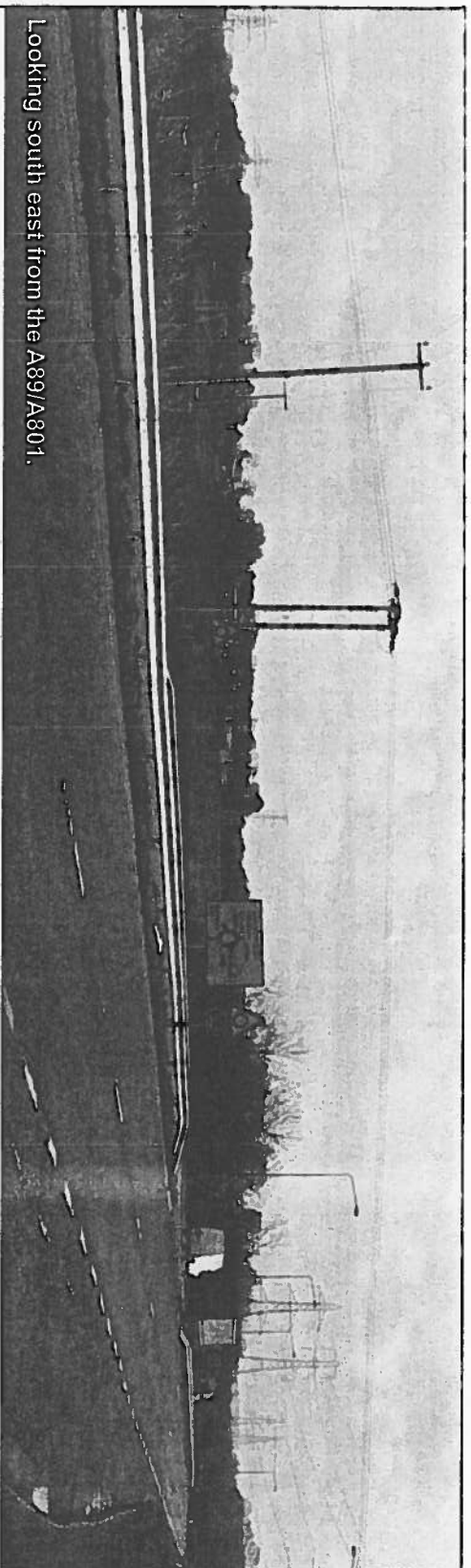
Camera - Canon EOS 1000D

Lens - 50mm Tamron Lens

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Looking south east from the A89/A801.



Turbine Data

Position - NS 968 664

Elevation - 159m

Hub Height - 50m

Blade Diameter - 48m

Total Height - 74m

Photographic Data

Position - NS 952 688

Elevation - 155m

Distance to Turbine - 2.9km

Wire Frame of site using topographical grid

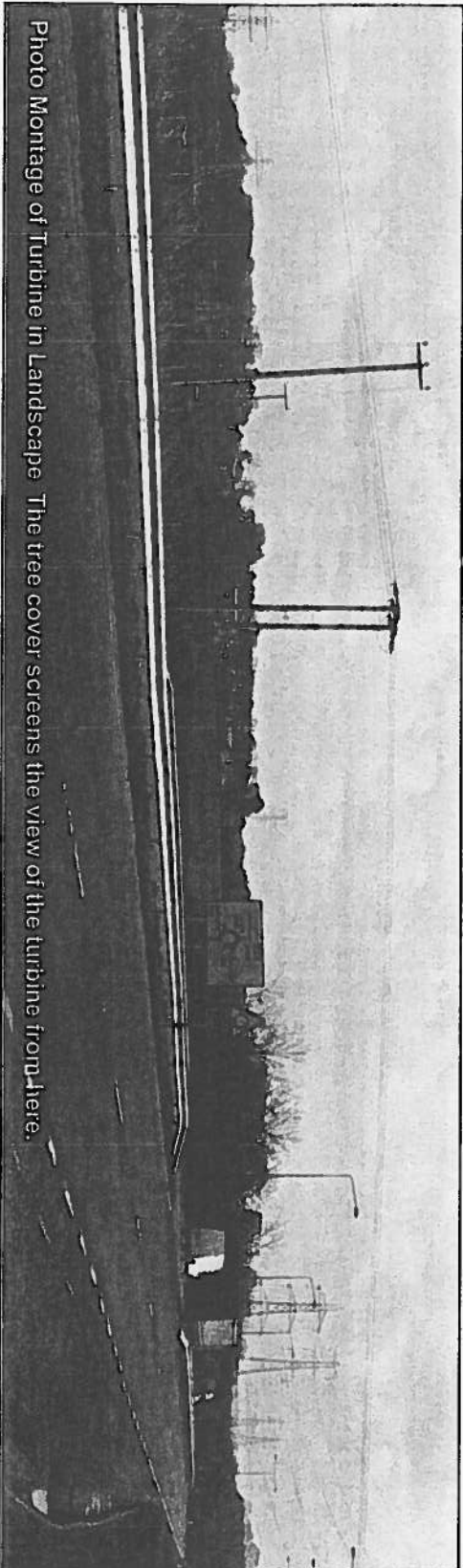
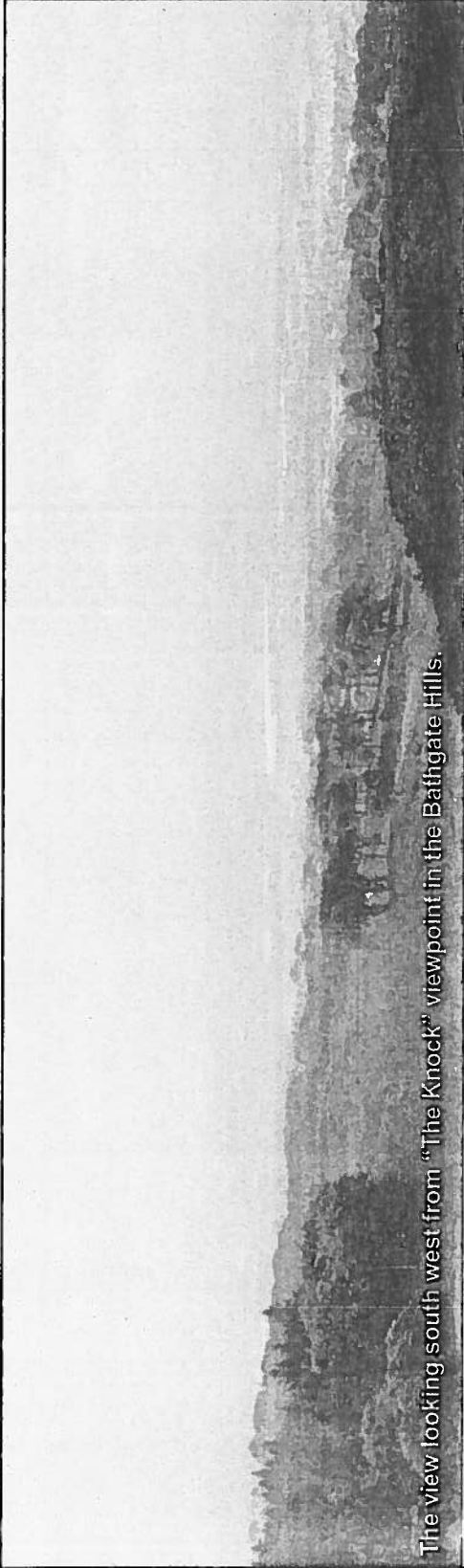
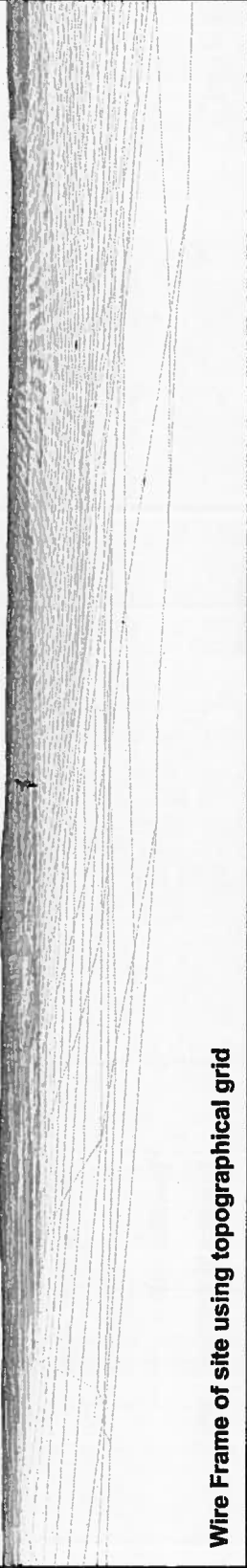


Photo Montage of Turbine in Landscape The tree cover screens the view of the turbine from here.



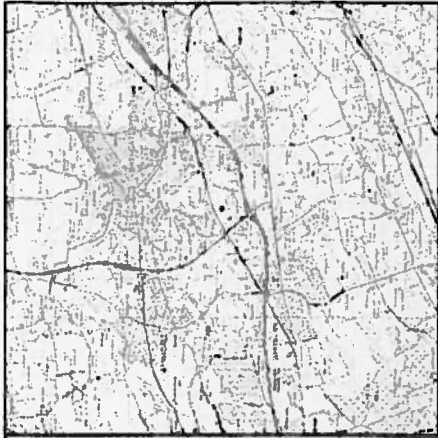
The view looking south west from "The Knock" viewpoint in the Bathgate Hills.



Wire Frame of site using topographical grid



Photo Montage of Turbine in Landscape



Turbine Data

Position - NS 968 664
Elevation - 159m
Hub Height - 50m
Blade Diameter - 48m
Total Height - 74m

Photographic Data

Position - NS 990 711
Elevation - 295m
Distance to Turbine - 5.09km
Viewer Eye Distance - 19.7cm@A3
- (39.4cm @ A1)
Camera - Canon EOS 1000D
Lens - 50mm Tamron Lens

ALDI STORES Ltd, Bathgate Depot

P4 PHOTO MONTAGES

January 2014



DWA

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7.6 View Point Five – Heartlands Development

- **Location** - NS 932 651
- **Distance to Turbine** - 3.92km
- **Approximate Elevation** - 173m
- **Receptor Type** - (Future) Settlement
- **Sensitivity** - High

Comment - The view from the area which is currently being developed as the Heartlands residential development, to the west of Whitburn. The turbine will be visible in places through the trees but will appear as a relatively small element in the landscape. It should also be noted that this landscape will be extensively developed in the near future which will in turn reduce the number of locations where views might be available for views.

7.7 View Point Six – Longridge

- **Location** - NS 949 627
- **Distance to Turbine** - 4.26km
- **Approximate Elevation** - 246m
- **Receptor Type** - Settlement
- **Sensitivity** - High

Comment - The view from Longridge looking north east across the wide and shallow Almond Valley and M8 corridor. The turbine will be visible from the edge of the settlement. It will again be seen within the context of the large industrial and commercial warehouse buildings which will mitigate potential impacts from across the valley, as will the distance of over 4km.

7.8 View Point Seven – A705 (near Blackburn)

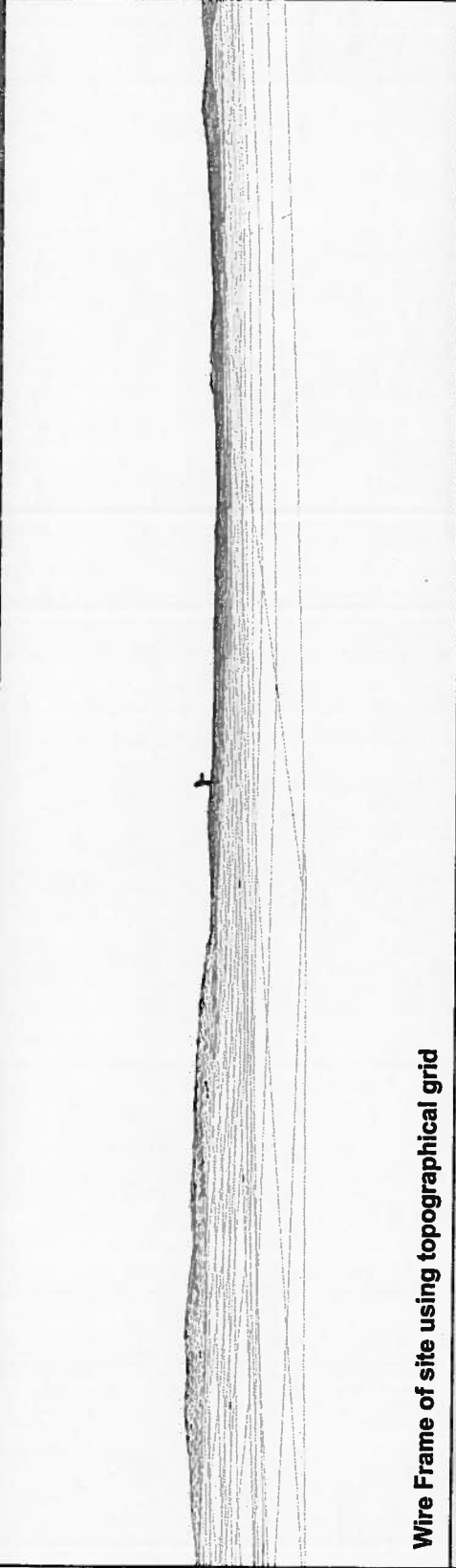
- **Location** - NS 976 653
- **Distance to Turbine** - 1.38km

- **Approximate Elevation** - 154m
- **Receptor Type** - Road
- **Sensitivity** - Medium

Comment - This image shows the view from the A705 as it emerges from Blackburn. The turbine will be clearly visible from this road. The turbine will sit amid an industrial landscape close to large scale buildings which are in keeping with its scale.



A view east from the area which is currently being developed as the new "Heartlands" residential site to the west of Whitburn.



Wire Frame of site using topographical grid

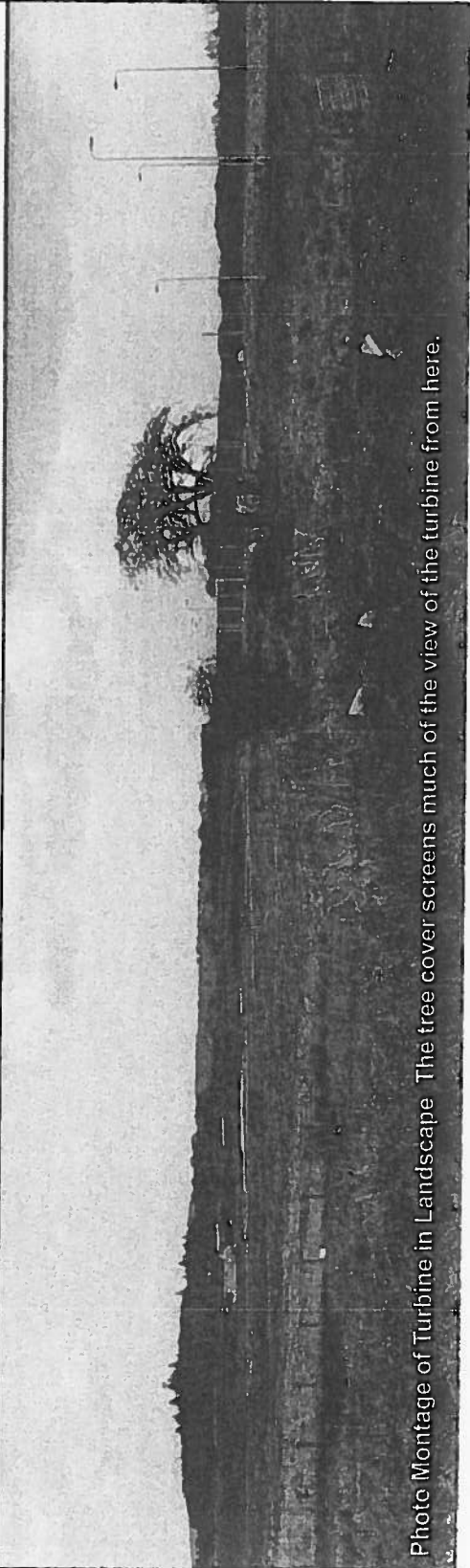


Photo Montage of Turbine in Landscape The tree cover screens much of the view of the turbine from here.



Turbine Data

Position - NS 968 664

Elevation - 159m

Hub Height - 50m

Blade Diameter - 48m

Total Height - 74m

Photographic Data

Position - NS 932 651

Elevation - 173m

Distance to Turbine - 3.92km

Viewer Eye Distance - 19.7cm@A3
- (39.4cm @A1)

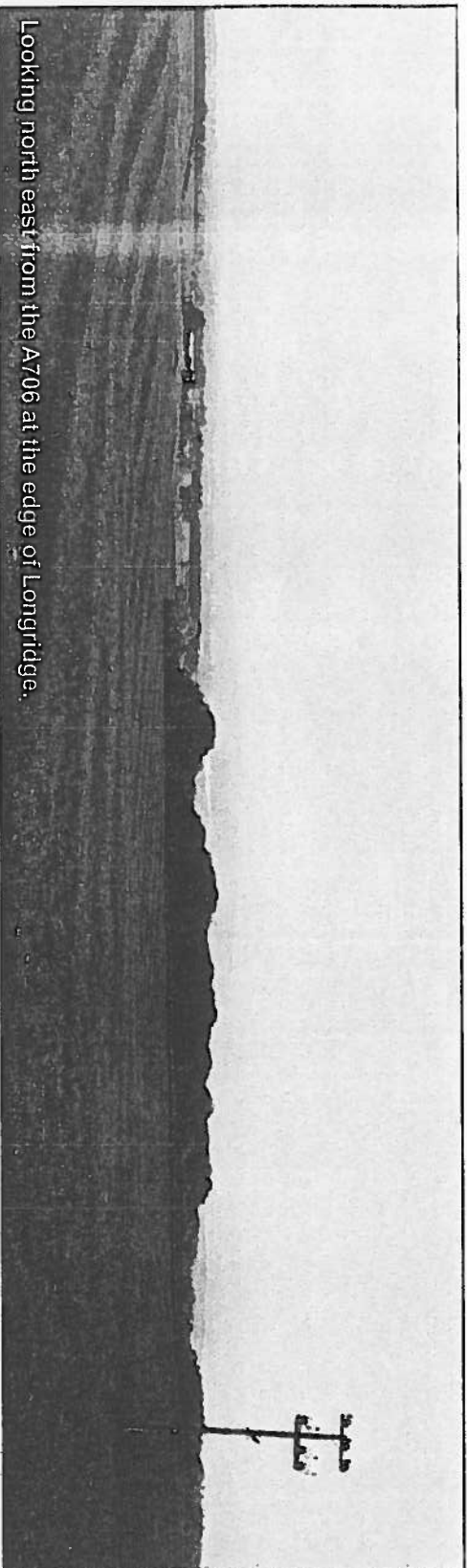
Camera - Canon EOS 1000D

Lens - 50mm Tamron Lens

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P5 PHOTO MONTAGES
January 2014



Looking north east from the A706 at the edge of Longridge.



Turbine Data

Position - NS 968 664

Elevation - 159m

Hub Height - 73m

Blade Diameter - 53m

Total Height - 99.5m

Photographic Data

Position - NS 949 627

Elevation - 246m

Distance to Turbine - 4.26km

Viewer Eye Distance - 19.7cm@A3
- (39.4cm @ A1)

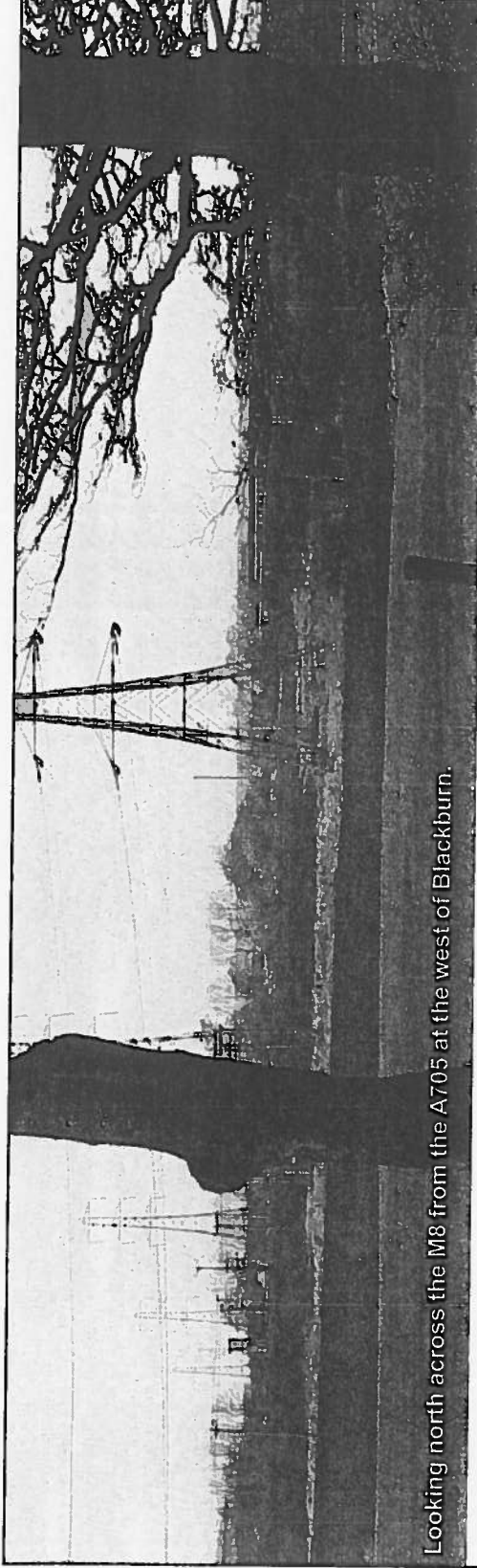
Camera - Canon EOS 1000D

Lens - 50mm Tamron Lens

Wire Frame of site using topographical grid



Photo Montage of Turbine in Landscape



Looking north across the M8 from the A705 at the west of Blackburn.



Wire Frame of site using topographical grid

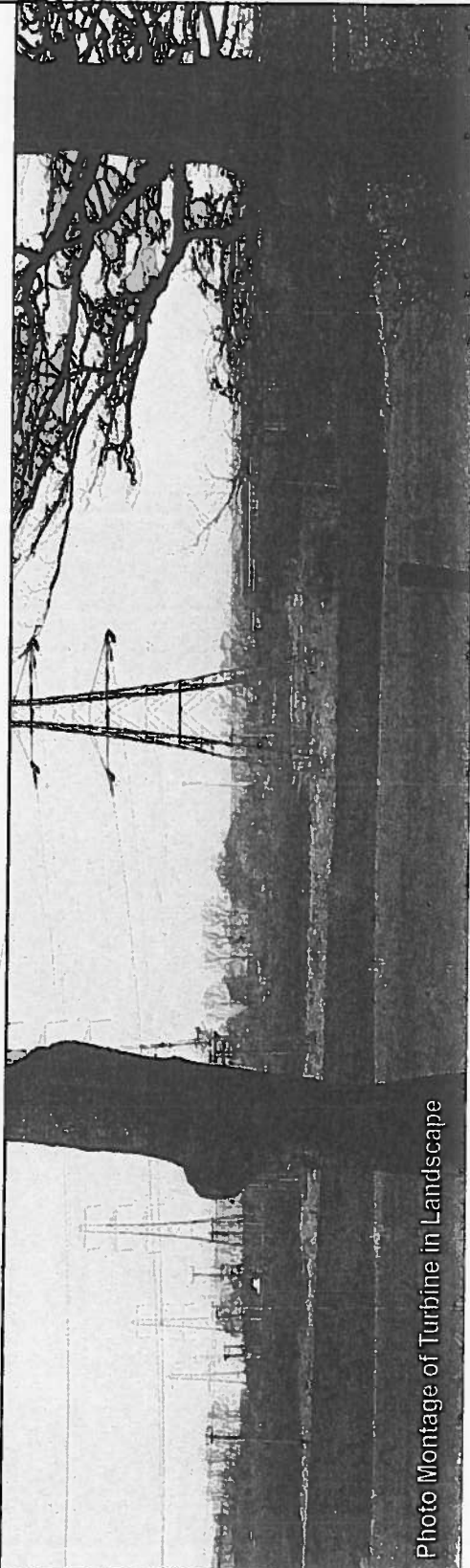


Photo Montage of Turbine in Landscape



Turbine Data

Position - NS 968 664

Elevation - 159m

Hub Height - 50m

Blade Diameter - 48m

Total Height - 74m

Photographic Data

Position - NS 976 653

Elevation - 154m

Distance to Turbine - 1.38km

Viewer Eye Distance - 19.7cm@A3
- (39.4cm @ A1)

Camera - Canon EOS 1000D

Lens - 50mm Tamron Lens

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P7 PHOTO MONTAGES
January 2014

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8 Cumulative Impact

8.1 Drawing L5 "Cumulative Windfarm Activity – 20km" shows the wind farm activity in the region over a 20km radius. This is based on SNH's Windfarm Activity in Scotland plan published in August 2013 which appears to be the latest version of the map available from SNH. This has also been checked against eight Councils' planning web portals. Over a period of time it is likely that some of the applications will have advanced and others may have been proposed. Others may have been withdrawn or refused. The information is as accurate as was possible as of the 31st January 2014.

8.2 The Guidelines for cumulative study set out in "Assessing the impact of small-scale wind energy proposals on the natural heritage (February 2012)" require a review of the potential cumulative effects of the other wind farm developments within a 20km radius. The developments to which this applies are listed below along with their known operational status.

Operational or Approved Wind Developments

8.3 Following on is a list of all of the operational or permitted wind turbine developments over 50m in height within the 20km radius. These are listed in order of their proximity to the proposed turbine and shown on drawing L5. The closest operational development is at Torrance with a development of 3no 125m high turbines at a distance of 5.7km to the west. There are two sites here, Netherton and Torrance, which lie along the M8 corridor to the west on the north side of the road. This will involve the installation of 5 turbines in total in close proximity to each other which will therefore produce a cumulative impact locally in relation to each other but not in relation to the proposed turbine. There is potential for a cumulative impact to be experienced in relation to receptors travelling upon the M8 as they pass this and the proposed development in relatively quick succession.

8.4 The next closest is at Pates Hill 8km to the south. This sits on the high ground on the southern side of the Breich Water Valley. At this distance there will be a negligible level of cumulative impact in conjunction with the proposals and there is limited visibility of this development from the Almond Valley, M8 Corridor or vicinity of the turbine location. The remaining developments are beyond a distance of 10km and are even less likely to cause issues of cumulative impact in relation to the proposed single turbine.

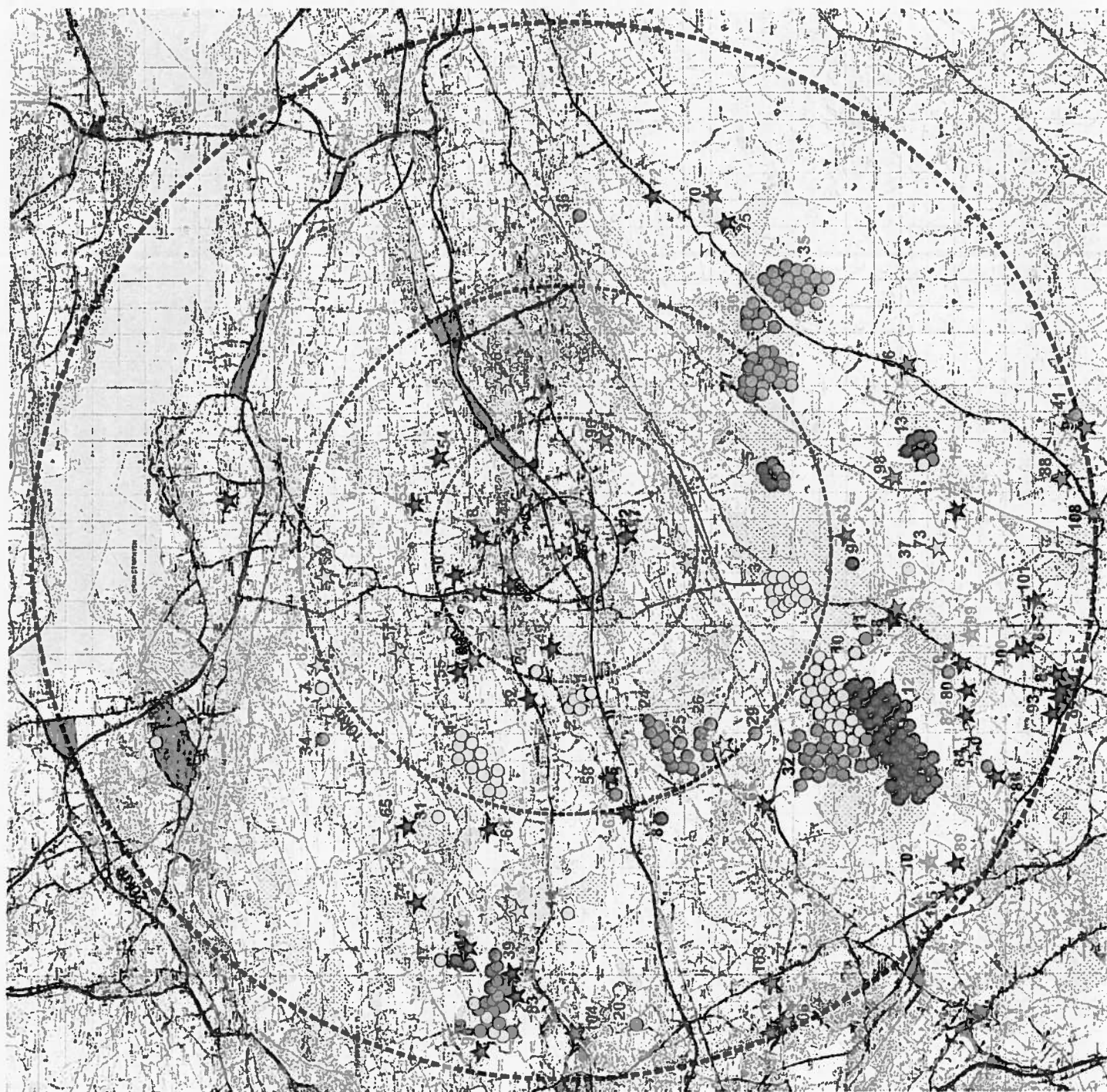
8.5 There are four developments which have been granted permission which are closer. These have not yet become fully operational and may in many cases not yet be a physical presence in the landscape. An assessment of their potential cumulative impacts will therefore be based on assumptions to some degree. The closest is at Cowdenhead which was initially refused by West Lothian Council but granted on appeal in December 2013. The development at Tommywheel is close to the Pates Hill development and can therefore be considered in a similar way to this operational site.

This development has been granted for some time without any sign of work upon the site which suggests that this development may never come to fruition. The development at Burnhead lies to the northwest at a distance of 8km. There is limited visibility from the proposed turbine in this direction and the distance will mean that any cumulative impacts are highly unlikely in relation to the proposals. The Landscape Capacity Study indicated however that this is a receptor which has the potential to accommodate a single landmark turbine in this area indicating that there is potential for the single turbine to be located and that there may be a reasonable degree of separation which would allow the landmark turbine to become a feature in its own right.

No.	Project	Distance from turbine to nearest point (km)	Number of turbines	Upper Blade tip height (m)	Status
23	Cowdenhead	4.7	2	84	Granted
1	Netherton	5.4	2	125	Granted
2	Torrance	5.7	3	125	Operational
3	Tommywheel	7.8	15	102	Granted
4	Burnhead	8	13	127	Granted
5	Pates Hill	8	7	107	Operational
6	Blacklaw (Phase 1)	10.3	23	125	Granted
7	Glenhead	10.5	1	77	Granted
8	Wester Hassockrigg	10.7	1	78	Operational
9	Upper Haywood	10.7	1	66	Operational
31	Easter Drumclair	11.1	1	76	Granted
10	Climpy	11.6	1	99	Granted
11	Greenwall	11.7	1	88	Granted
12	Blacklaw	11.9	54	110	Operational
37	Lawhead of Stobwood	12.9	1	64	Granted
13	Muirhall	13.3	6	125	Operational
14	Nether Bracco	13.7	1	99	Granted
15	Muirhall (Extension)	13.9	2	125	Granted
16	Greendykeside	16	2	100	Operational
17	Easter Glenloire	16.1	1	102	Granted
18	ASDA (Grangemouth)	16.9	1	125	Granted
19	Greengairs	17.3	9	125	Granted
20	Darnhead	18.1	1	99	Granted

Subject of Planning Application

8.6 Below is a list of wind farm and single turbine developments which are currently in the planning system. There are two single turbines proposed within 5km at Swineabbey and Mossball. The Swineabbey development is closest to the site on the south of the M8 and is a proposed increase in height to a permitted 46m turbine at that location, however this increase was recently refused. The proposed development at Mossball lies further



KEY

- Operation turbines above 50m
- Granted turbines above 50m
- Turbines in Planning or appeal above 50m
- ★ Operation turbines under 50m
- ☆ Granted turbines under 50m
- ★ Turbines in Planning or appeal under 50m

★ **Proposed Turbine**

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 January 2014



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 Limited by Shares

to the south of this on the higher ground between East Whitburn and Blackburn. These two developments if granted have the potential to cause a degree of cumulative impact in conjunction with the proposed turbine. They also have the potential to detract from the landmark status of any turbine adjacent to the commercial sector of the M8 which are associated more with the northern side, rather than the open countryside where these are proposed. Three other cluster developments are proposed for the land to the west between Shotts and Fauldhouse at Benhar, Brownhill and Starnshaw. These are developments of 5, 9 and 4 turbines respectively and are located closely together which will give them the appearance of being a single large development. These would cause an elevated cumulative impact within that area and potentially upon the M8 in conjunction with the ALDI turbine but the distance between the proposed development and these others is such that this would not be of a significant level.

8.7 The largest site within 10km is at Harburnhead where 22 turbines at a height of 126m are proposed. This would be a sizeable development with a large presence in the area. It would sit on the raised land south of the Breich Water Valley close to the Pates Hill Development and the other permitted developments which form a line across the landscape to the far south of the study area. These will have a considerable cumulative impact across this landscape but this is a remote raised area where there is capacity to accommodate these increased levels. The next closest development is a single turbine at Blainmuckhole 9.4km to the west along the M8 corridor. This would not cause any significant cumulative impact in relation to the proposals.

No.	Project	Distance from turbine to nearest point (km)	Number of turbines	Upper Blade tip height (m)	Status
21	Swineabbey	0.7	1	67	Refused
22	Mosshall	2.2	1	80	LRB
24	West Benhar Farm	7.2	8	132	Planning
25	Brownhill	8.1	9	131	Planning
26	Starnshaw	8.5	4	125	Planning
27	Harburnhead	9	22	126	DPEA
28	Blainmuckhole	9.4	1	77	Planning
29	Springhill	10	1	103	DPEA
30	Canilly	11	6	132	Planning
32	Damside	11.2	8	126	Refused
33	Blacklaw (Phase 2)	11.6	11	126	Planning
34	Gardrum	11.6	1	74	Planning
35	Fauch Hill	12.5	23	125	DPEA
36	Ormiston	12.7	1	61	DPEA
38	Covanhill	15.1	1	51	Planning
39	Greengairs East	15.5	8	125	Planning
40	Westernhouse	17.9	1	51	Planning
41	Greens	19.9	1	84	Planning

8.8 In general, if all of the proposed developments which are currently in the planning system were permitted there would be an increased level of cumulative impact across

the central belt as a whole but the degree of separation from the proposed single turbine would mean that the proposals would contribute very little to this, with the potential exception of the Swineabbey and Mosshall proposals. In reality this is unlikely to be the case, as some developments will be permitted and others will not. This should therefore decrease any likely cumulative impact from this position which is the worst case scenario.

Turbines below 50m

8.9 The list below shows the permitted and operational wind turbine developments with exist within the 20km but are below 50m in height. These will have a significantly lower visual presence in the landscape due to the size and the fact that they tend to be single or pairs of turbines, although there are some small groups present at a distance in this case. Of most significance is the permitted 46m turbine on the southern side of the M8 at Swineabbey 700m from the proposed location. This turbine has the potential to cause a cumulative impact in conjunction with the proposals and detract from its potential stand-alone landmark status. This lies closer to the residential areas of Blackburn and Whitburn rather than being associated with an industrial centre as the proposed turbine is and would be a less effective landmark as intended in the Landscape Capacity Study.

8.10 There are other developments permitted or existing in the area within 5km but these are of a small scale and are unlikely to cause any issues of cumulative impact in conjunction with the proposals. This is increasingly the case with more distance from the site.

No.	Project	Distance from turbine to nearest point (km)	Number of turbines	Upper Blade tip height (m)	Status
42	Swineabbey	0.7	1	46	Granted
43	Ronoc Ridge	1	1	15	Granted
44	Bathgate Railway Depot	1.9	2	15	Granted
45	Hardhill	2.3	1	18	Operational
46	Tesco, Bathgate	2.4	2	10	Granted
47	Midseat	2.4	1	25	Operational
48	Bathgate Sport Centre	3.2	2	32	Operational
95	Eastoun	3.4	1	46	Granted
49	Netherhouses	3.7	1	20	Operational
50	Dredgum Cottage	4.1	1	17	Operational
51	Stoneheep Crofts	4.7	1	15	Granted
52	Standhill, Blackridge	5.7	1	25	Operational
53	Cathlawhill	5.8	1	34	Operational
54	Quarter, Druncross	5.8	1	9	Operational
55	Hillhouse Beag	6	1	25	Operational
56	Kwik Fit, Carmodean	6.8	1	11	Granted
57	Balldreich	7.8	1	15	Granted
58	Knowhead	8.6	1	36	Operational
59	Castlehill	8.9	1	46	Granted
60	Stanebent	9.5	1	46	Granted

61	Blairmains	10	2	47	Operational
62	Snabhead	10.2	1	46	Granted
63	Mountainblaw	10.6	1	20	Operational
64	Hillhead	10.9	1	15	Operational
65	Balquhatstone	11.8	2	47	Operational
66	East Tarbrax	12.2	1	40	Operational
67	19 Carmuir, Forth	12.5	1	10	Granted
68	Forth Primary School	12.5	1	6	Operational
69	Muirhouse	12.7	6	20	Operational
70	Cairns House	13.7	1	28	Operational
71	Eastfield	13.7	1	15	Granted
72	Ainville	13.8	1	35	Operational
73	Sidewood	14	1	47	Granted
74	Southfield	14.3	1	46	Operational
75	Baad Park	14.5	1	17	Operational
76	Dykefoot	14.6	1	20	Granted
77	Jeanfield	14.8	1	25	Operational
78	Bridge Street	15.4	1	20	Operational
79	Covanhill	15.5	2	20	Operational
80	Mossplatt	16	3	20	Operational
81	Easterton	16.1	1	20	Operational
82	Easterseat	16.3	3	20	Operational
83	Midtown	16.9	1	22	Operational
84	Tanhill	17.1	1	45	Granted
85	Upper Muirhouse	17.7	2	46	Operational
86	Bargarran	18.5	1	24	Operational
87	Sheafyknowe	18.8	1	46	Operational
88	Greenaton	18.9	1	27	Granted
89	Bellstane Town Farm	18.9	1	49	Operational
90	Meikle Drumgray	19.1	2	15	Operational
91	Harelaw	19.1	2	47	Operational
92	Harelaw	19.4	1	24	Operational
93	Muirhead	19.4	3	20	Operational
94	Greens	19.9	1	15	Granted

8.11 There are no potentially significant issues resulting from those proposals within the planning system with the closest turbines again being of a small scale and reasonably far removed in distance from the proposed turbine.

No.	Project	Distance from turbine to nearest point (km)	Number of turbines	Upper Blade tip height (m)	Status
96	Mid Breich	4.2	1	46	withdrawn
97	Nether Hillhouse	5.4	1	46	refused
98	Hillhead	12.6	1	47	Planning
99	Browshot	15.5	1	45	Planning
100	Upper Muirhouse	17.5	1	46	Planning
101	Westshield	17.9	1	46	Planning
102	Bowridge	18	1	46	Planning
103	Biggar Road, Cleland	18.1	2	25	Planning
104	Brownside Couperage	18.2	1	34	Planning
105	Waterlands	19.4	1	47	Planning
106	Townhead	19.9	2	45	Planning
107	Whitecraighead	19.9	1	45	Planning
108	Heads Inn	19.9	2	46	Planning

Cumulative Impact Conclusions

8.11 There is a potential cumulative impact issue with the permitted 46m turbine at Swineabbey which is 700m to the south of the proposed turbine. This turbine is smaller in size than the proposed turbine which may mean that the cumulative impacts are less than those of a larger turbine given the reduced visual presence of the Swineabbey development. This turbine has the potential to conflict with the landmark status of the proposed turbine as an icon within the area and is unlikely to fulfill this roll itself due to its small scale. Also, its location on the southern side of the M8, away from the industrial and commercial heartland which the landmark is intended to represent, means that there is limited potential for it to perform as a iconic feature.

8.12 There is no great potential for cumulative impact from large scale turbine developments in relation to the proposed development as there is sufficient distance from the nearest other developments that a single turbine could be viewed as an individual stand-alone element in the landscape. This would tie in well with the concept of a landmark turbine development in this industrial and commercial section of the M8 corridor which acts as a symbol of the progressive attitude towards technology and green energy which West Lothian would like to project to the wider country. In this regard the visual impact and cumulative impact from this turbine could be considered differently from other such developments where a high profile is desirable to some extent, provided that is does not unduly affect a disproportionate number of people and area of the countryside of the central belt. This would seem to be the case in relation to this proposed turbine.

9 Overall Conclusions

Location and Context Conclusions

- 9.1 The sites location within the Scottish Central Belt means that the landscape of the study area is an extensively developed one. This is a densely populated area with a mix of residential and industrial receptors along with a high number of transport and infrastructure, cultural heritage and conservation receptors. It is not necessarily the case that these will experience a significant visual impact however, and it is likely that impacts will be experienced to varying degrees throughout, and many will experience no impact. The physical separation and nature of the development will mean that physical impact upon the landscape will not be an issue. Section Six assessed in detail the degree of visual impact that may be generated across the study area.

Landscape Character and Capacity Conclusions

- 9.2 The sites location within the Scottish Central Belt means that the landscape of the study area is an extensively developed one. This is a densely populated area with a mix of residential and industrial receptors along with a high number of transport and infrastructure, cultural heritage and conservation receptors. It is not necessarily the case that these will experience a significant visual impact however, and it is likely that impacts will be experienced to varying degrees throughout, and many will experience no impact. The physical separation and nature of the development will mean that physical impact upon the landscape will not be an issue. Section Six assessed in detail the degree of visual impact that may be generated across the study area.

Visual Impact Conclusions

Impact from 0 to 2km

- 9.3 In general the densely populated nature of the landscape will mean that there are many receptors within a 2km radius which will have views of the turbine. The industrial estate in which the turbine is proposed to sit will act as a buffer to the most sensitive residential receptors and will screen views of the turbine from some of the houses to the north and partially screen the turbine from others. Localised screening will mitigate some views from within built up areas and tree cover will screen some views from open countryside.

Impact from 2 to 5km

- 9.4 Views of the turbine will become less frequent between the 2 and 5km range, particularly within the most densely built up areas where the built form will screen views out across the relatively even topography. The area where views would be most probable would be from the A705 along the ridge on the southern side of the Almond Valley although these will again be screened within settlements. Views from cultural heritage and conservation receptors should not prove to be a significant issue.

- 9.5 There will be clear views from a section of the M8 between East Whitburn and Blackburn and scattered or partially screened views between East Whitburn and Polkenneth Country Park to the west. If the turbine is to be viewed as a landmark feature however then the visibility of the turbine should therefore be considered more acceptable and indeed a degree of visual presence is to be encouraged.

Impact from 5 to 10km

- 9.6 From a distance of over 5km views of the turbine would be restricted to a scattered few locations where the topography of the surrounding landscape would allow. These views would be over distance and would be set within a context of an extensively developed landscape and in the immediate context of an industrial area. Views over 5km should not cause significant visual impacts.

Cumulative Impact Conclusions

- 9.7 There is a potential cumulative impact issue with the permitted 46m turbine at Swineabbey which is 700m to the south of the proposed turbine. This turbine is smaller in size than the proposed turbine which may mean that the cumulative impacts are less than those of a larger turbine given the reduced visual presence of the Swineabbey development. This turbine has the potential to conflict with the landmark status of the proposed turbine as an icon within the area and is unlikely to fill the roll itself due to its small scale. Also, its location on the southern side of the M8, away from the industrial and commercial heartland which the landmark is intended to represent, means that there is limited potential for it to perform as a iconic feature.

9.8

There is no great potential for cumulative impact from large scale turbine developments in relation to the proposed development as there is sufficient distance from the nearest developments that a single turbine could be viewed as an individual stand-alone element in the landscape. This would tie in well with the concept of a landmark turbine development in this industrial and commercial section of the M8 corridor which acts as a symbol of the progressive attitude towards technology and green energy which West Lothian would like to project to the wider country. In this regard the visual impact and cumulative impact from this turbine could be considered differently from other such developments where a high profile is desirable to some extent, provided that it does not unduly affect a disproportionate number of people and area of the countryside of the central belt. This is the case in relation to this proposed turbine.



West Lothian Council

County Building High Street Linlithgow EH49 7EZ

Tel: 01506 282456

Fax: 01506 282449

Email: planning@westlothian.gov.uk

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000083463-001

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

We strongly recommend that you refer to the help text before you complete this section.

- ☒ Application for Planning Permission (including changes of use and surface mineral working)
- ☐ Application for Planning Permission in Principle
- ☐ Further Application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

ERECTION OF 74 METRE HIGH (TO BLADE TIP) WIND TURBINE

(Geo ref. 296805 666470)

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

☐ Yes ☒ No

Have the works already been started or completed? *

☒ No ☐ Yes - Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation: bryce boyd planning solutions

Ref. Number:

First Name: * bryce

Last Name: * boyd

Telephone Number: * 01505784489

Extension Number:

Mobile Number:

Fax Number: 01505874489

Email Address: * bboydplanning@aol.com

You must enter a Building Name or Number, or both: *

Building Name: ellersleigh

Building Number:

Address 1 (Street): * castlehill road

Address 2:

Town/City: * kilmacolm

Country: * UK

Postcode: * pa13 4el

Is the applicant an individual or an organisation/corporate entity? *

☐ Individual ☒ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:

Other Title:

First Name:

Last Name:

Company/Organisation: * ALDI STORES LTD

Telephone Number:

Extension Number:

Mobile Number:

Fax Number:

Email Address:

You must enter a Building Name or Number, or both: *

Building Name: REGIONAL DISTRIBUTION CENTRE

Building Number:

Address 1 (Street): * POTTISHAW ROAD

Address 2:

Town/City: * BATHGATE

Country: * UK

Postcode: * EH48 2FB

Site Address Details

Planning Authority:

West Lothian Council

Full postal address of the site (including postcode where available):

Address 1:

Aldi Distribution Centre

Address 5:

Address 2:

Pottishaw Road

Town/City/Settlement:

Bathgate

Address 3:

Post Code:

EH48 2FB

Address 4:

Please identify/describe the location of the site or sites.

Northing

666404

Easting

297042

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☒ Yes ☐ No

Pre-Application Discussion Details

In what format was the feedback given? *

☐ Meeting ☒ Telephone ☐ Letter ☒ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (Max 500 characters)

ADVISED ESME THAT THE PREVIOUS APPLICATION WAS BEING WITHDRAWN AND A NEW APPLICATION FOR A SMALLER TURBINE WOULD BE SUBMITTED SHORTLY

Title:

Ms

Other title:

First Name:

ESME

Last Name:

CLELLAND

Correspondence Reference Number:

Date (dd/mm/yyyy):

23/01/14

Note 1. A processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

180.00

Please state the measurement type used:

☐ Hectares (ha) ☒ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: (Max 500 characters)

GRASSED AREA ADJACENT TO CAR PARK

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

☐ Yes ☒ No

If Yes please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? *

☐ Yes ☒ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site? *

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the total of existing and any new spaces or a reduced number of spaces)? *

0

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycle spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

☐ Yes ☒ No

Do your proposals make provision for sustainable drainage of surface water? (e.g. SUDS arrangements) *

☐ Yes ☒ No

Note: -

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- ☐ Yes
- ☐ No, using a private water supply
- ☒ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? *

☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

☐ Yes ☒ No

If Yes or No, please provide further details: (Max 500 characters)

NOT REQUIRED

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

☐ Yes ☒ No

All Types of Non Housing Development - Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? *

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013

One Certificate must be completed and submitted along with this application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding.

Signed: bryce boyd

On behalf of: ALDI STORES LTD

Date: 24/02/2014

☒ Please tick here to certify this Certificate. *

Checklist - Application for Planning Permission

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major developments (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- ☒ Site Layout Plan or Block plan.
- ☒ Elevations.
- ☒ Floor plans.
- ☐ Cross sections.
- ☐ Roof plan.
- ☐ Master Plan/Framework Plan.
- ☒ Landscape plan.
- ☐ Photographs and/or photomontages.
- ☐ Other.

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☐ Yes ☒ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan. *

☒ Yes ☐ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☒ Yes ☐ N/A

A Processing Agreement *

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

Declare - For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying plans/drawings and additional information are provided as a part of this application.

Declaration Name: bryce boyd

Declaration Date: 24/02/2014

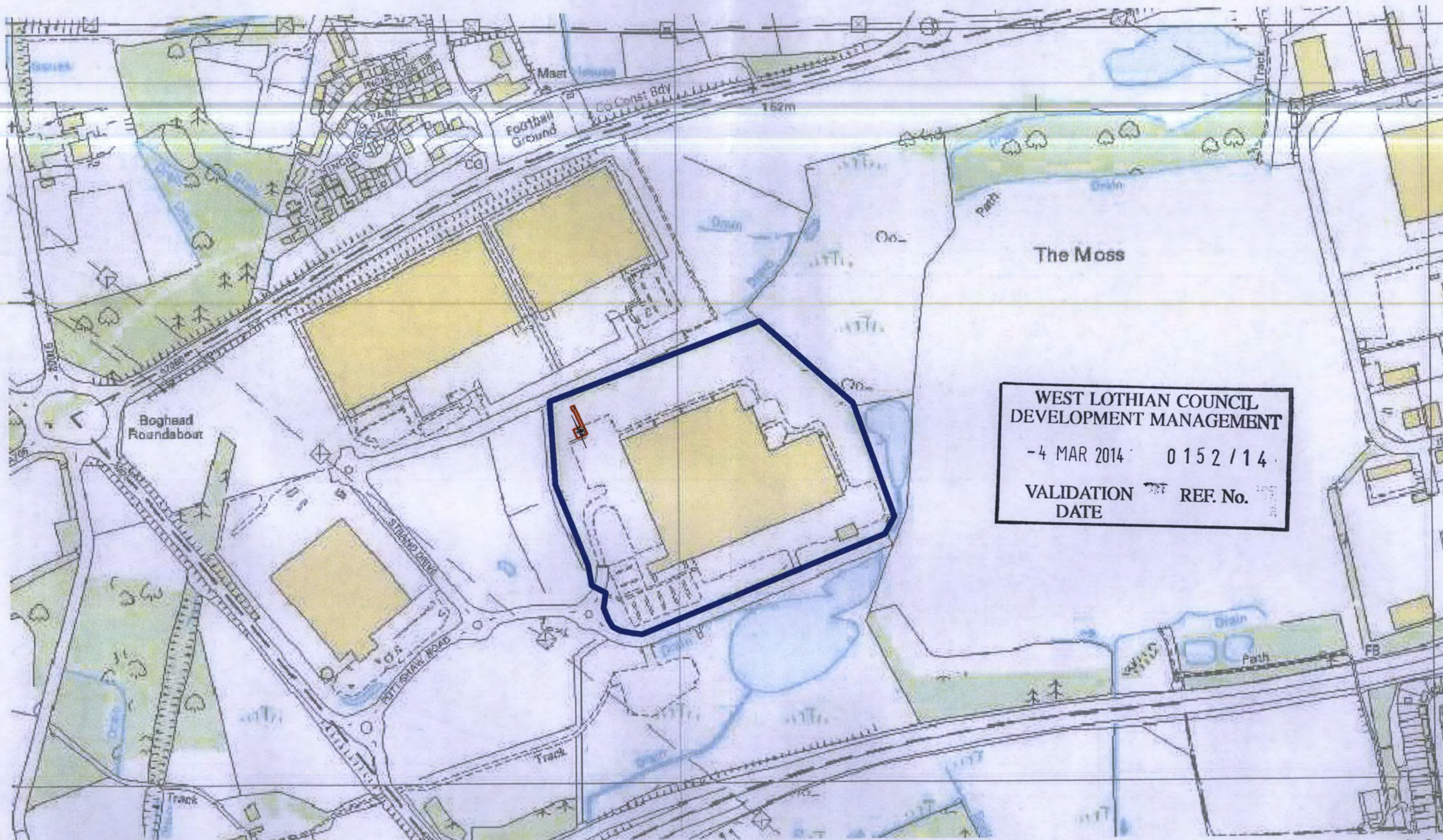
Submission Date: 24/02/2014



23 06 2014



23 06 2014



WEST Lothian Council
DEVELOPMENT MANAGEMENT
-4 MAR 2014 0152/14
VALIDATION DATE REF. No.

LOCATION PLAN 1/5000

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0m 200m
SCALE 1/5000

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revisions & notes
A - Alteration to turbine & service unit in accordance with client & planning dept' req'mnts.
B - Service station position moved north

rdp - architecture

52 Kempock St, Gourock. Pa19 1nd.
tel. 01475 637165 e-mail rdparch@hotmail.co.uk

client: ALDI STORES LTD.

Job no. 517

drg. no. 02

project: POTTISHAW ROAD, JUNCTION 4/M8,
BATHGATE, EH48 2FB

drawing size - A3

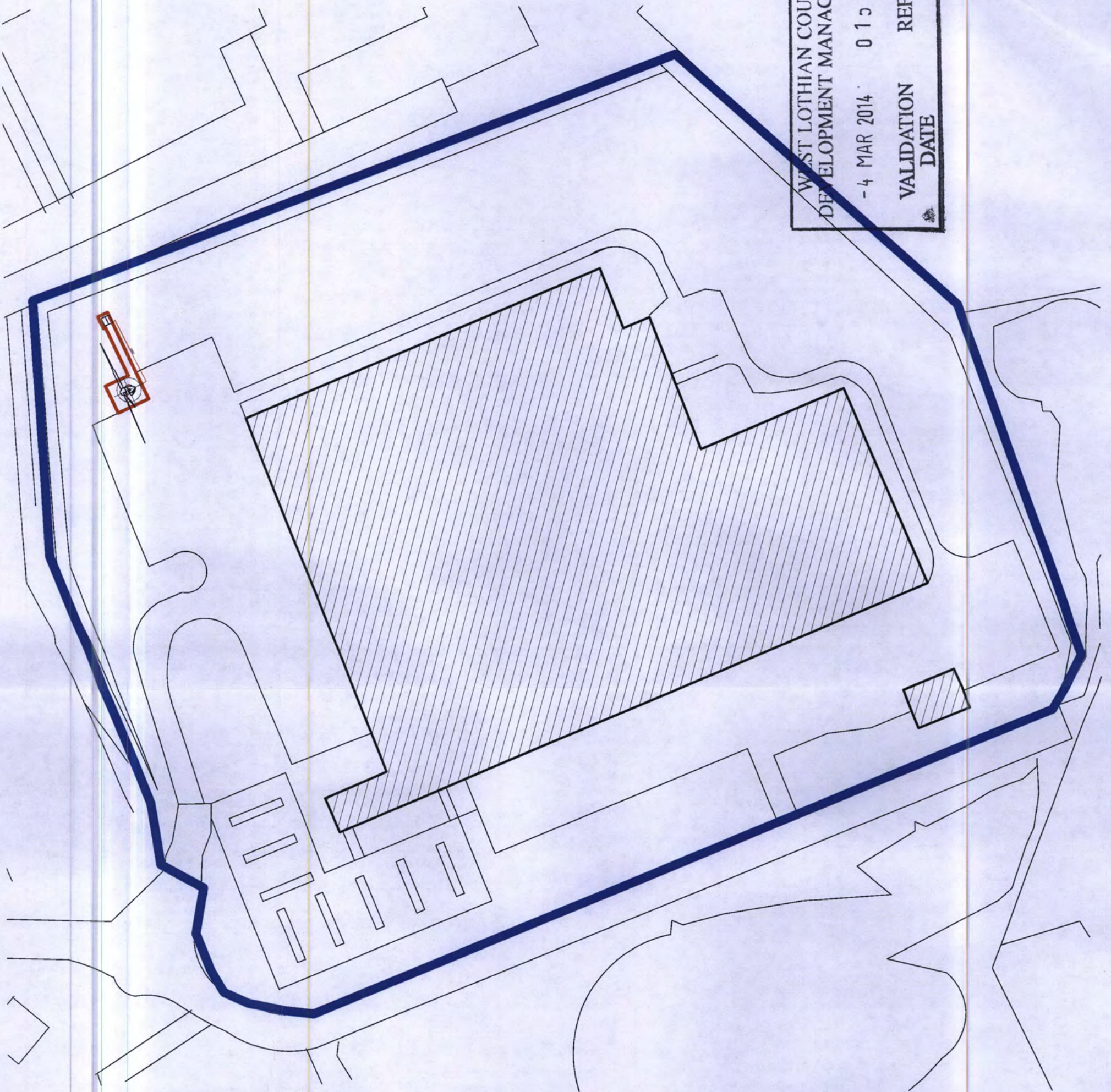
drawn: MM

checked: PKR

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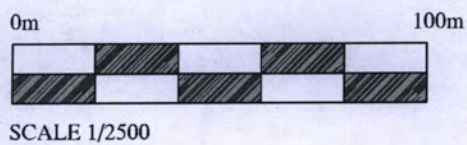
A - Alteration to turbine & service unit in accordance with client & planning dept' req'mnts.
B - Service station position moved north

WEST LOTHIAN COUNCIL DEVELOPMENT MANAGEMENT	
- 4 MAR 2014	0102 / 14
VALIDATION DATE	REF. No.



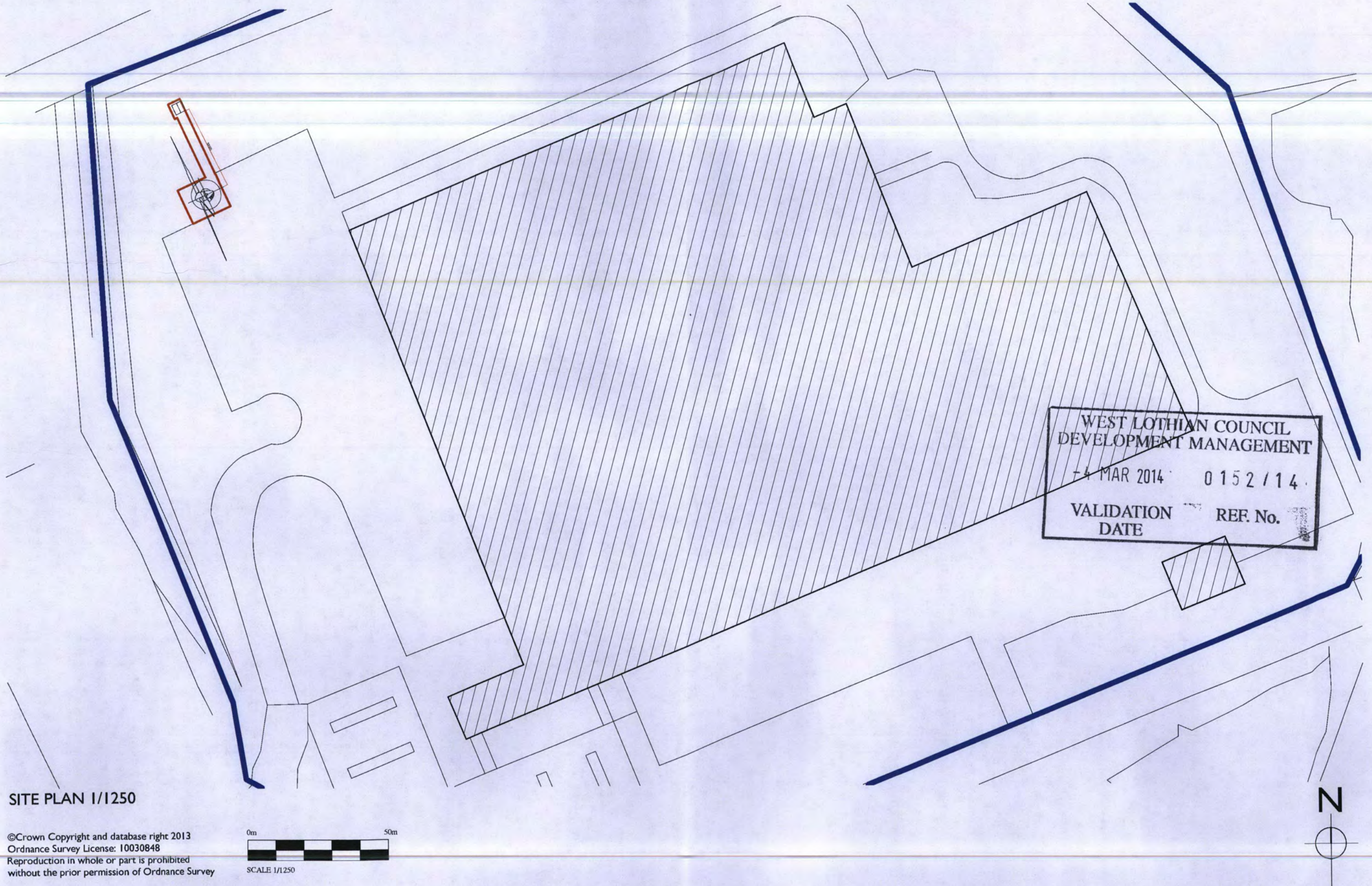
LOCATION PLAN 1/2500

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r d p - architecture
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tel. 01475 637165 e-mail rdparch@hotmail.co.uk

client: ALDI STORES LTD.		project: POTTISHAW ROAD, JUNCTION 4/M8, BATHGATE, EH48 2FB	
Job no. 517	drg. no. 01	drawing size - A3	drawn: MM checked: PKR



SITE PLAN 1/1250

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rdp - architecture

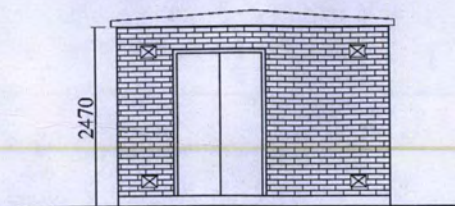
52 Kempock St, Gourock. Pa19 1nd.
tel. 01475 637165 e-mail rdparch@hotmail.co.uk

client: ALDI STORES LTD.

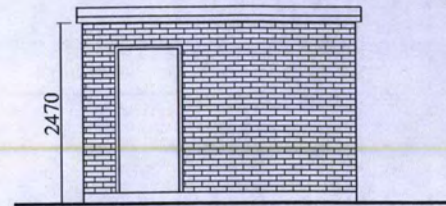
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project: POTTISHAW ROAD, JUNCTION 4/M8,
BATHGATE, EH48 2FB

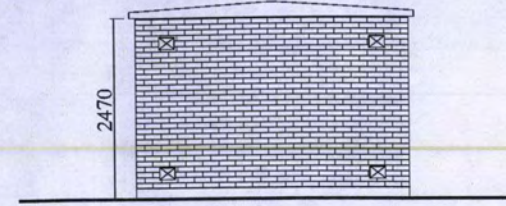
drawing size - A3 drawn: MM checked: PKR



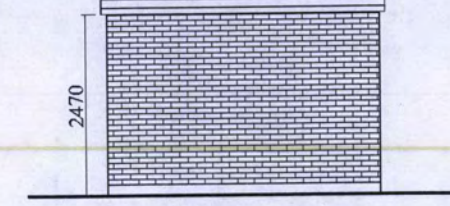
FRONT ELEVATION OF SERVICE UNIT AS PROPOSED 1/100



SIDE ELEVATION OF SERVICE UNIT AS PROPOSED 1/100



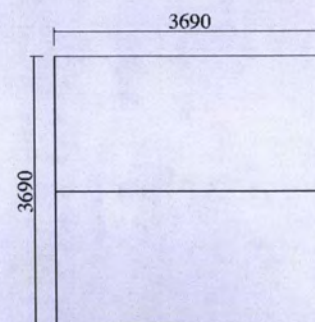
REAR ELEVATION OF SERVICE UNIT AS PROPOSED 1/100



SIDE ELEVATION OF SERVICE UNIT AS PROPOSED 1/100

SERVICE UNIT SPECIFICATION

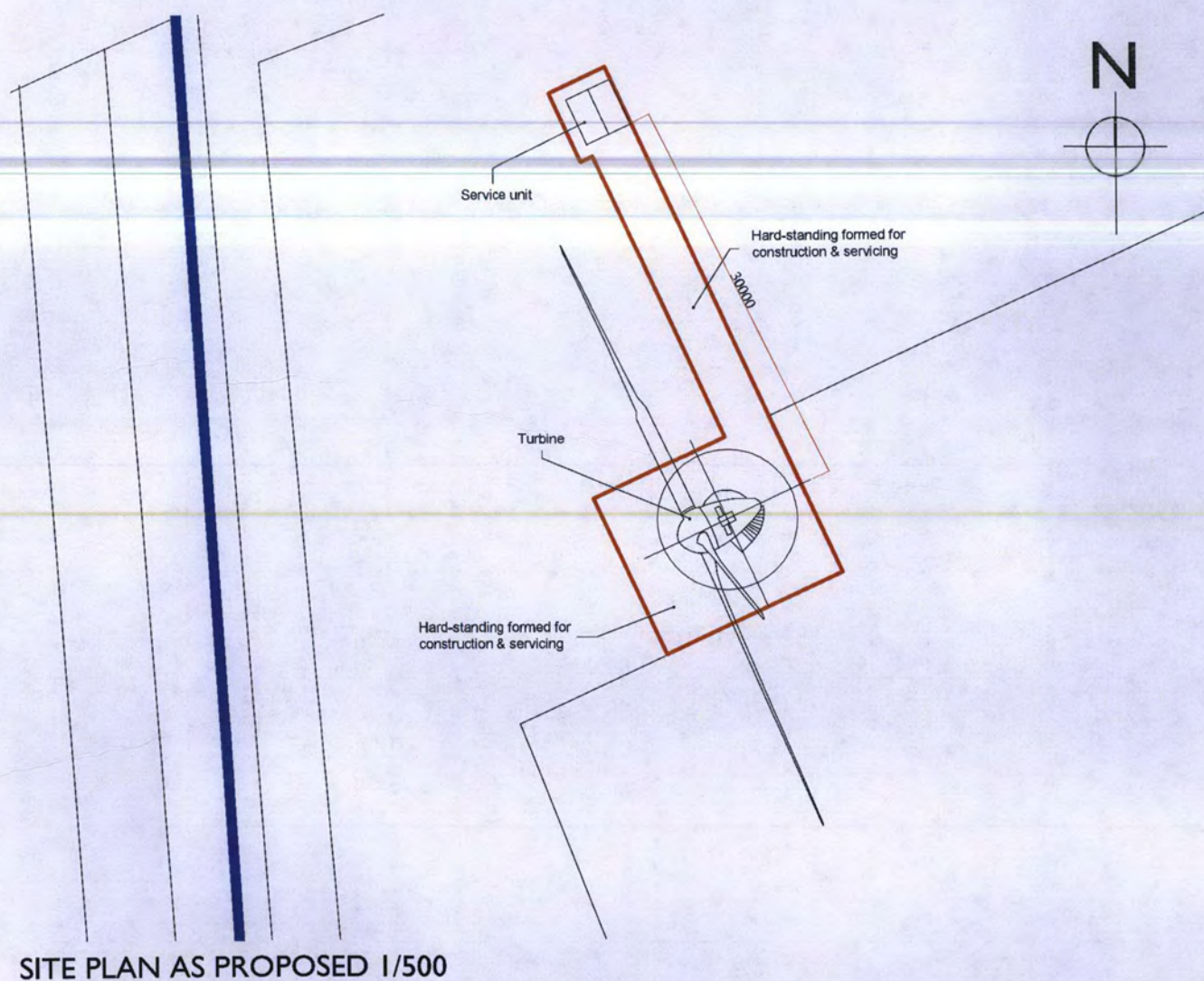
External Walls - Grey external facing brick.
Entrance Door - Steel security door painted green.
Store Door (side elevation) - Hardwood door painted green.
Roof - Grey glass fibre membrane.



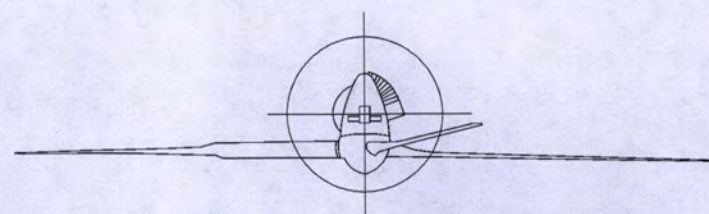
PLAN OF SERVICE UNIT AS PROPOSED 1/100



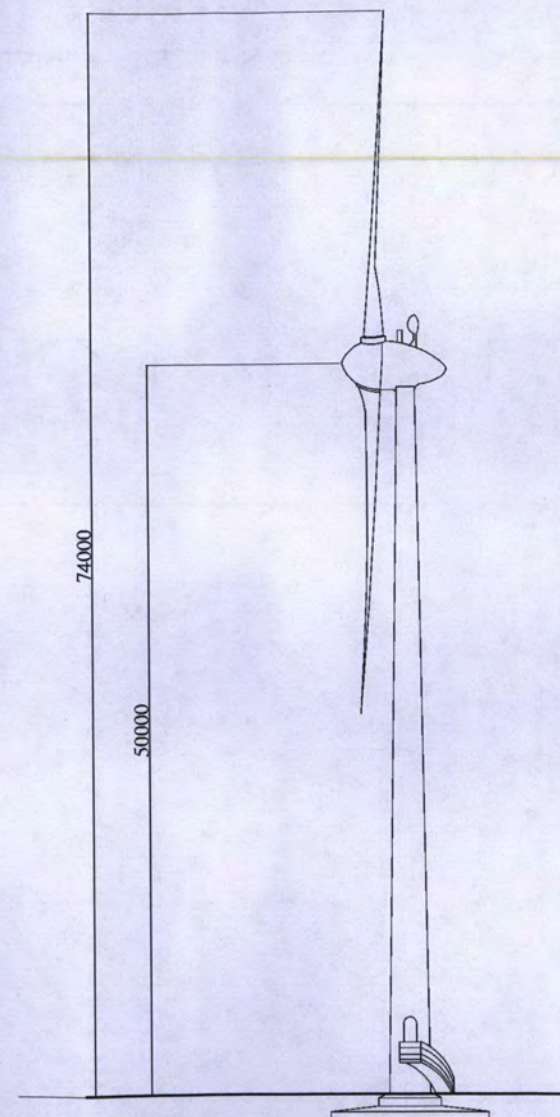
SCALE 1/100



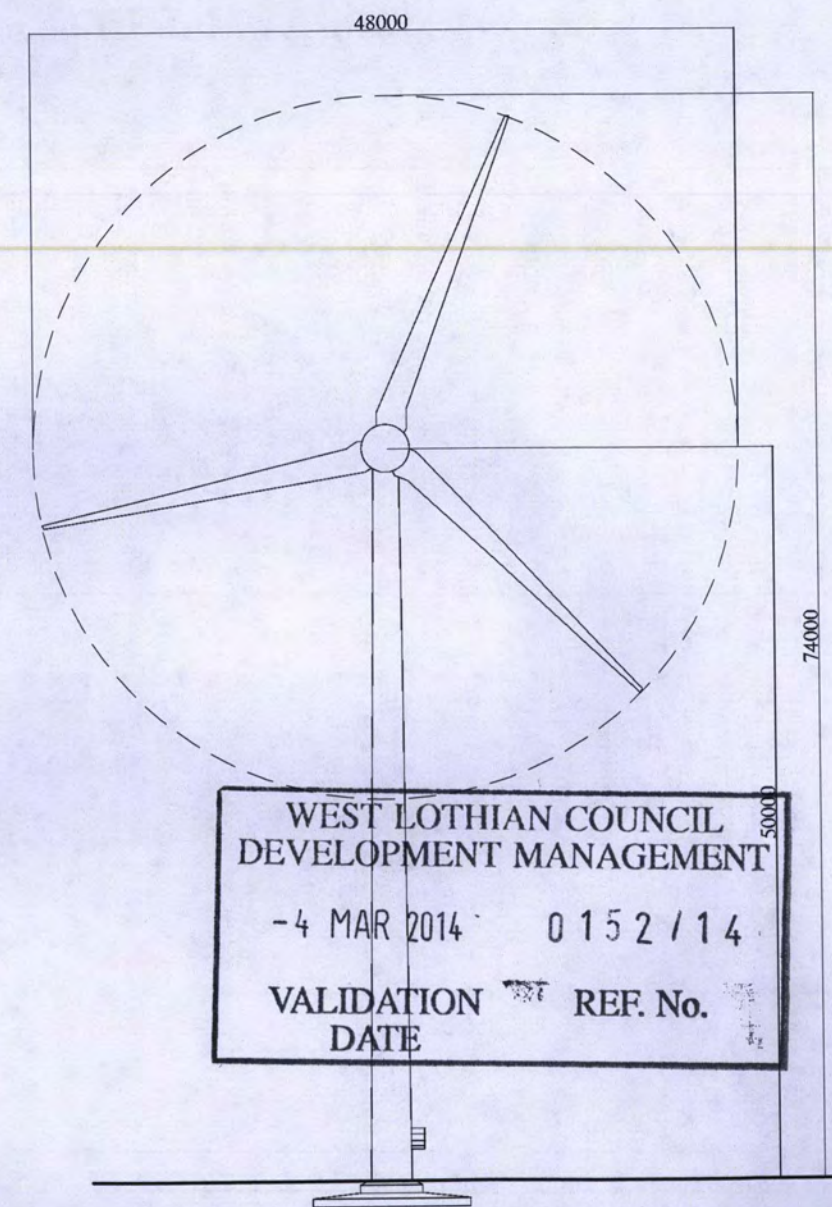
SITE PLAN AS PROPOSED 1/500



PLAN OF TURBINE AS PROPOSED 1/500

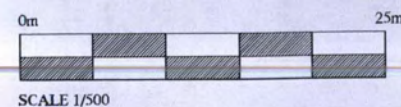


SIDE ELEVATION OF TURBINE
AS PROPOSED 1/500



FRONT ELEVATION OF TURBINE AS PROPOSED 1/500

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revisions & notes
A - Alteration to turbine & service unit in accordance with client & planning dept' req'mnts.
B - Service station position moved north

rdp - architecture

52 Kempock St, Gourock. Pa19 1nd.
tel. 01475 637165 e-mail rdparch@hotmail.co.uk

client: ALDI STORES LTD.

Job no. 517

drg. no. 04

project: POTTISHAW ROAD, JUNCTION 4/M8,
BATHGATE, EH48 2FB

drawing size - A3

drawn: MM

checked: PKR



LOCAL REVIEW BODY

PROCEDURE NOTICE

APPLICATION No. 0152/FUL/14 – ERECTION OF A 74M HIGH (TO BLADE TIP) WIND TURBINE AT ALDI DISTRIBUTION CENTRE, POTTISHAW ROAD, BATHGATE

The Local Review Body at its meeting on 29 October 2014 decided under Regulation 15(1) of the Town and Country Planning (Schemes of Delegation and Local Review Body Procedure) (Scotland) Regulations 2013 that further information should be provided to it by means of written submissions.

The Local Review Body decided to request the following information:-

From Aldi Stores Ltd., Pottishaw Road, J4M8, Bathgate, EH48 2FB, Applicants, care of GVA James Barr, Quayside House, 127 Fountainbridge, Edinburgh, EH3 9QG, meg.nelson@gvajb.co.uk, Agents for the Applicants:-

In relation to issues of wind shear and ice throw which may affect the wind turbine and the immediate area if the turbine is erected and operated:-

- the likelihood of such issues arising
- the risks involved to those working at the Distribution Centre and using public footpaths and roads nearby
- the technical and other measures which exist or may be provided to avoid those issues and to avoid or mitigate those risks
- whether information was provided to the Appointed Person in relation to these issues prior to his determination of the application for planning permission
- whether that information was assessed and found to be satisfactory in the course of the Appointed Person's consideration of the application for planning permission

The information is to be sent to the Clerk to the Local Review Body and to the Appointed Person (below) so that he has the opportunity to make comments.

That information is to be provided on or before 14 November 2014.

The Appointed Person has 14 days from the date of receipt of any such information to make comments on it, but not to raise new matters, by sending a copy to the Clerk to the Local Review Body and to the Applicants, through their Agents (above).

A copy of this Procedure Notice has been sent to all parties involved in the review application, as follows:-

- Aldi Stores Ltd., Pottishaw Road, J4M8, Bathgate, EH48 2FB, Applicants, care of GVA James Barr, Quayside House, 127 Fountainbridge, Edinburgh, EH3 9QG, meg.nelson@gvajb.co.uk, Agents for the Applicants, meg.nelson@gvajb.co.uk

- Mr Chris Norman (Appointed Person), West Lothian Council, Development Management Services, Lomond House, Beveridge Square, Livingston, West Lothian, EH54 6QF, chris.norman@westlothian.gov.uk

James Millar
Clerk to the Local Review Body
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
EH54 6FF

Date: 30 October 2014

01506 281613

James.Millar@westlothian.gov.uk

BY EMAIL ONLY

31st October 2014

Ms Val Johnston
Committee Services
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
EH54 6FF

gva.co.uk/scotland

Direct Line: 0131 469 6016
Email: robert.newton@gvajb.co.uk

Dear Ms Johnston

**PLANNING APPLICATION 0152/FUL/14 FOR ERECTION OF A 74M HIGH (BLADE TO TIP)
WIND TURBINE AT ALDI DISTRIBUTION CENTRE, POTTISHAW ROAD, BATHGATE BY ALDI
STORES LTD**

RESPONSE TO LOCAL REVIEW BODY PROCEDURE NOTICE 30TH OCTOBER 2014

We refer to the above review, which was reported to West Lothian Council's LRB on Wednesday 29th October 2014 and continued for further information to be provided by means of written submissions. This letter and attachment is the applicant's response to this request for further information.

The Procedure Notice (received yesterday) sets out the terms of further information that has been requested. It states that such information is requested in relation to the issues of 'wind shear' and 'ice throw'.

In the first instance, it is not the applicant's (or indeed agent's) recollection of the LRB meeting itself that the review was continued in relation to requesting further information on the issue of 'wind shear'. There were a number of references during the meeting to 'ice shear' (where we assume Members meant 'ice throw'), but not 'wind shear'.

We make this distinction in the first instance, as wind shear is a very different issue to ice throw and it would not be appropriate for this response to the procedure notice to therefore cover this issue. For information only, wind shear is a purely technical and operational issue, and not a planning issue that is relevant to any related planning application process. A wind monitoring mast has already been erected on the application site, amongst other reasons, to consider the issue of wind shear, but as noted above, this is purely for technical and operational reasons, in the event that planning permission is forthcoming.

This response to the procedure notice therefore addresses solely the issue of ice throw.

A separate note prepared by Aldi's renewable energy advisor Loganwood Wind, entitled "Further information on ice throw as requested by LRB", is attached to this letter. It addresses the points raised in the procedure notice.

In addition to the note and, as it relates to bullet points 4 and 5 of the procedure notice, the applicant would also respond as follows.

In respect of bullet point 4, information on the issue of ice throw has already been provided with the original planning application submission, as it was requested by the case officer during pre application planning discussions. It is covered at page 13 of the Associated Infrastructure Assessment, Planning Statement and Transport Statement (by Loganwood Wind, February 2014), as submitted with the planning application. Certain points have now been added, in the course of directly responding to the procedure notice and we would refer you to the attached note on "Further information on ice throw as requested by LRB", as set out above.

In respect of bullet point 5, it must be concluded that this information (on ice throw) was assessed and found to be satisfactory in the course of determining the planning application, as it is not mentioned at any point in the delegated reasons for refusing the application. Furthermore, it is not referred to in any consultation responses during determination of the planning application, nor the Handling Report by the case officer.

Nevertheless, in responding to the LRB's request, we trust the attached note and contents of this letter are most helpful.

In view of these considerations, we would respectfully request that the review is now promptly returned to the next available LRB meeting, on the 26th November 2014, for determination. We hope this is seen as a fair and reasonable request.

Please do contact Rob Newton (0131 4696019) for any further information.

Yours sincerely



GVA GRIMLEY LTD

For and on behalf of Aldi Stores Ltd

Enc

Planning application 0152/FUL/14 – erection of a 74M high (to blade tip) wind turbine at Aldi Distribution Centre, Pottishaw Road, Bathgate

Further information on Ice Throw as requested by Local Review Body 29/10/2014

Ice throw is primarily a concern where arctic or alpine weather conditions prevail and ice storms cause problems with infrastructure, an example being complete failure of pylon lines due to icing. The LRB members will recognize extreme icing does not typically occur in the UK. Ice throw may occur in the UK but prevailing climatic conditions do not lend themselves to excessive icing of turbine blades and it is no surprise this is reflected in Scottish Planning Policy, where ice throw is not listed as a criteria for consideration in planning applications[1].

The limited risk of ice throw in the UK is mitigated by installing ice detection software. When ice forms on turbine blades two effects are caused that can be identified by sensors on the turbine, when the turbines computer suspects icing is occurring it will shut down the turbine automatically. The two effects that can be sensed are:

- **Vibrations:** Ice forming unevenly across the blades causes vibrations in the rotor, in the same way a car wheel vibrates if not properly balanced.
- **Aerodynamic Impairment:** Ice forming on the blades impairs the aerodynamic profile, this is the same reason why aeroplanes have their wings defrosted in freezing conditions prior to take off. Aerodynamic impairment results in loss of turbine yield, the turbines anemometer records wind speed and the computer calculates expected energy yield at any given wind speed, when energy yield falls below expectations and temperature is below two degrees celsius the computer will determine blade icing is occurring,

Under both events the turbine will not re-start until the temperature rises above two degrees celsius for a sufficient time period to allow any ice to melt. Because the turbine is static during melting, in almost all cases ice drops straight to the ground, just like icicles or snow sliding off a roof and this is not considered any more dangerous than ice or snow falling from any other tall structure like a pylon or building. The main area of risk is directly under the turbines rotor diameter, this area is entirely within the landholding of Aldi so any potential risk can be managed by Aldi implementing a simple exclusion policy in freezing conditions.

The turbine proposed at Aldi is an Enercon, this German company are one of the worlds leading manufacturers of commercial scale wind turbines. During the planning process the case officer implied a smaller wind turbine (less than 50m to blade tip) may be acceptable to WLC in terms of Visual Impact. First and foremost, the problem with this argument is that a smaller wind turbine would be ineffectual at Aldi owing to wind conditions and required power output (as set out in the original planning application), but furthermore, in the context of ice throw, the smaller wind turbines on the UK market are cheaper built and sophisticated control systems and ice detection software are not available with them. In contrast, ice detection software is fitted as standard to Enercon wind turbines, Enercon do not manufacture wind turbines of less than 50m to blade tip.

If the LRB is ultimately minded to grant planning permission and it is considered necessary to do so, Aldi would be willing to accept an appropriately worded planning condition that requires the installation of the ice detection software. As set out above, this is considered sufficient to mitigate any potential risk in UK climatic conditions.

[1] Scottish Planning Policy, February 2010, Paragraph 187.



Development Management

County Buildings
High Street
Linlithgow
EH49 7EZ

Tel: 01506 282456

Our Ref: 0152/FUL/14

Direct Dial No: 01506 282410

Email: tony.irving@westlothian.gov.uk

03 November 2014

Val Johnston
Committee Services
West Lothian Council
West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH5 6FF

Dear Ms Johnston

**Erection of a 74m high (to blade tip) wind turbine (grid ref. 296865 666470) at ALDI DISTRIBUTION CENTRE, POTTISHAW ROAD, Bathgate, EH48 2FB
RESPONSE TO APPLICANT RESPONSE OF 31 OCTOBER 2014 TO LOCAL REVIEW BODY PROCEDURE NOTICE OF 30 OCTOBER 2014**

The applicant has submitted information on ice throw as requested by the LRB procedure note. It is correct that information on ice throw was included in the applicant's supporting planning statement that was submitted with the planning application. This stated, at page 13, that the proposed turbine 'is equipped with a reliable ice detection system'. As the turbine would have a 'reliable ice detection system' this was considered to adequately address the issue of ice throw.

It is noted that the applicant has specifically stated in its response that it would be content with a planning condition to require the installation of the ice detection software. This was not raised as a draft planning condition as the applicant had advised that the turbine has a 'reliable ice detection system'. However, there is no objection to the imposition of such a planning condition.

Yours sincerely

Chris Norman
Development Management Manager

This permission is granted subject to the following conditions:

- 1 The permission hereby granted is for a temporary period and shall expire 25 years from the first date the wind turbine generates electricity. Written confirmation of the first date of generation of electricity shall be submitted in writing to the planning authority within one month of the first date of generation of electricity.

Reason: The permission hereby granted is temporary.

- 2 In the event that the wind turbine fails to generate electricity for a continuous period of six months (a failure event) then, unless otherwise agreed in writing with the planning authority, the wind turbine (including its foundation to one metre below ground level), all ancillary equipment, buildings and access tracks shall be removed from the site within six months of the failure event and the ground fully reinstated to the satisfaction of the planning authority.

Reason: To ensure any unnecessary turbines are removed as soon as practical.

- 3 Within six months of the date this permission expires, the wind turbine and all ancillary equipment, buildings and access tracks shall be removed from the site and the land restored in accordance with a restoration and aftercare scheme to be submitted for the approval of the planning authority no later than 1 year prior to the expiry of the 25 years period referred to above.

Reason: To ensure the site is adequately restored at the end of the temporary permission period.

- 4 The specification of the wind turbine hereby approved is an Enercon E48 500kW-800kW with a tapered monopole tower 50m high to hub, 3 blades with a blade diameter of 48m, a maximum ground to blade tip height of 74m. No change to this turbine specification shall be made unless approved in writing by the planning authority.

Reason: To achieve proper control over the appearance of the approved wind turbine.

- 5 The position of the wind turbine shall be grid co-ordinates 296865 666470 as shown on the approved location plan no. 01 rev B grid and any micro-siting changes shall not be made unless approved in writing by the planning authority.

Reason: To achieve proper control of the position of the approved wind turbine.

- 6 Development shall not begin until details of the colour to be used as the external finish on the wind turbine has been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the details as approved.

Reason: To achieve proper control over the appearance of the approved wind turbine.

- 7 Development shall not begin until details of the construction specification of the hardstandings required to construct and maintain the turbine have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the details as approved.

Reason: To achieve proper control over the development.

- 8 The wind turbine shall be fitted with infrared aviation lighting with an optimised flash pattern of 60 flashes per minute of 200 millisecond to 500 millisecond duration at the highest practicable unless approved in writing by the planning authority.

Reason: In the interests of aviation safety.

- 9 Development shall not begin until the Ministry of Defence (MOD) has been provided with the following information and the planning authority has been provided with evidence that the information has been submitted to the MOD:

- The date construction starts and ends.
- The maximum height of construction equipment.
- The latitude and longitude of the turbine.

Reason: To ensure that the MOD has sufficient information to plot details of the turbine on charts to ensure military aircraft avoid the area.

- 10 No symbols, signs, logos or other lettering shall be displayed on any part of the wind turbine unless approved in writing by the planning authority.

Reason: To minimise visual intrusion.

- 11 The following restrictions shall apply to the construction of the development:

Hours of Operation

Any work required to implement this planning permission that is audible within any adjacent noise sensitive receptor or its curtilage shall be carried out only between the hours of 0800 and 1800 Monday to Friday and 0800 and 1300 on a Saturday and at no time on a Sunday, unless otherwise agreed in writing with the planning authority.

Site Compound

The location and dimensions of any site compound shall be agreed in writing with the planning authority prior to works starting on site. All material not required for the construction of any building shall be immediately stored within this compound within sealed skips prior to its removal from site.

Wheel Cleaning

All construction vehicles leaving the site shall do so in a manner that does not cause the deposition of mud or other deleterious material on surrounding roads. Such steps shall include the cleaning of the wheels and undercarriage of each vehicle where necessary and the provision of road sweeping equipment.

Noise

Any plant or equipment associated with the construction works shall be suitably silenced, screened or enclosed to meet noise rating curve NR25 when measured within the nearest receptor between the hours of 2300 and 0700 and noise rating curve NR35 between the hours of 0700 and 2300.

Reason: To achieve proper control over the construction of the development.

- 12 At wind speeds not exceeding 10m/s, (referenced to a height of 10m above ground level, at the location of the wind turbine), the wind turbine noise level, when

measured at any dwelling, shall not exceed:

- a) During Night Hours, Table 1 noise limits below.
- b) During Daytime Hours, Table 1 noise limits below.

Table 1 Noise Limits (L_{A90})

Windspeed m/s	4	5	6	7	8	9	10
Daytime (07.00 – 23.00) L_{A90} (10min)	54	54	55	56	57	58	59
Night Hours (23.00- 07.00) L_{A90} (10min)	46	47	48	49	50	51	51

Reason: To ensure that the turbine is not causing unacceptable noise in the interests of residential amenity.

- 13 The wind farm operator shall continuously log power production, wind speed and wind direction, all in accordance with guidance note 1(d). These data shall be retained for a period of not less than 24 months. The wind farm operator shall provide this information in the format set out in guidance note 1(e) to the planning authority on its request, within 14 days of receipt in writing of such a request.

Reason: To allow information to be available to ensure any future compliance monitoring is undertaken in similar conditions as those in which the complainant refers to.

14 Measurement of the Level of Noise Emissions

- (a) Within 21 days from receipt of a written request from the planning authority following a complaint to it from an occupant of a dwelling alleging noise disturbance at that dwelling, the wind farm operator shall, at its expense, employ a consultant approved by the planning authority to assess the level of noise emissions from the wind farm at the complainant's property in accordance with the procedures described in the attached guidance notes. The written request from the planning authority shall set out at least the date, time and location that the complaint relates to and any identified atmospheric conditions, including wind direction, and include a statement as to whether, in the opinion of the planning authority, the noise giving rise to the complaint contains or is likely to contain a tonal component.
- (b) The assessment of the rating level of noise emissions shall be undertaken in accordance with an assessment protocol that shall previously have been submitted to and approved in writing by the planning authority. The protocol shall include the proposed measurement location identified in accordance with the guidance notes where measurements for compliance checking purposes shall be undertaken, whether noise giving rise to the complaint

contains or is likely to contain a tonal component, and also the range of meteorological and operational conditions (which shall include the range of wind speeds, wind directions, power generation and times of day) to determine the assessment of rating level of noise emissions. The proposed range of conditions shall be those which prevailed during times when the complainant alleges there was disturbance due to noise, having regard to the written request of the planning authority under paragraph (a), and such others as the independent consultant considers likely to result in a breach of the noise limits.

- (c) The wind farm operator shall provide to the planning authority the independent consultant's assessment of the rating level of noise emissions undertaken in accordance with the guidance notes within 2 months of the date of the written request of the planning authority for compliance measurements to be made under paragraph (a), unless the time limit is extended in writing by the planning authority. The assessment shall include all data collected for the purposes of undertaking the compliance measurements, such data to be provided in the format set out in guidance note 1(e). The instrumentation used to undertake the measurements shall be calibrated in accordance with guidance note 1(a) and certificates of calibration shall be submitted to the planning authority with the independent consultant's assessment of the rating level of noise emissions.
- (d) Where a further assessment of the rating level of noise emissions from the wind farm is required pursuant to guidance note 4(c), the wind farm operator shall submit a copy of the further assessment within 21 days of submission of the independent consultant's assessment pursuant to paragraph (c) above unless the time limit has been extended in writing by the planning authority.
- (e) Once the planning authority has received the independent consultant's noise assessment required by this condition, including all noise measurements and any audio recordings, where the planning authority is satisfied of an established breach of the noise limits set out in condition, upon notification by the planning authority in writing to the wind farm operator of the said breach, the wind farm operator shall within 21 days propose a scheme for the approval of the planning authority. The scheme shall be designed to mitigate the breach and to prevent its future recurrence. This scheme shall specify the timescales for implementation. The scheme shall be implemented as reasonably approved by the planning authority and according to the timescales within it. The scheme as implemented shall be retained thereafter unless otherwise agreed with the planning authority.

Reason: To provide monitoring data to inform the planning authority of wind speeds on site and to safeguard the noise amenity of local residents.

- 15 At the request of the planning authority, following any valid, written complaint received by the planning authority, the wind turbine operator shall investigate any impacts from shadow flicker and provide details for the written approval of the planning authority of the proposed mitigation methods within seven days of being advised of the complaint. The agreed mitigation measures shall thereafter be implemented in accordance with a timescale to be set out in writing by the planning authority.

Reason: To ensure that the turbine is not causing unacceptable shadow flicker in

the interests of residential amenity.

Definitions for Noise Conditions 12-14

‘wind turbine noise level’ means the rated noise level due to the combined effect of all the wind turbines at the development, excluding existing background noise level but including any tonal penalty incurred under the methodology described in ETSU-R-97.

‘background noise level’ means the ambient noise level already present within the environment (in the absence of noise generated by the development) as measured and correlated with wind speeds.

‘night hours’ means 23:00 - 07:00 hours on all days.

‘daytime hours’ means 07:00 – 23:00 hours on all days.

‘quiet waking hours’ means 18:00 - 23:00 hours on all days, plus 07:00 - 18:00 on Sundays and public holidays and 13:00 -18:00 hours on Saturdays.

‘noise sensitive premises’ means premises, the occupants of which could be exposed to noise from the wind farm and includes hospitals, residential homes, nursing homes, etc.

Guidance Notes for Noise Conditions 12-14

These notes are to be read with and form part of the noise conditions. They further explain the conditions and specify the methods to be employed in the assessment of complaints about noise emissions from the wind farm. The rating level at each integer wind speed is the arithmetic sum of the wind farm noise level as determined from the best-fit curve described in Guidance Note 2 of these Guidance Notes and any tonal penalty applied in accordance with Guidance Note 3. Reference to ETSU-R-97 refers to the publication entitled *“The Assessment and Rating of Noise from Wind Farms”* published by the Energy Technology Support unit (ETSU) for the Department of Trade and Industry (DTI).

Guidance Note 1

- a) Values of the $L_{A90,10}$ -minute noise statistic should be measured at the complainant's property, using a sound level meter of EN 60651/BS EN 60804 Type 1, or BS EN 61672 Class 1 quality (or the equivalent UK adopted standard in force at the time of the measurements) set to measure using the fast time weighted response as specified in BS EN 60651/BS EN 60804 or BS EN 61672-1 (or the equivalent UK adopted standard in force at the time of the measurements). This should be calibrated in accordance with the procedure specified in BS 4142: 1997 (or the equivalent UK adopted standard in force at the time of the measurements). Measurements shall be undertaken in such a manner as to enable a tonal penalty to be applied in accordance with Guidance Note 3.
- b) The microphone should be mounted at 1.2 – 1.5 metres above ground level, fitted with a two-layer windshield or suitable equivalent approved in writing by the planning authority, and placed outside the complainant's dwelling. Measurements should be made in “free field” conditions. To achieve this, the microphone should be placed at least 3.5 metres away from the building facade or any reflecting surface except the ground at the approved measurement location. In the event that the consent of the complainant for access to his or her property to undertake compliance measurements planning authority is withheld, the wind farm operator shall submit for the written approval of the planning authority details of the proposed alternative representative measurement location prior to the commencement of measurements and the measurements shall be undertaken at the approved alternative representative measurement location.

- c) The $L_{A90,10\text{-minute}}$ measurements should be synchronised with measurements of the 10-minute arithmetic mean wind and operational data logged in accordance with Guidance Note 1(d), including the power generation data from the turbine control systems of the wind farm.
- d) To enable compliance with the conditions to be evaluated, the wind farm operator shall continuously log arithmetic mean wind speed and wind direction at hub height for each turbine and arithmetic mean power generated by each turbine, all in successive 10-minute periods, unless otherwise agreed in writing with the planning authority. The mean wind speed data for the operating turbines shall be 'standardised' to a reference height of 10 metres as described in ETSU-R-97 at page 120 using a reference roughness length of 0.05 metres. It is this standardised 10 metre height wind speed data, averaged across all operating wind turbines, which is correlated with the noise measurements determined as valid in accordance with Guidance Note 2, such correlation to be undertaken in the manner described in Guidance Note 2. All 10-minute periods shall commence on the hour and in 10-minute increments thereafter.
- e) Data provided to the planning authority in accordance with the noise condition shall be provided in comma separated values in electronic format.

Guidance Note 2

- a) The noise measurements shall be made so as to provide not less than 20 valid data points as defined in Guidance Note 2.
- b) Valid data points are those measured in the conditions specified in the agreed written protocol under paragraph (b) of noise condition **14**, but excluding any periods of rainfall measured in the vicinity of the sound level meter. Rainfall shall be assessed by use of a rain gauge that shall log the occurrence of rainfall in each 10 minute period concurrent with the measurements periods set out in Guidance Note 1. In specifying such conditions the planning authority shall have regard to those conditions which prevailed during times when the complainant alleges there was disturbance due to noise or which are considered likely to result in a breach of the limits.
- c) For those data points considered valid in accordance with Guidance Note 2(b), values of the $L_{A90,10\text{-minute}}$ noise measurements and corresponding values of the 10-minute wind speed, as derived from the standardised ten metre height wind speed averaged across all operating wind turbines using the procedure specified in Guidance Note 1(d), shall be plotted on an XY chart with noise level on the Y-axis and the standardised mean wind speed on the X-axis. A least squares, "best fit" curve of an order deemed appropriate by the independent consultant (but which may not be higher than a fourth order) should be fitted to the data points and define the wind farm noise level at each integer speed.

Guidance Note 3

- a) Where, in accordance with the approved assessment protocol under paragraph (b) of noise condition **14**, noise immissions at the location or locations where compliance measurements are being undertaken contain or are likely to contain a tonal component, a tonal penalty is to be calculated and applied using the following rating procedure.
- b) For each 10-minute interval for which $L_{A90,10\text{-minute}}$ data have been determined as valid in accordance with Guidance Note 2 a tonal assessment shall be performed on noise immissions during 2 minutes of each 10-minute period. The 2-minute periods should be spaced at 10-minute intervals provided that uninterrupted, uncorrupted data are available ("the standard procedure"). Where uncorrupted data are not available, the first available uninterrupted clean 2-minute period out of the affected overall 10-minute period shall be selected. Any such deviations from the standard procedure, as described in Section 2.1 on pages 104-109 of ETSU-R-97, shall be reported.

- c) For each of the 2-minute samples the tone level above or below audibility shall be calculated by comparison with the audibility criterion given in Section 2.1 on pages 104-109 of ETSU-R-97.
- d) The tone level above audibility shall be plotted against wind speed for each of the 2-minute samples. Samples for which the tones were below the audibility criterion or no tone was identified, a value of zero audibility shall be substituted.
- e) A least squares “best fit” linear regression line shall then be performed to establish the average tone level above audibility for each integer wind speed derived from the value of the “best fit” line at each integer wind speed. If there is no apparent trend with wind speed then a simple arithmetic mean shall be used. This process shall be repeated for each integer wind speed for which there is an assessment of overall levels in Guidance Note 2.
- f) The tonal penalty is derived from the margin above audibility of the tone according to figure 17 on page 104 of ETSU-R-97.

Guidance Note 4

- a) If a tonal penalty is to be applied in accordance with Guidance Note 3 the rating level of the turbine noise at each wind speed is the arithmetic sum of the measured noise level as determined from the best fit curve described in Note 2 and the penalty for tonal noise as derived in accordance with Guidance Note 3 at each integer wind speed within the range specified by the planning authority in its written protocol under paragraph (b) of noise condition **14**.
- b) If no tonal penalty is to be applied then the rating level of the turbine noise at each wind speed is equal to the measured noise level as determined from the best fit curve described in Guidance Note 2.
- c) In the event that the rating level is above the limit(s) set out in condition **12** attached to the noise conditions the independent consultant shall undertake a further assessment of the rating level to correct for background noise so that the rating level relates to wind turbine noise immission only.
- d) The wind farm operator shall ensure that all the wind turbines in the development are turned off for such period as the independent consultant requires to undertake the further assessment. The further assessment shall be undertaken in accordance with the following steps:
 - (i) Repeating the steps in Guidance Note 2, with the wind farm switched off, and determining the background noise (L3) at each integer wind speed within the range requested by the planning authority in its written request under paragraph (a) and the approved protocol under paragraph (b) of the noise condition **14**.
 - (ii) The wind farm noise (L1) at this speed shall then be calculated as follows where L2 is the measured level with turbines running but without the addition of any tonal penalty:

$$L_1 = 10 \log[10^{L_2/10} - 10^{L_3/10}]$$

- (iii) The rating level shall be re-calculated by adding the tonal penalty (if any is applied in accordance with Note 3) to the derived wind farm noise L1 at that integer wind speed.

(iv) If the rating level after adjustment for background noise contribution and adjustment for tonal penalty (if required in accordance with Guidance Note 3 above) at any integer wind speed lies at or below the values set out in condition **12** then no further action is necessary. If the rating level at any integer wind speed exceeds the values set out in condition **12** the development fails to comply with the conditions.

ANNEX 1, SCHEDULE OF PLANS

1. Location plan 1:5000 no. 02
2. Location plan 1:2500 no. 01
3. Layout plan 1:1250 no. 03
4. Layout plan 1:500 & turbine plan & elevations no. 04
5. Service unit plan & elevations no. 05

ADVISORY NOTES TO DEVELOPER

Notification of the start of development:

By virtue of section 27A of the Town & Country Planning (Scotland) Act 1997 (as amended), it is a legal requirement that the person undertaking the development gives the planning authority prior written notification of the date on which it is intended to commence the development. Failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken. The notification must include full details of the name and address of the person carrying out the development as well as the owner of the land and must include the reference number of the planning permission and the date it was granted. If someone is to oversee the work, the name and contact details of that person must be supplied. A form is enclosed with the consent which can be used for this purpose. Failure to provide the above information may lead to enforcement action being taken.

Notification of completion of development:

As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give notice of completion to the planning authority. A form is enclosed with the consent which can be used for this purpose.

Duration of consent:

This planning permission lapses on the expiry of a period of 3 years (beginning with the date on which the permission is granted) unless the development to which the permission relates is begun before that expiry.

Coal mining:

As the proposed development is within an area which could be subject to hazards from current or past coal mining activity, the applicant is advised to liaise with the Coal Authority before work begins on site, to ensure that the ground is suitable for development. Any activities which affect any coal seams, mine workings or coal mine entries (shafts) require the written permission of the Coal Authority. Failure to obtain such permission constitutes trespass, with the potential for court action. The Coal Authority is concerned, in the interest of public safety, to ensure that any risks associated with existing or proposed coal mine workings are identified and mitigated. To contact the Coal Authority to obtain specific information on past, current and proposed coal mining activity you should contact the Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

WEST LOTHIAN COUNCIL LOCAL REVIEW BODY

MEMBERS' CHECKLIST

PART 1 – IDENTIFICATION OF RELEVANT DOCUMENTS, POLICIES AND OTHER CONSIDERATIONS

1	Type of decision being reviewed	
2	Procedural issues from the processing of the Review	
3	New matters not before the Appointed Person when the decision was made	
4	Development Plan policies	
5	Relevant material considerations	
	Emerging development plan (date, stage reached, consultations, provisions)	Other statutory plans and policies (date, provisions, consultations)
	WLC Supplementary Planning Guidance (date, provisions, consultations)	National Government Planning Policy and Guidance
	Views of consultees (statutory, non-statutory)	Objections and other representations
	Planning history	Visual and spatial amenity
	Residential amenity	Public fears/concerns (with a demonstrable and rational basis)
	Others	
6	Considerations <u>not</u> to be taken into account	
7	Factual disputes to be resolved	
8	Conditions required or not, available or not	
9	Requirement for develop contributions, and for what	
10	Requirement for legal agreement for other reasons	

PART 2 – FIRST MEETING PROCEDURAL DECISIONS

1	The legal and other factors to consider	
	National guidance	Preference expressed in the application
2	Need for site visit required, and for what reason	
3	Need for written submissions, and for what reason	
4	Need for a Hearing Session, and for what reason	

5	Pre-examination meeting, and for what reason
6	Other reasons for adjourned first meeting
7	Is there sufficient information to allow the LRB to determine the application, or is an adjourned First Meeting require?

PART 3 – ADJOURNED FIRST MEETING PROCEDURAL DECISIONS

1	Procedures decided on at first meeting and have they been completed
2	New matters raised or new evidence arising
3	Is the LRB now able to determine the review?
4	If not, what further information is needed and how will it be obtained

PART 4 – DETERMINATION OF THE REVIEW

1	Is the development in accordance with the development plan or is it contrary to the plan?	
	The policies it complies with	The policies it breaches
2	Does the development accord with national planning guidance?	
	The guidance it complies with	The guidance it breaches
3	Does the development accord with local planning guidance?	
	The guidance it complies with	The guidance it breaches
4	Relevant material considerations	
	What relevant considerations exist	The weight to give them and how to balance them
5	In applying the statutory test, what is the LRB's decision?	
	Uphold AP's decision, refuse the review application and so refuse planning permission	
	Reverse AP's decision, grant the review application and so grant planning permission	
	Uphold AP's decision in part, vary that decision and so grant planning permission	
	If planning permission to be granted, for what development?	
	If planning permission to be granted, on what conditions, if any	
	Planning reasons for decision	