

APPENDIX 1**(PG) CONTROLLING OBTRUSIVE LIGHTING (LIGHT POLLUTION) & REDUCING LIGHTING ENERGY CONSUMPTION
SUMMARY OF CONSULTATION REPRESENTATIONS WITH COUNCIL'S RESPONSES**

RESPONDENT	SUMMARY OF COMMENTS RECEIVED	COUNCIL RESPONSE
Scottish Natural Heritage (SNH) <i>Vivienne Gray</i>	<p>SNH welcomes the recognition the guidance affords to the impact of obtrusive lighting on ecology and wildlife and the wider night-time landscape impacts of resulting effects such as sky glow. No amendment or revisions to the guidance are sought.</p>	<p><i>Comments noted.</i></p>
Mr John Thomas (Resident)	<p>The respondent is a West Lothian resident who became aware of the consultation after having seen it listed on the Planning Services 'Open Consultations' page of the council web site.</p> <p>Mr Thomas considers the consultation positive and regards the issue of artificial lighting to be a pollutant. He is particularly concerned at the adverse consequences of external lighting as it affects astronomy and while recognising that the guidance does identify the issue of 'dark skies' he suggests that this could perhaps be given greater emphasis.</p>	<p><i>The specific effect pollution of this nature has on the ability to view the stars has been explicitly referenced in the guidance and the Commission for Dark Skies has been hyperlinked in order to enable anyone with a particular interest in this subject area to find out more. It's also the case that the Commission for Dark Skies was extended an invitation to comment on this guidance. In the event however no response has been received.</i></p> <p><i>Pollution of the night sky as a consequence of artificial lighting is one of the key drivers for having prepared guidance of this nature and it is concluded that this issue is sufficiently well explained and the guidance does not therefore require additional elaboration or amendment.</i></p>

<p>Kirknewton Community Council <i>Vic Garrad</i></p>	<p>The guidance is generally commended by the community council and it is recognised as making a contribution to the council's climate change strategy.</p> <p>Attention has however also been drawn to a response received by the community council when it conducted its own consultation exercise and which queries how lighting installations that contravene the guidelines will be dealt with, illustrated with reference to an instance in Kirknewton which has created a nuisance for local residents.</p>	<p><i>Comments noted.</i></p> <p><i>In situations where works have been implemented without the necessary planning approval i.e. are 'unauthorised', the council has recourse to its powers of enforcement and is committed to investigate and seek to resolve any breaches of planning control that may have occurred.</i></p> <p><i>In the particular case of the Kirknewton example cited the council has actively engaged with the party responsible for the unauthorised installation and a remedy has been agreed. It is however noted that it has not yet been implemented and enforcement colleagues have been alerted and asked to progress matters.</i></p> <p><i>Where installations are of a nature that do not require planning permission the primary regulatory controls of Statutory Nuisances come within Part III of the Environmental Protection Act 1990, as introduced by the Public Health etc. (Scotland) Act 2008 which are administered primarily by the council's Environmental Health service.</i></p>
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