



Development Management Committee

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

15 September 2021

A meeting of the **Development Management Committee** of West Lothian Council will be held within the **Virtual Meeting Room** on **Wednesday 22 September 2021** at **10:00am**.

For Chief Executive

BUSINESS

Public Session

1. Apologies for Absence
2. 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
3. Order of Business, including notice of urgent business, declarations of interest in any urgent business and consideration of reports for information.

The Chair will invite members to identify any such reports they wish to have fully considered, which failing they will be taken as read and their recommendations approved.

4. Confirm Draft Minutes of Meeting of Development Management Committee held on Wednesday 18 August 202 (herewith).

Public Items for Decision

5. Application No.0320/FUI.21 - Formation of a wind farm consisting of 6 turbines with a maximum height to blade tip of 149.9m with associated infrastructure, EIA Development, Camlty Plantation, Harburn, West Lothian (herewith)

6. Application No.0497/P/21 - Application under Section 42 to develop land to modify condition 4 of planning permission in principle 0020/P/16 for a 19 hectare residential development with associated to allow a maximum of 375 residential units to be constructed on the north side of the A89 (increase from 300 to 375), Standhill, North/South West Main Street, Armadale (herewith)
7. Application No.0645/FUL/21 - Change of use from storage (class 6), alterations and erection of a 180sqm extension, 18 Firth Road, Houston Industrial Estate, Livingston (herewith)
8. Application No.0734/FUL/21 - Formation of 2 footpath connections (in retrospect), St John's Hospital, Howden West Road, Livingston (herewith)
9. Application No.0750/H/21 - Roof extension to form first floor accommodation, 5 Deanburn Road, Linlithgow (herewith)

Public Items for Information

10. Appeals -
 - (a) Application 1024/PO/20: Modification of planning obligation relating to planning permission 1044/P/08 to amend the education infrastructure provisions at land at Armadale Station, Armadale, EH48 2FR - Appeal allowed
 - (b) Application 0091/FUL/21: Change of use of agricultural land to dog exercise area with erection of perimeter fencing and associated parking at land at Old Deans Road, Bathgate, West Lothian, EH48 1JU - Appeal allowed
 - (c) Application 0161/FUL/21: Erection of a garage with upper floor hobby accommodation at Turner House, Gowanbank, Westfield, Falkirk, FK1 2JY - Appeal dismissed
11. Consider list of delegated decisions on planning applications and enforcement actions for the period 13 Aug to 10 Sept 2021 (herewith)

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

CODE OF CONDUCT AND DECLARATIONS OF INTEREST

This form is to help members. It is not a substitute for declaring interests at the meeting.

Members should look at every item and consider if they have an interest. If members have an interest they must consider if they have to declare it. If members declare an interest they must consider if they have to withdraw.

NAME	MEETING	DATE

AGENDA ITEM NO.	FINANCIAL (F) OR NON- FINANCIAL INTEREST (NF)	DETAIL ON THE REASON FOR YOUR DECLARATION (e.g. I am Chairperson of the Association)	REMAIN OR WITHDRAW

The objective test is whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor.

Other key terminology appears on the reverse.

If you require assistance, please ask as early as possible. Contact Julie Whitelaw, Monitoring Officer, 01506 281626, julie.whitelaw@westlothian.gov.uk, James Millar, Governance Manager, 01506 281695, james.millar@westlothian.gov.uk, Carol Johnston, Chief Solicitor, 01506 281626, carol.johnston@westlothian.gov.uk, Committee Services Team, 01506 281604, 01506 281621 committee.services@westlothian.gov.uk

SUMMARY OF KEY TERMINOLOGY FROM REVISED CODE

The objective test

“...whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor”

The General Exclusions

- As a council tax payer or rate payer or in relation to the council's public services which are offered to the public generally, as a recipient or non-recipient of those services
- In relation to setting the council tax.
- In relation to matters affecting councillors' remuneration, allowances, expenses, support services and pension.
- As a council house tenant, unless the matter is solely or mainly about your own tenancy, or you are in arrears of rent.

Particular Dispensations

- As a member of an outside body, either appointed by the council or later approved by the council
- Specific dispensation granted by Standards Commission
- Applies to positions on certain other public bodies (IJB, SEStran, City Region Deal)
- Allows participation, usually requires declaration but not always
- Does not apply to quasi-judicial or regulatory business

The Specific Exclusions

- As a member of an outside body, either appointed by the council or later approved by the council
- The position must be registered by you
- Not all outside bodies are covered and you should take advice if you are in any doubt.
- Allows participation, always requires declaration
- Does not apply to quasi-judicial or regulatory business

Categories of “other persons” for financial and non-financial interests of other people

- Spouse, a civil partner or a cohabitee
- Close relative, close friend or close associate
- Employer or a partner in a firm
- A body (or subsidiary or parent of a body) in which you are a remunerated member or director
- Someone from whom you have received a registrable gift or registrable hospitality
- Someone from whom you have received registrable election expenses

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE held within VIRTUAL MEETING ROOM, on 18 AUGUST 2021.

Present – Councillors Charles Kennedy (Chair), Tom Kerr, Stuart Borrowman, William Boyle, Pauline Clark, Tom Conn, Lawrence Fitzpatrick, George Paul and David Tait

1. DECLARATIONS OF INTEREST

Agenda Item 6 (Application No.0801/FUL/20) - Councillor Pauline Clark declared that as she had not attended the meeting back in March 2021 when the application was first considered she had therefore not heard all the merits of the case so would not participate in the item of business.

Agenda Item 7 (Application No.0574/FUL/21) - Councillor David Tait declared that the applicant was his neighbour therefore he would not participate in the item of business.

Agenda Item 7 (Application No.0574/FUL/21)- Councillor Lawrence Fitzpatrick declared an interest in that he was a council appointed member of the West of Scotland Archaeology Service who were a statutory consultee on the application but would participate in the item of business.

Agenda Item 6 (Application No.0801/FUL/20) - All members of the committee declared an interest that they were in receipt of various pieces of correspondence from local residents and the local MSP on the application site however they would all participate in the item of business.

2. ORDER OF BUSINESS

1. The Chair ruled in terms of Standing Order 11 that the agenda would be taken in the following order:- 8, 9, 5, 7 and 6; and
2. Committee agreed, in accordance with Standing Order 8(3), that agenda items 10 to 12 were to be taken as read and their recommendations noted without further consideration.

3. MINUTE

The committee approved the minute of its meeting held on 14 July 2021 as a correct record.

4. APPLICATION NO. 0588/H/2

The committee considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration concerning an application as follows:-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
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0588/H/21	Demolition of Grant planning unauthorised shed and permission subject to erection of conditions. replacement shed, 107 Seafield Rows, Seafield
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Committee noted that the agent was in attendance at the meeting but did not wish to make a presentation. He was however available to answer any questions.

Decision

To approve the terms of the report and grant planning permission subject to conditions, including an additional condition requiring the shed to be used for domestic purposes only.

5. APPLICATION NO. 0592/FUL/21

The committee considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration concerning an application as follows:-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0592/FUL/21	Amendment to Grant planning permission 0622/FUL/18 to allow the installation of two dormer windows, former scout hall, 6 East Main Street, Uphall	Grant planning permission subject to conditions

Committee noted that the agent was in attendance at the meeting but did not wish to make a presentation. He was however available to answer any questions.

Decision

To approve the terms of the report and grant permission subject to conditions.

6. APPLICATION NO. 0524/P/09

The committee considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration concerning an application as follows: -

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
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0524/P/09 Variation of condition 24(f) & (i) of planning permission 0524/P/09 to change timescale for delivery of park and ride facility at Kirknewton Railway Station, Kirknewton

Committee then heard from Mr Peter Stirling of Stirling Developments, the applicant, speak in support of the application.

Decision

To approve the terms of the report subject to the conditions set out in the report but with an additional requirement for the bus service to also be provided at the weekend.

7. APPLICATION NO. 0574/FUL/21

The committee considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration concerning an application as follows: -

<u>Application</u>	<u>Proposal</u>	<u>Recommendation</u>
0574/FUL/21	Change of use from open space to private garden ground and erection of 1.8m boundary fence, 20 Beechwood, Linlithgow	Refuse planning permission

Committee then heard from Mr Alan Reid, the applicant, speak in support of the application.

Decision

To grant planning permission with conditions delegated to the Development Management Manager as committee determined that the application did comply with policies ENV21 and DES1 of the Local Development Plan.

8. APPLICATION NO. 0801/FUL/20

The committee considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration concerning an application as follows: -

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
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0801/FUL/20

Erection of 60 houses with associated works, including access, landscaping and SUDS provision at land south of Deanburn Road, Linlithgow

Grant planning permission subject to a Section 75 legal agreement

Committee then heard from Mr Michael Leitch, Mr Nick Smith (also speaking on behalf of Mr Donald Greig), Mr John Ralph (also speaking on behalf of Mr and Mrs Scott), Mrs Emma Gordon (also speaking in behalf of Michelle Ryan), Mr Kevin Laahs (also speaking on behalf of his wife), Mr Robert Stewart (also speaking on behalf of his wife and Mr and Mrs Buck), Mr Simon Whitworth and Dr John Kelly (Linlithgow & Linlithgow Bridge Community Council) all speak in support if their objections to the proposal. Committee also noted that whilst Mr Kris Robertson had requested to address committee he had been unable to attend the meeting due to other commitments.

Decision

To approve the terms of the report and grant planning permission but subject to the inclusion of the following amendments to draft condition 15:- 1) the site was to be cleared on a daily basis; 2) the developer was to install a suitable wheel washing facility on site; and that as a part of the S75 agreement the developer would contribute to the cost of making and implementing any Traffic Order for road safety measures on Preston Road during the construction period and potentially beyond. The measures to be secured by such Traffic Order/s to be agreed between the applicant and the Roads & Transportation and Development Management Managers

Councillors Willie Boyle and David Tait having both moved alternative positions which did not receive a seconder had their dissent to the decision recorded.

9. APPEALS -

Committee noted that the following appeal, which had been submitted following refusal of planning permission had been upheld in part :-

Application No.

Proposal

ENF/0396/19

Siting of 1 mobile home at Tarrareoch Guest House, Tarrareoch Farm, Station Way, Armadale

Committee noted that the following appeal, which had been submitted following refusal of planning permission had been submitted :-

Application No.Proposal

0091/FUL/21

Change of use of agricultural land to dog exercise area with erection off perimeter fencing and associated parking at land at Old Deans Road, Bathgate

10. ACTION TAKEN IN TERMS OF STANDING ORDER 31 (URGENT BUSINESS)

The committee noted the action taken in terms of Standing Order 31 (Urgent Business) to approve the submission of a response to the DPEA in relation to Planning Appal PPA-400-2124 for a change of use of agricultural land to dog exercise area, Old Deans Road, Bathgate

11. LIST OF DELEGATED DECISIONS

The Head of Planning, Economic Development and Regeneration had delegated powers to issue decisions on planning applications and enforcement action.

A list (copies of which had been circulated) of delegated and enforcement action for the period 9 to 30 July 2021 was submitted for the information of committee.

Decision

To note the list of delegated decisions.



DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Formation of a wind farm consisting of 6 turbines with maximum height to blade tip of 149.9m with associated infrastructure (EIA development) at Camilty Plantation, Harburn, EH55 8RH

2 DETAILS

Reference no.	0320/FUL/21	Owner of site	Scottish Ministers c/o Scottish Lowlands Forest District
Applicant	EDF Energy Renewables	Ward & local members	East Livingston & East Calder Councillor Carl John Councillor Tom Ullathorne Councillor Frank Anderson Councillor Damian Doran-Timson
Case officer	Matthew Watson	Contact details	01506 283536 matthew.watson@westlothian.gov.uk

Reason for referral to Development Management Committee: More than 15 objections received.

3 RECOMMENDATION

Grant planning permission, subject to conditions.

4. DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 The application seeks planning permission for the formation of a wind farm consisting of 6 turbines with maximum height to blade tip of 149.9m with associated infrastructure.
- 4.2 The site forms part of Camilty Plantation, approximately 2km south of Harburn and 4km south east of West Calder. The A70 forms the southern boundary of the site and the B7008 the western boundary, apart from where it is adjacent to Camilty Hill. Roman fortlet Castle Greg, a scheduled monument, that is excluded from the site boundary. The site is bounded to the north-east, north-west and southwest by plantation forest and to the south and south-east by open hill area associated with Crosswoodburn Farm.

- 4.3 While the site itself is not the subject of any international or national designations, it is located directly adjacent to the north boundary of the Pentland Hills Regional Park and Pentland Hills Special Landscape Area.
- 4.4 Immediately to the west site boundary there are two scheduled monuments. These are Camilty Hill Roman fortlet Castle Greg (approximately 0.4km from the nearest turbine) and Camilty Hill Enclosure Harburn (approximately 0.6km from the nearest turbine). The boundary of Harburn House Historic Garden and Designed Landscape is approximately 730m to the north-west of the site boundary and 1.2km from the nearest turbine.
- 4.5 Cobbinshaw Moss Site of Special Scientific Interest (SSSI) is south-west of the site (approximately 0.9km from the nearest turbine). Other designated sites include Craigengar Special Area of Conservation (SAC) (approximately 4km to the south of the site boundary), and Westwater Special Protection Area (SPA) and Wetland of International Importance (Ramsar Site) (approximately 7.8km to the south east of the site boundary).
- 4.6 The application site is approximately 173.8ha in size and is a commercially stocked Sitka spruce plantation interspersed with large open clear-felled areas.
- 4.7 The proposal is for six wind turbines with a capacity of 4.3 MW each. The submitted Environmental Impact Assessment (EIA) Report explains that assuming an installed capacity of 25.8 MW (6 x 4.3 MW turbines) the proposed development could enable the generation of an estimated 65.86 GWh of renewable electricity per year which is equivalent to the amount of electricity used annually by 18,909 average households and that the development could also displace 30,690 tonnes of carbon dioxide emissions per year.
- 4.8 The turbines are proposed to have a tip height of 149.9m and a hub height of 91.4m. Vehicular access to the site will be off the A70 at two points. In addition to the turbines, there will be associated access tracks, crane hardstandings, sub-station compound, construction compound, one watercourse crossing and a permanent met mast. Permission is sought for a period of 30 years.
- 4.9 As noted below, there is planning permission in place for 6 x 138.5m high turbines with associated works. This planning permission remains live with the applicant able to implement it. The proposed development represents an 8.2% increase in height on the consented wind farm, as varied.

History

- 4.10 0731/PAC/20: Proposal of application notice for a wind farm consisting of approximately 6 wind turbines, Consultation approved, 10/11/2020
- 4.11 0311/FUL/20: Formation of a secondary access for Camilty Wind Farm off the A70 (involving widening of existing junction, erection of new signage, installation of gates and barriers) and construction of 170m of new access track and upgrading of 150m existing forest track (overall resulting in 310m less of new tracks and omission of a track crossing over the Crosswood Burn), Granted, 11/06/2020
- 4.12 0261/FUL/20: Application under Section 42 to develop land without complying with condition 2 (expiry of permission 25 years after date of first generation of electricity) and

condition 7 (details of wind turbines) of planning permission 0219/FUL/13 for erection of 6 no. 132 metre high (to blade tip) wind turbines and ancillary works to allow an increase in expiry of permission to 30 years after date of first generation of electricity and increase in maximum turbine tip height to 149.9m (EIA Development), Withdrawn, 30/07/2020

- 4.13 0219/FUL/13: Erection of 6 no. 132m high (to blade tip) wind turbines and ancillary works, Refused, 16/02/2015, Allowed on appeal, 14/01/2016, Non-material variation to 138.5m high turbines, Granted, 19 March 2018
- 4.14 0829/PAC/12: Proposal of application notice for the erection of 6 no. 132m high (to blade tip) wind turbines, Planning application submitted, 09/04/2013

5. REPRESENTATIONS

- 5.1 A total of 23 objections have been received. A neutral comment from West Calder & Harburn Community Council has been submitted stating that they do not object to the application. An out of time representation from Kirknewton Community Council was also received.
- 5.2 The representations are appended to the report. A summary of representations is below:

Comments	Response
<ul style="list-style-type: none"> Impact on the surrounding landscape Impact on broadband, telecommunications and TV services Impact on biodiversity and loss of wildlife habitat Impact on the historic environment, in particular Castle Greg Roman Fortlet Impact on residential properties through shadow flicker 	<ul style="list-style-type: none"> The increase in turbine height beyond the consented 138.5m high turbines is not to a degree that the impact on the surrounding landscape is unacceptable. The applicant has submitted an assessment of impacts on broadband, telecommunications and TV services. A condition will be required that stipulates any disruption is to be investigated and mitigated at the wind farm operator's expense for TV and radio interference. Nature Scot has not objected to the application on the grounds that protected species will be adversely affected. The setting of the fortlet and its integrity as a scheduled monument will not be adversely affected. Historic Environment Scotland has raised no objection to the application. A condition is proposed to be attached in relation to investigating and mitigating shadow flicker.

<ul style="list-style-type: none"> Impact on road safety during construction 	<ul style="list-style-type: none"> A construction environmental management plan will manage the impact on the road network during construction.
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6. CONSULTATIONS

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

Consultee	Objection?	Comments	Planning Response
Transportation	No	No objections subject to a condition being attached for a road condition survey.	Noted and it is proposed to attach such a condition.
Environmental Health	No	No objections subject to conditions on noise and construction hours.	Noted and it is proposed to attach these conditions.
Nature Scot	No	No objections on the grounds of impact on protected species and landscape impact.	Noted. A condition will cover pre-construction species surveys.
Historic Environment Scotland	No	No objections to the application. Content with the assessment of the three main heritage assets.	Noted.
Ministry of Defence	No	The proposed turbines are required to be fitted with MOD accredited aviation safety lighting.	Noted. Details of lighting are proposed to be covered via condition.
NATS	No	No objections subject to a condition for a radar mitigation scheme.	Noted and it is proposed to attach this condition.
Edinburgh Airport	No	No objections subject to a condition for a radar mitigation scheme.	Noted and it is proposed to attach this condition.
Glasgow Airport	No	No objections to the application.	Noted.
South Lanarkshire Council	No	No objections subject to conditions being applied.	Noted.
SEPA	No	No objections to the application.	Noted.
Scottish Forestry	No	No objections to the application subject to compensatory planting being carried out.	Noted and it is proposed to attach a condition to cover this matter.
Scottish Water	No	No objections to the application.	Noted.
West of Scotland Archaeology Service	No	Raises concerns about the impact on Castle Greg Fortlet and its setting but no objection raised subject to a condition for an	Noted and it is proposed to attach this condition.

		archaeological programme of works.	
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7. ASSESSMENT

- 7.1 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.
- 7.2 The development plan comprises the Strategic Development Plan for South East Scotland (SESplan) and the West Lothian Local Development Plan
- 7.3 The relevant development plan policies are listed below:

Policy	Policy Summary	Assessment	Conform ?
West Lothian Local Development Plan (LDP) (2018) DES 1 Design Principles	This policy requires development to integrate with its built form and context. Proposals need to meet eight criteria and must also accord with other relevant policies and proposals in the development plan and with appropriate supplementary guidance.	The proposed layout and design meet these requirements.	Yes
West Lothian LDP NGR 1 Climate Change and Sustainability	This policy states the council will promote the principles of the reduction of greenhouse emissions, sustainable land use and sustainable design and development.	By virtue of its design and low carbon technology, the wind farm assists to mitigate and adapt to climate change, which is in adherence to the principles of NRG1.	Yes
West Lothian LDP NGR 3 Wind Energy Development	This policy states the council supports the development of wind energy schemes in principle. Proposals are to be assessed against the council's supplementary guidance on wind energy development.	The proposal is on the south western fringe of West Lothian, a location which supplementary guidance identifies as being generally suitable for wind farms. There is already consent for a wind farm on the site and so the principle of the proposal is established. The increase in height of turbines will not result in any adverse impacts beyond what has	Yes

		already been permitted on the site.	
West Lothian LDP ENV 1 Character and Special Landscape Areas	This policy states there is a presumption against development which would undermine the landscape in Special Landscape Areas.	The impact on the landscape and the adjacent Pentlands Hill SLA as a result of the increased height of the turbines will not be an adverse impact.	Yes
West Lothian LDP ENV 17 Protection of International Nature Conservation Sites.	This policy states development will not be supported where it undermines the integrity of sites of designated international importance.	The proposal will not undermine the integrity of any international designated conservation sites.	Yes
West Lothian LDP ENV 18 Protection of National Nature Conservation Sites	This policy states development will not be supported where it undermines the integrity of sites of designated national importance.	The proposal will not undermine the integrity of any national designated conservation sites.	Yes
West Lothian LDP ENV 20 Species Protection and Enhancement	This policy states development affecting protected species will not be permitted, unless four criteria can be demonstrated.	Nature Scot recommends pre-construction surveys and has not raised any objections on grounds of the impact on protected species.	Yes
West Lothian LDP ENV 32 Archaeology	This policy states that development will not be permitted where it has a significant adverse impact on a local or regionally identified site or its setting.	There is potential that archaeological material could be disturbed. WOSAS has raised concern about the proposal but has not objected. It is proposed to condition an archaeological programme of works.	Yes
West Lothian LDP ENV 33 Scheduled Monuments	This policy states that there is a presumption against development which could have an adverse impact on a scheduled monument, or the integrity of its setting	The setting of the Roman fortlet will be affected. However, the impact on the monument has been accepted as part of the consented wind farm. HES and WOSAS raise no objection to the application and the impact on the monument is not significantly greater than was has already been accepted.	Yes
West Lothian LDP	This policy requires the transport impacts	The transport impacts of the development during	Yes

TRAN 1 Transport Infrastructure	of development to be acceptable.	construction can be managed through a construction and environmental management plan. A road condition survey will also be required to be covered through a condition.	
West Lothian LDP EMG 5 Noise	This policy requires the noise impacts of development to be acceptable.	The noise impacts of the proposal will not be adverse. Environmental Health has raised no objection, subject to conditions.	Yes

7.4 The council's following statutory supplementary guidance (SG) that forms part of the Local Development Plan and non-statutory planning guidance (PG) is relevant:

- SG Planning & Noise
- SG Wind Energy Development
- PG Planning for Nature: Development Management & Wildlife

7.5 Other WLC planning policy documents of relevance are:

- Landscape Capacity Study for Wind Energy Development in West Lothian (2011)
- West Lothian Landscape Character Classification (2014)

7.6 Other policy documents of relevance are

- National Planning Framework 3
- Scottish Planning Policy 2014
- Scottish Onshore Wind Policy Statement December 2017
- Scottish Energy Strategy December 2017

7.7 The determining issues in relation to this application are set out below:

Landscape and Visual Impact

7.8 Policy NRG 3 gives general support to the proposal and references the need to conform with the supplementary guidance (SG) Wind Energy Development.

7.9 Policy ENV 1 states that development will not be permitted where there is a significant adverse impact on local landscape character.

7.10 The SG sets out a spatial framework for wind energy in West Lothian. All turbines will be located within Group 3: Areas with potential for wind farm development. The landscape character unit that the site is within is assessed in the SG as having medium landscape sensitivity to wind energy development where the objective is to accommodate wind energy development. This is the lowest sensitivity ascribed to landscape character types in the SG.

- 7.11 The site is in an area where wind farm development is firmly established with Harburnhead to the north west of the site and beyond to Pearie Law further to the west. The application site sits furthest to the south east of this group of wind farms and closest to the A70.
- 7.12 Chapter 7 of the SG includes a checklist with criteria against which wind energy development will be assessed. The criteria are all addressed in the EIA report and it is concluded that the proposal is in general compliance.
- 7.13 The EIA Report has evaluated effects on landscape and visual resource – both direct effects and effects on how the landscape is perceived – and the effect on visual amenity (views) within the study area. Cumulative effects arising from the addition of the development to other wind farms has also been considered. The EIA Report provides a visual assessment which compares the assessment of the consented wind farm and the proposed development.
- 7.14 The Environment Statement (ES) submitted with the 2013 application identified significant effects in respect of the scheduled Castle Greg Roman fortlet, the Category A-listed Linthouse Mansion and Harburn House inventory designed landscape. The EIA Report submitted with this application concludes the baseline situation has not substantively changed since 2013, except for the felling of forestry within Camilty Forest and the construction of Harburnhead Wind Farm.
- 7.15 The findings of the EIA Report are noted and accepted. The proposed wind farm will be highly visible along, and in the vicinity of, the A70 to the south west and north east of the site, as highlighted in Viewpoints (VP) 2, 3 and 4. However, the visual impact of an increase in height of the proposed turbines by 11.4m (8.2%) beyond what already has planning permission will not result in an impact that is significantly greater than that which has already been viewed as acceptable.
- 7.16 Cumulatively, there have been significant changes in the wider landscape since the assessment of the 2013 application, particularly with Harburnhead and Pearie Law both being constructed and operational. When viewed from the Pentlands Hill at West Cairn Hill (VP 12) and Craigengar (VP 13) the proposed wind farm will appear in the foreground of these views but will be seen in the context of a landscape that is characterised by wind farm development. The proposed wind farm will therefore visually integrate with these wind farms and will not result in an adverse cumulative impact on the landscape.
- 7.17 Overall, the proposal is acceptable in terms of policies NRG 3 and ENV 1. It gains support from the spatial strategy set out in the SG Wind Energy Development as the site is located in an area that is identified as having scope for turbines. Further, the proposal meets the assessment criteria in the SG. The landscape and visual impact of the proposed wind farm will not be significantly adverse beyond that which has already been viewed as acceptable.

Other Material Considerations

- 7.18 National Planning Framework 3 and Scottish Planning Policy support the expansion of renewable energy generation capacity. Paragraph 169 of Scottish Planning Policy sets out a number of criteria to consider in relation to energy infrastructure, including net economic impact (including local and community socio-economic benefits), the contribution towards renewable energy targets, the effect on greenhouse gas emissions, cumulative impacts, landscape and visual impacts, impacts on the historic environment

and impacts on tourism and recreation. It is clear that national policy expects possible impacts on the landscape and visual receptors to be balanced against possible environmental and economic benefits.

- 7.19 Scottish Planning Policy also introduces a presumption in favour of sustainable development. Paragraph 29 states that this includes giving due weight to net economic benefit and supporting the delivery of energy infrastructure, but also protecting the landscape. The thrust of national policy is therefore to give due weight to the range of factors contributing to sustainable development. In this case the development would constitute sustainable development because it would support the delivery of energy infrastructure and climate change mitigation, while having an acceptable impact on the landscape.
- 7.20 The proposal would make a significant contribution to national renewable energy generation targets. It is consistent with the development plan and Scottish Government planning policies that support wind energy development as part of the route map to net zero carbon emissions by 2045.

8. CONCLUSION AND RECOMMENDATION

- 8.1 In summary, the proposed wind farm will have environmental impacts. In this instance, these are principally landscape and visual impacts. The principle of a wind farm in this location has already been established by a previous application. The landscape and visual impacts of increasing the height of the turbines that can already be constructed on the site by 11.4m (8.2%) are not of a scale that could cause adverse impacts beyond what has already been deemed acceptable. The proposal complies with the relevant provisions of the development plan and there are no material considerations that outweigh this conclusion.
- 8.2 Consequently, and in view of the above, it is recommended that planning permission is granted, subject to conditions.

9. BACKGROUND REFERENCES & ATTACHMENTS

- Draft Conditions
- Location Plan
- Representations

Plans and site photos are available in the accompanying slide presentation pack.

Craig McCorrison
Head of Planning, Economic Development and Regeneration Date: 22 September 2021

Draft Conditions: Camilty Wind Farm – 0320/FUL/21

1. The development shall be begun no later than five years from the date of this permission.

Reason: in accordance with section 58(4)(c) of the Town and Country Planning (Scotland) Act 1997.

2. This planning permission shall expire and cease to have effect after a period of 30 years from the date when electricity is first exported from any of the approved wind turbines to the electricity grid network (the "First Export Date"). Upon the expiration of a period of 30 years from the First Export Date, the wind turbines shall be decommissioned and removed from the site, with decommissioning and restoration works undertaken in accordance with the terms of condition 3 of this permission. Written confirmation of the First Export Date shall be submitted in writing to the planning authority within one month of the First Export Date.

Reason: Wind turbines have a projected lifespan of 30 years, after which their condition is likely to be such that they require to be replaced, both in terms of technical and environmental considerations. This limited consent period also enables a review and, if required, reassessment to be made of the environmental impacts of the development and the success, or otherwise, of noise impact, species protection, habitat management and mitigation measures.

3. In the event of any serious incident relating to breach of health and safety or environmental obligations relating to the Development occurring during the period of this consent, the operator will provide written notification of the nature and timing of the incident to the planning authority within 24 hours of the operator becoming aware of the incident, and will provide including confirmation of remedial measures taken and/ or to be taken to rectify the breach, within one week of the incident within 24 hours of the incident occurring.

Reason: to keep the informed of any such incidents which may be in the public interest.

4. No development shall commence until a draft Decommissioning and Restoration Plan (DRP) for the site has been submitted to, and approved in writing by, the planning authority. Thereafter:

- not later than 3 years prior to the decommissioning of the development, the draft DRP shall be reviewed by the Wind Farm Operator and a copy submitted to the planning authority for their written approval; and
- not later than 12 months prior to the decommissioning of the development, a detailed DRP, based upon the principles of the approved draft plan, shall be submitted to, and approved in writing by, the planning authority.

The DRP shall include the removal of above ground elements of the development to a depth of 1 metre, and shall be implemented as approved within a period of 12 months unless the planning authority has agreed in writing to a longer period.

Reason: to ensure that all wind turbines and associated development is removed from site should the wind farm become largely redundant; in the interests of safety, amenity and environmental protection.

5. (i) No later than one year prior to decommissioning of the development or the expiry of this permission (whichever is the earlier) a detailed decommissioning, restoration and

aftercare plan, based upon the principles of the approved decommissioning, restoration and aftercare strategy (condition 4), shall be submitted for the written approval of the planning authority.

(ii) The total period for decommissioning and restoration of the site in accordance with this condition shall not exceed 31 years from the date when electricity is first exported to the electricity grid network from any of the wind turbines.

(iii) The detailed decommissioning, restoration and aftercare plan shall provide updated and detailed proposals, in accordance with relevant guidance at that time, for the removal of the development, the treatment of ground surfaces, the management and timing of the works and environment management provisions which shall include (but is not limited to):

- (a) a site waste management plan (dealing with all aspects of waste produced during the decommissioning, restoration and aftercare phases);
- (b) details of the formation of the construction compound, welfare facilities, any areas of hardstanding, turning areas, internal access tracks, car parking, material stockpiles, oil storage, lighting columns, and any construction compound boundary fencing;
- (c) a dust management plan;
- (d) details of measures to be taken to prevent loose or deleterious material being deposited on the local road network, including wheel cleaning and lorry sheeting facilities, and measures to clean the site entrances and the adjacent local road network;
- (e) a pollution prevention and control method statement, including arrangements for the storage and management of oil and fuel on the site;
- (f) details of measures for soil storage and management;
- (g) a surface water and groundwater management and treatment plan, including details of the separation of clean and dirty water drains, and location of settlement lagoons for silt laden water;
- (h) details of measures for sewage disposal and treatment;
- (i) temporary site illumination;
- (j) the construction of any temporary access into the site and the creation and maintenance of associated visibility splays;
- (k) details of watercourse crossings; and
- (l) a species protection plan based on surveys for protected species (including birds) carried out no longer than eighteen months prior to submission of the plan.

(ii) The development shall be decommissioned, the site restored and aftercare undertaken in accordance with the approved plan.

Reason: To ensure the decommissioning and removal of the development in an appropriate and environmentally acceptable manner and the restoration and aftercare of the site, in the interests of safety, amenity and environmental protection.

6. Development shall not begin until a bond (or other form of financial guarantee in terms acceptable to the planning authority) has been delivered to the planning authority which secures the cost of performance of all decommissioning, restoration and aftercare obligations contained in condition 5 of this permission. The financial guarantee shall thereafter be maintained in favour of the planning authority until the date of completion of all restoration and aftercare obligations.

The value of the financial guarantee shall be determined by a suitably qualified independent professional as being sufficient to meet the costs of all decommissioning, restoration and aftercare obligations contained in condition 4. The value of the financial guarantee shall be

reviewed by a suitably qualified independent professional no less than every five years and increased or decreased to take account of any variation in costs of compliance with restoration and aftercare obligations and best practice prevailing at the time of each review.

Reason: To ensure that there are sufficient funds to secure performance of the decommissioning, restoration and aftercare conditions attached to this permission in the event of default by the developer.

7. If one or more wind turbines fails to generate electricity for a continuous period of 12 months a scheme setting out how the relevant wind turbine(s) and associated infrastructure will be removed from the site and the ground restored shall be submitted for the written approval of the planning authority no later than one month after the date of expiry of the 12 month period. The approved scheme shall be implemented within six months of the date of its approval.

Reason: To ensure that any redundant wind turbine and associated infrastructure is removed from site, in the interests of safety, amenity and environmental protection

Reason: to ensure that any redundant or non-functional wind turbines removed from site, in the interests of safety, amenity and environmental protection.

8. No development shall commence until full details of the proposed wind turbines have been submitted to, and approved in writing by, the planning authority. These details shall include:

- the make, model, design, power rating and sound power levels of the turbines to be used; and
- the external colour and/or finish of the turbines to be used (incl. towers, nacelles and blades) which should be non-reflective pale grey semi-matt.

In the event that a turbine type other than that assessed in the EIA Report is selected for installation, or micro-siting is implemented, a further noise assessment shall be provided, demonstrating compliance with Tables of Noise Limits set out in condition 29 of this permission.

Thereafter, development shall progress in accordance with these approved details and the turbines shall be maintained in the approved colour, free from external rust, staining or discolouration, until such time as the wind farm is decommissioned. For the avoidance of doubt, all wind turbine blades shall rotate in the same direction.

Reason: To ensure that the turbines chosen are suitable in terms of visual, landscape, noise and environmental impact considerations.

9. No development shall commence until full details of the final location, layout, external appearance, dimensions and surface materials of all control, sub-station and other buildings, welfare facilities, compounds, the site access from the A70 and parking areas, as well as any fencing, walls, paths and any other ancillary elements of the development, including any proposed screening, have been submitted to, and approved in writing by, the planning authority. Thereafter, development shall progress in accordance with the approved details.

Reason: to ensure that all ancillary elements of the development are acceptable in terms of visual, landscape and environmental impact considerations.

10. Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), and unless there is a demonstrable health and safety or operational reason, none of the wind turbines, anemometers, power performance masts, switching stations or transformer

buildings/enclosures, ancillary buildings or above ground fixed plant shall display any name, logo, sign or other advertisement without express advertisement consent having been granted on application to the planning authority.

Reason: to ensure that the turbines are not used for advertising, in the interests of visual amenity.

11. No wind turbine shall be erected until a scheme for aviation lighting for the development has been submitted to and approved in writing by the planning authority. The scheme shall include any aviation lighting required by Civil Aviation Authority (CAA) and Ministry of Defence (MoD) that is to be applied and shall include proximity activated lighting to meet requirements of CAA and infrared lighting to meet MoD requirements. No lighting other than that described in the scheme shall be applied. Thereafter the development shall be operated fully in accordance with the approved scheme.

Reason: In the interests of aviation safety and visual amenity.

12. Prior to any works commencing on site a Primary Radar Mitigation Scheme shall be submitted to and approved in writing by the planning authority. No blades shall be fitted to any turbine until the approved Primary Radar Mitigation Scheme has been implemented to the satisfaction of NATS and confirmed in writing by the planning authority. Thereafter the development shall be operated fully in accordance with that approved scheme. In addition, no development shall commence on site until a mitigation solution sufficient to prevent the impairment of the performance of aerodrome navigation aids and/or the efficiency of air traffic control services at Edinburgh Airport is in place in accordance with details approved in writing by the planning authority. Such mitigation shall remain in place and operational for the lifetime of the wind turbines. In the event that the mitigation solution fails causing the impairment of the performance of aerodrome navigational aids and/or affecting the efficiency of air traffic control services, the relevant wind turbines must be switched off until the mitigation solution is restored

Reason: in the interests of aviation safety and in order to ensure suitable mitigation relating to the impact of the development on the Primary Radar located at Lowther Hill and associated air traffic management operations of the NATS Prestwick Centre and to ensure that the development has no adverse impact on the performance of aerodrome navigation aids and/or the efficiency of air traffic control at Edinburgh Airport.

13. No turbine shall be erected until a Radar Mitigation Scheme agreed with the operator of Edinburgh Airport has been submitted to and approved in writing by the planning authority. No part of any turbine shall be erected above ground level until the approved Radar Mitigation Scheme has been implemented and this confirmed in writing by the planning authority. Thereafter the development shall be operated fully in accordance with the approved Radar Mitigation Scheme.

Reason: In the interests of aviation safety and in order to ensure suitable mitigation relating to the impact of the development on the performance of aerodrome navigation aids and/or the efficiency of air traffic control at Edinburgh Airport.

14. Development shall not begin until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the planning authority in consultation with the trunk road authority (Transport Scotland). Thereafter the approved CTMP shall be implemented. The CTMP shall include (but shall not be limited to):

(a) Construction traffic route.

- (b) Abnormal loads route, to include any required accommodation measures such as removal of street furniture, junction widening, signing, traffic management. Any additional signing or temporary traffic control measures deemed necessary due to the size or length of loads being delivered must be undertaken by a recognised Quality Assured traffic management consultant, to be approved by the trunk road authority before delivery commences.
- (c) A pre-construction road dilapidation survey on the A70 for 200 metres either side of the site access.
- (d) A post-construction road dilapidation survey on the A70 from its junction with the B7008 to both site accesses to be undertaken within 3 months of the completion of construction works.
- (e) The implementation within a timescale to be agreed with the planning authority of remedial works to the A70 as a result of damage attributable to construction traffic identified by the pre-construction and post-construction surveys.

Reason: In the interests of road safety and to ensure any damage to the A704 attributable to construction works is repaired.

15. Development shall not begin until full details of the external appearance, dimensions, and surface materials of turbine transformer buildings have been submitted to and approved in writing by the planning authority. The turbine transformer buildings shall thereafter be constructed in accordance with the approved details.

Reason: To ensure that the environmental impacts of the control buildings and ancillary development forming part of the development conform to the impacts assessed in the EIA Report and in the interests of the visual amenity of the area.

16. Development shall not begin until the terms of appointment of an independent and suitably qualified environmental consultant as Planning Monitoring Officer (PMO) have been submitted to and approved in writing by the planning authority. The terms of appointment shall:

- (a) Impose a duty to monitor compliance with the terms of the deemed planning permission and the conditions attached to it.
- (b) Require to set out the frequency of PMO visits to site.
- (c) Require the PMO to submit a monthly report to the Planning Authority summarising works undertaken on site.
- (d) Require the PMO to report to the planning authority any incidences of non-compliance with the terms of this permission at the earliest practical opportunity.

The PMO shall be appointed on the approved terms throughout the period from commencement of development to completion of post construction restoration works.

Reason: To enable the development to be suitably monitored to ensure compliance with the terms of this permission.

17. Development shall not begin unless and until the terms of appointment of an independent Ecological Clerk of Works ("ECoW") have been submitted to and approved in writing by the planning authority. The terms of appointment shall:

- (a) Impose a duty to monitor compliance with the ecological and hydrological commitments and mitigations measures provided in the EIA Report and other information lodged in support of the application, the Construction and Environmental Management Plan approved under this permission and other plans approved under this condition ("the ECoW works").
- (b) Require the ECoW to report to the nominated construction project manager any incidences of non-compliance with the ECoW works at the earliest practical opportunity.
- (c) Require the ECoW to submit a monthly report to the planning authority summarising works undertaken on site.

- (d) Require the ECoW to report to the planning authority any incidences of non-compliance with the ECoW works at the earliest practical opportunity.
- (e) Advising on adequate protection of nature conservation interests on the site.
- (f) Directing the micro siting and placement of the turbines and infrastructure.

The ECoW shall be appointed on the approved terms throughout the period from commencement of development to completion of post construction restoration works.

Reason: To secure effective monitoring of and compliance with the environmental mitigation and management

18. No later than 6 months prior to decommissioning of the development or the expiry of this permission (whichever is the earlier), details of the terms of appointment of an ECoW throughout the decommissioning, restoration and aftercare phases of the development shall be submitted for the written approval of the planning authority.

The ECoW shall be appointed on the approved terms throughout the decommissioning, restoration and aftercare phases of the development.

Reason: To secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the development during the decommissioning, restoration and aftercare phases.

19. Development shall not begin until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the planning authority. Thereafter all the measures described in the approved CEMP shall be implemented within the timescales set out. The CEMP shall include (but shall not be limited to):

- (a) A site waste management plan (dealing with all aspects of waste produced during the construction period other than peat), including details of contingency planning in the event of accidental release of materials which could cause harm to the environment
- (b) Details of the formation of the construction compound, welfare facilities, any areas of hardstanding, turning areas, internal access tracks, car parking, material stockpiles, oil storage, lighting columns, and any construction compound boundary fencing.
- (c) A dust management plan.
- (d) Site specific details for management and operation of any concrete batching plant (including disposal of pH rich waste water and substances);
- (e) Details of measures to be taken to prevent loose or deleterious material being deposited on the local road network including wheel cleaning and lorry sheeting facilities, and measures to clean the site entrances and the adjacent local road network.
- (f) A pollution prevention and control method statement, including arrangements for the storage and management of oil and fuel on the site.
- (g) Soil storage and management.
- (h) A peat management plan, to include details of vegetated turf stripping and storage, peat excavation (including volumes), handling, storage and re-use.
- (i) A drainage management strategy, demonstrating how all surface and waste water arising during and after development will be managed and prevented from polluting any watercourses or sources.
- (j) A surface water and groundwater management and treatment plan, including details of the separation of clean and dirty water drains, and location of settlement lagoons for silt laden water.
- (k) Sewage disposal and treatment.
- (l) Temporary site illumination.
- (m) The construction of the access into the site and the creation and maintenance of associated visibility splays.

- (n) The method of construction of the crane pads.
- (o) The method of construction of the turbine foundations;
- (p) The method of working cable trenches.
- (q) The method of construction and erection of the wind turbines and meteorological masts.
- (r) Details of watercourse crossings.
- (s) Post-construction restoration/ reinstatement of the working areas not required during the operation of the Development, including construction access tracks, borrow pits, construction compound, storage areas, laydown areas, access tracks, passing places and other construction areas. Wherever possible, reinstatement is to be achieved by the careful use of turfs removed prior to construction works. Details should include all seed mixes to be used for the reinstatement of vegetation.
- (t) Ecological monitoring over the construction period including pre-construction surveys for breeding birds and other non-bird protected species.

Reason: To ensure that all construction operations are carried out in a manner that minimises their impact on road safety, amenity and the environment, and that the mitigation measures contained in the EIA Report accompanying the application, or as otherwise agreed, are fully implemented.

20. No development shall commence until a detailed Outdoor Access Plan of public access across the site (as existing, during construction and following completion) has been submitted to, and approved in writing by, the planning authority. The plan shall include details showing:

- i. All known existing access points, paths, core paths, tracks, rights of way and other routes (whether on land or inland water), and any areas currently outwith or excluded from statutory access rights under Part One of the Land Reform (Scotland) Act 2003, within and adjacent to the application site;
- ii. Any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or effect on curtilage related to proposed buildings or structures;
- iii. All proposed paths, tracks and other alternative routes for use by walkers, riders, cyclists, canoeists, all-abilities users, etc. and any other relevant outdoor access enhancement (including construction specifications, signage, information leaflets, proposals for on-going maintenance etc.);
- iv. Any diversion of paths, tracks or other routes (whether on land or inland water), temporary or permanent, proposed as part of the development (including details of mitigation measures, diversion works, duration and signage).

The approved Outdoor Access Plan, and any associated works, shall be implemented in full prior to the commencement of construction of the development or as otherwise may be agreed within the approved plan.

Reason: In order to safeguard public access during the construction phase of the development.

21. No development shall commence until a Pre-Construction Species Survey and Protection Plan (PCP) is submitted to and approved in writing by the planning authority providing for pre-construction surveys for legally protected species should be carried out at an appropriate time of year for the species, in the 8 months preceding commencement of construction, and a watching brief should then be implemented by the ECoW during construction. The species that should be surveyed for include, but are not limited to, otter, water vole, pine marten and breeding birds.

The area that is surveyed should include all areas directly affected by construction plus an appropriate buffer to identify any species within disturbance distance of construction activity and to allow for any microsite needs.

The ECoW should be involved in drafting any species protection plans that are required, using the information from the EIA Report and preconstruction surveys, and the ECoW should oversee implementation of the species plans and any licensing requirements.

Reason: To ensure that impacts on protected species are mitigated appropriately.

22. Wind turbines, buildings, compounds, areas of hardstanding and tracks shall be constructed in the position indicated on Figure R1.2 (Proposed Layout) of the EIA report. A variation of the indicated position of any turbine or other development infrastructure detailed on Figure R1.2 shall be notified on the following basis:

(a) If the micro-sited position is less than 50 metres it shall only be permitted following the approval of the Ecological Clerk of Works (ECoW).

(b) If the micro-sited position is between 50 metres and 100 metres it shall only be permitted following written approval of the planning authority. The said provisions relating to micro-sited position shall not have the effect such that any micro-sited position will:

(i) Take place within areas of peat of greater depth than the original location.

(ii) Result in non-compliance with the turbine noise limits set out in this permission.

Reason: To control environmental impacts while taking account of local ground conditions.

23. Within 3 months of commissioning of the wind farm an "as built plan" at an appropriate scale indicating the location of any track, turbine and other infrastructure within the development shall be submitted to the planning authority.

Reason: In order to retain effective planning control

24. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: In the interest of safeguarding archaeological heritage.

25. Within a period of 12 months from the final commissioning of the development, any claim by any person, for radio or television interference at their house or at other premises, if those are within 3 km of a turbine of the development, shall be investigated by a suitably qualified engineer, appointed at the operator's expense, and the results submitted to the planning authority. Should the investigation find any significant impairment to the radio or television signal that is attributable to the development, the operator shall remedy such impairment, at its sole expense, as soon as is reasonably practicable, so that the standard of reception at the house or premises is maintained to the satisfaction of the planning authority.

Reason: To mitigate interference to local television and radio reception as a result of the development.

26. Prior to commencement of development a woodland management plan detailing measures for the management, removal and restocking of the woodland containing a scheme for compensatory planting, shall be submitted to and approved in writing by the planning authority. The approved plan shall be implemented in full unless otherwise agreed in writing with the planning authority.

Reason: To ensure appropriate compensatory planting and proper woodland management.

27. Construction work which is audible at any noise-sensitive receptor shall only take place on the site between the hours of 08.00 to 18.00 on Monday to Friday and 09.00 to 13.00 on Saturdays, with no audible construction work taking place on a Sunday. Outwith these specified hours development on the site shall be limited to turbine emergency works and dust suppression unless otherwise approved in writing by the planning authority.

Reason: In the interests of local amenity.

28. Prior to the commencement of the construction of the development, a scheme detailing measures for the investigation, assessment and mitigation as appropriate of shadow flicker effects shall be submitted to and approved in writing by the Planning Authority. In the event of a reasonable complaint relating to potential shadow flicker effects being received by the Planning Authority, the developer shall implement the approved scheme to the satisfaction of the Planning Authority.

Reason: To safeguard the residential amenity of local residents

29. The rating level of noise immissions from the combined effects of the wind turbines (including the application of any tonal penalty), when determined in accordance with the attached Guidance Notes, shall not exceed the values for the relevant integer wind speed set out in, or derived from, the tables attached to these conditions at any dwelling which is lawfully existing or has planning permission at the date of this permission (except for any property that becomes financially involved which shall thereafter be subject to a limit of L_{A90} 45 dBA or background + 5dBA, whichever is the greater, at all times. Details of any property with a financial interest shall be submitted to and approved in writing by the Planning Authority) and:

- a) 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 Local Planning Authority on its request, within 14 days of receipt in writing of such a request.
- b) Within 21 days from receipt of a written request from the Local 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 Local Planning Authority to assess the level of noise immissions 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 Local 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 Local Planning Authority, the noise giving rise to the complaint contains or is likely to contain a tonal component.
- c) The assessment of the rating level of noise immissions shall be undertaken in accordance with an assessment protocol that shall previously have been submitted to and approved in writing by the Local 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 immissions. 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 Local Planning Authority under paragraph (b), and such others as the independent consultant considers likely to result in a breach of the noise limits.

- d) Where a dwelling to which a complaint is related is not listed in the tables attached to these conditions, the wind farm operator shall submit to the Local Planning Authority for written approval proposed noise limits selected from those listed in the Tables to be adopted at the complainant's dwelling for compliance checking purposes. The proposed noise limits are to be those limits selected from the Tables specified for a listed location which the independent consultant considers as being likely to experience the most similar background noise environment to that experienced at the complainant's dwelling. The rating level of noise immissions resulting from the combined effects of the wind turbines when determined in accordance with the attached Guidance Notes shall not exceed the noise limits approved in writing by the Local Planning Authority for the complainant's dwelling.
- e) The wind farm operator shall provide to the Local Planning Authority the independent consultant's assessment of the rating level of noise immissions undertaken in accordance with the Guidance Notes within 2 months of the date of the written request of the Local Planning Authority for compliance measurements to be made under paragraph (b), unless the time limit is extended in writing by the Local 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) of the Guidance Notes. 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 Local Planning Authority with the independent consultant's assessment of the rating level of noise immissions.
- f) Where a further assessment of the rating level of noise immissions 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 (d) above unless the time limit has been extended in writing by the Local Planning Authority.
- g) Once the Local Planning Authority has received the independent consultant's noise assessment required by this condition, including all noise measurements and any audio recordings, where the Local Planning Authority is satisfied of an established breach of the noise limits set out in the attached tables 1 & 2, upon notification by the Local 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 Local 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 Local Planning Authority and according to the timescales within it. The scheme as implemented shall be retained thereafter unless otherwise agreed with the Local 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.

Definitions

In this consent and deemed planning permission:-

"Commissioning of the development" means the date on which the first turbine generator forming part of the Development first supplies electricity on a commercial basis;

"Construction Period" means the period from the commencement of the development until the site compounds have been reinstated in accordance with the conditions of this consent;

"Decommissioning of the wind farm" means the date on which the Development has been permanently decommissioned and removed from the site, in accordance with the conditions of this consent;

"the Development" refers to the works proposed at the Site which this consent allows;

"Development operator" refers to the holder of this consent;

"Final Commissioning of the Development" means the date on which all wind turbine generators forming the Development have supplied electricity on a commercial basis or such earlier date as the Scottish Ministers deem the Development to be complete;

"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;

"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

TABLES OF NOISE LIMITS

Tables Applicable In The Event That Harburnhead and Camilty Wind Farms are both Operational

Table 1b: Between 07:00 and 23:00 – Noise limits expressed in dB $L_{A90,10\text{ min}}$ as a function of the standardised wind speed (ms^{-1}) at 10 metre height as determined within the site averaged over 10 minute periods

	Standardised Wind Speed at 10 m AGL, ms^{-1}								
	4	5	6	7	8	9	10	11	12
	Noise Limit, dB, $L_{A90,10\text{ min}}$								
Aberlyne	38.0	40.0	43.0	47.0	51.0	52.0	52.0	52.0	52.0

	Standardised Wind Speed at 10 m AGL, ms ⁻¹								
	4	5	6	7	8	9	10	11	12
	Noise Limit, dB, L _{A90,10min}								
Camilty Lodge	36.0	37. 0	39. 0	40. 0	42. 0	45. 0	47. 0	50. 0	52. 0
Colzium	37.0	38. 0	39. 0	40. 0	42. 0	43. 0	43. 0	43. 0	43. 0
Crosswoodburn	38.0	40. 0	43. 0	47. 0	51. 0	52. 0	52. 0	52. 0	52. 0
Halfway House	37.0	38. 0	39. 0	40. 0	42. 0	43. 0	43. 0	43. 0	43. 0
Harburn House	35.0	35. 0	37. 0	40. 0	43. 0	46. 0	49. 0	51. 0	53. 0
Harburnhead	38.0	38. 0	38. 0	40. 0	43. 0	46. 0	49. 0	51. 0	53. 0
High Camilty	36.0	37. 0	39. 0	40. 0	42. 0	45. 0	47. 0	50. 0	52. 0
Over Williamston	36.0	37. 0	39. 0	40. 0	42. 0	45. 0	47. 0	50. 0	52. 0
Parkview Cottages	36.0	37. 0	39. 0	40. 0	42. 0	45. 0	47. 0	50. 0	52. 0
Whistle Lodge	36.0	37. 0	39. 0	40. 0	42. 0	45. 0	47. 0	50. 0	52. 0

Table 2b: Between 23:00 and 07:00 – Noise limits expressed in dB L_{A90,10 min} as a function of the standardised wind speed (ms⁻¹) at 10 metre height as determined within the site averaged over 10 minute periods

	Standardised Wind Speed at 10 m AGL, ms ⁻¹								
	4	5	6	7	8	9	10	11	12
	Noise Limit, dB, L _{A90,10min}								
Aberlyne	43.0	43. 0	43. 0	43. 0	49. 0	52. 0	52. 0	52. 0	52. 0
Camilty Lodge	43.0	43. 0	43. 0	43. 0	43. 0	43. 0	46. 0	49. 0	53. 0
Colzium	43.0	43. 0	43. 0	43. 0	43. 0	43. 0	43. 0	46. 0	46. 0
Crosswoodburn	43.0	43. 0	43. 0	43. 0	49. 0	52. 0	52. 0	52. 0	52. 0
Halfway House	43.0	43. 0	43. 0	43. 0	43. 0	43. 0	43. 0	46. 0	46. 0
Harburn House	43.0	43. 0	43. 0	43. 0	43. 0	43. 0	43. 0	46. 0	46. 0
Harburnhead	43.0	43. 0	43. 0	43. 0	43. 0	44. 0	48. 0	51. 0	54. 0

	Standardised Wind Speed at 10 m AGL, ms ⁻¹								
	4	5	6	7	8	9	10	11	12
	Noise Limit, dB, L _{A90,10min}								
High Camilty	43.0	43.0	43.0	43.0	43.0	43.0	46.0	49.0	53.0
Over Williamston	43.0	43.0	43.0	43.0	43.0	43.0	46.0	49.0	53.0
Parkview Cottages	43.0	43.0	43.0	43.0	43.0	43.0	46.0	49.0	53.0
Whistle Lodge	43.0	43.0	43.0	43.0	43.0	43.0	46.0	49.0	53.0

Table 3b: Grid References of the properties listed in Tables 1b and 2b

Property	Easting	Northing
Aberlyne	305220	657814
Camilty Lodge	306150	661217
Colzium	308259	658619
Crosswoodburn	305482	657781
Halfway House	307151	659816
Harburn House	304482	660750
Harburnhead	304276	660003
High Camilty	306293	660821
Over Williamston	305833	661601
Parkview Cottages	305567	661294
Whistle Lodge	305462	661392

Note to Table 3a: The geographical coordinate references are provided for the purpose of identifying the general location of dwellings to which a given set of noise limits applies.

Guidance Notes for Noise Conditions

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 immissions 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

- 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 Local 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 is withheld, the wind farm operator shall submit for the written approval of the Local 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 Local 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 Local 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 (d) of noise condition 24, 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 Local 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 (d) of noise condition 24, 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

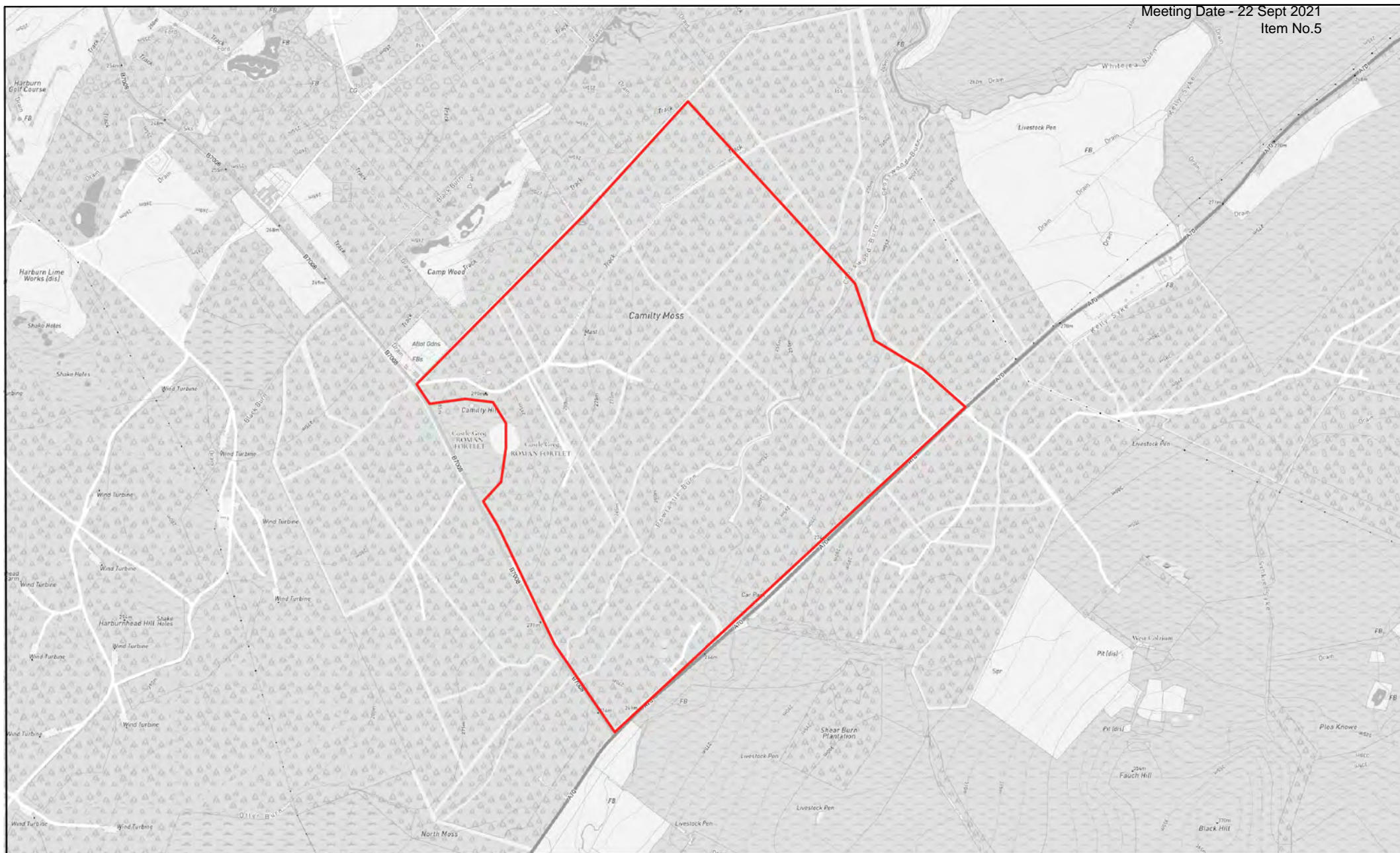
- a) If a tonal penalty is to be applied in accordance with Guidance Note 3 the rating level of the turbine noise at each wind speed is the arithmetic sum of the measured noise level as determined from the best fit curve described in Note 2 and the

penalty for tonal noise as derived in accordance with Guidance Note 3 at each integer wind speed within the range specified by the Local Planning Authority in its written protocol under paragraph (d) of noise condition 24.

- 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 the Tables attached to the noise conditions or the noise limits for a complainant's dwelling approved in accordance with paragraph (e) of noise condition 24, 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 (L_3) at each integer wind speed within the range requested by the Local Planning Authority in its written request under paragraph (c) and the approved protocol under paragraph (d) of the noise condition.
- e) (ii) The wind farm noise (L_1) at this speed shall then be calculated as follows where L_2 is the measured level with turbines running but without the addition of any tonal penalty:

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

- f) (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 L_1 at that integer wind speed.
- g) (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 the Tables attached to the conditions or at or below the noise limits approved by the Local Planning Authority for a complainant's dwelling in accordance with paragraph (e) of noise condition 24 then no further action is necessary. If the rating level at any integer wind speed exceeds the values set out in the Tables attached to the conditions or the noise limits approved by the Local Planning Authority for a complainant's dwelling in accordance with paragraph (e) of noise condition 24 then the development fails to comply with the conditions.



Watson, Matthew

Subject: RE: Consultation request re application: 0320/FUL/21 - [OFFICIAL]

#

From: Joan O'Donnell [REDACTED]
Sent: 04 May 2021 08:32
To: Planning <Planning@westlothian.gov.uk>
Subject: FW: Consultation request re application: 0320/FUL/21

Dear Sir/Madam.

Please be advised that West Calder & Harburn Community Council have no objection to this planning application.

Best regards,

Joan

Joan O'Donnell
Chairperson,
West Calder & Harburn Community Council,
West Calder Community Centre, Dickson Street,
West Calder, West Lothian. EH55 8DZ
Mobile: [REDACTED]

West Lothian Council - Data Labels:

OFFICIAL - Sensitive: Contains Personal or Business Sensitive Information for authorised personnel only

OFFICIAL: Contains information for council staff only

PUBLIC: All information has been approved for public disclosure

NON-COUNCIL BUSINESS: Contains no business related or sensitive information

Link to **Information Handling Procedure:** <http://www.westlothian.gov.uk/media/1597/Information-Handling-Procedure/pdf/infohandling1.pdf>

S SAVE PAPER - Please do not print this e-mail unless absolutely necessary.



From: [REDACTED]
To: [Watson, Matthew](#)
Subject: Planning Application 0320/FUL/21 Camilty Windfarm
Date: 10 June 2021 23:57:52

10/6/2021

Dear Mr Watson

On submission of my last objection to your planning department I recall being asked if I wish to hear about any future applications for permission, and I gratefully requested to be informed(a tick box), however only heard about this above application from a local neighbour recently.

We were shocked to hear about this application for another windfarm directly in our vista to the front of our property , facing our outlook. Every few years we appear to have another battle against the natural beauty of the rural edge of West Lothian being taken over by even more wind turbines.

Data on turbines in Scotland states that we have already over the quota of wind power in operation over the UK, with the Lothians 'free greenbelt' rapidly being built on it seems very short-sighted to structure the use of this area for up to 2 more generations with such a 'NEW' and potentially ecologically harmful windfarm even closer to the edge of the Pentlands- where wildlife could be increasingly destroyed and inhibited. Again, impact on the future of natural habitat is being undermined and ignored. Information on damage to wildlife and habitat is not accurately documented, I have heard that the numbers of dead animals are massively underreported.

Human impact is also an avenue which is being played down, although I can appreciate the value of wind power, and having it produced locally to the end user... we do not yet know what will be the true impact on human life.

Energy solutions are rapidly developing and the true impact of land turbines are still not fully documented.

Perhaps the use of this land may be better used with an increasingly busy route between Edinburgh, Lanark and West Lothian, should be nurtured for future environmental energy saving, low carbon footprint projects which would better serve and bolster the surrounding areas.

In a route where there is no public transport the road between the A70 to Lanark and West Calder, we are already impacted heavily by light flicker from Harburnhead, with the typical direction of travel to and from Edinburgh areas directly into the sun- this is not such a pleasant experience, forested areas gradually grow and then are rapidly felled with varying visual impact. Increasing the line of turbines directly between forested areas and the Pentlands is also likely to majorly impact the on safety of wildlife habitat.

Currently the area between Kirknewton, Lanark and West Calder appears to have poor WiFi signal, despite not living in rural Scotland, but in fact Lothian...we are not even able to use broadband services. Television and telephone signals at times falter here, and we believe it is ever likely that this application for more turbines directly in our panorama will further impact on our signal and apparent need to use media for nearly everything in life as we head into the nations future.

The A70 directly on our route out of Lothian, we currently have turbines in view from our front door, livingroom window, an impact which would be largely increased this proposal for a Camilty Windfarm- where the forest area as it begins to grow will not conceal this outlook for us.

Careful planning and structurally sound plans for how many turbines are allowed within a set area should be limited to better service the whole of Scotland and from data read it seems that land turbines are neither as efficient as off-shore turbines, nor are turbines as we know them as safe for habitat and life as we are told. Lack of facts on turbines, and financial sweeteners given to areas not directly impacted by the location of these turbines is short-sighted and disappointing.

Ultimately I put my concerns back into the hands of the Scottish Government and yourselves- the Local Council Planning Department, who are entrusted with the future of West Lothian and ultimately our future.

Thank-you for your time,

Yours Sincerely

Alison Fraser

Sent from [Mail](#) for Windows 10

Comments for Planning Application 0320/FUL/21

Application Summary

Application Number: 0320/FUL/21

Address: Camilty Plantation Harburn West Lothian EH55 8RH

Proposal: Formation of a wind farm consisting of 6 turbines with maximum height to blade tip of 149.9m with associated infrastructure (EIA development)

Case Officer: Matthew Watson

Customer Details

Name: Mr Alistair Hutson

Address: 6 Harburn West Calder EH55 8RP

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This development will further encroach and have a negative impact on an area of natural beauty. Existing wind farms are a blight on the landscape and this corner of West Lothian is seen as a soft option due to the existing developments.

My understanding is that there is no remaining capacity at Lizzie Bryce sub-station and feeding electricity generated in the development will pose a significant challenge and likely to lead to severe disruption to the local community.

**Hollyfield
Tarbrax
West Calder
West Lothian
EH55 8XA
Telephone : 01501 785394**

2 June 2021

**Matthew Watson Esq Planning Officer
West Lothian Council
West Lothian Civic Centre
Howden South Road
LIVINGSTON EH54 6FF**

Dear Mr Watson,

Camilty Wind Farm

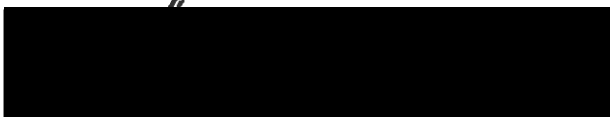
I refer to the above application for yet another wind farm in our area.

None of the inland wind farms are green. By excavating raised bogs to erect turbines, more carbon is released than will ever be saved by them.

There will also be disruption and delays on the A70 due to this work.

Please do not let this go ahead. These wind farms make millions for their owners and are a blight on our landscapes. We are now surrounded by wind farms. Enough is enough!

Yours sincerely,



Bruce Fraser

I object to the Camilty wind farm proposal.

This is yet another contentious wind farm proposal which, if passed, will continue the destruction of the Scottish landscape. It is contentious in that the site is owned by the Scottish Ministers, managed by the Forestry Commission Scotland and has an Environmental Statement commissioned and paid for by the Developer. Thus there is no independent assessment as to the need for the development balanced against any adverse effects.

Wind generated electricity needs backup. The proposed turbines have less than 30% capacity factor. A stable grid supply needs to be backed by something like the same generating capacity available for the missing 70%. At the moment that means fossil-fuelled gas generators. At times of low wind strength and high demand banks of diesel generators are used to backup the grid – the carbon footprint and payback times presented in the ES section 6.5 are therefore totally erroneous – CO₂ generation is ongoing throughout the lifetime of the development.

All ES statements are biased in favour of the developer and where adverse effects are considered they are downplayed. One example serves to cast considerable doubt as to the integrity of the remaining “judgements” in the ES. I refer to the visual effects on the property Aberlyn.

The front of the property is orientated north towards the wind farm and occupiers would gain open views, between mature trees around the property, of the turbines as dominant new elements in the context of a landscape of commercial forestry from this elevation of the property. The magnitude of change in view would be large and the effect would be Substantial, which is significant in terms of the methodology. The property also has windows on the east and south facing elevations from which the wind farm would not be visible. The effects on occupiers would be when using rooms at the front of the property and the front garden. In views from rooms at the rear and sides of the property and from the rear garden the wind farm would not be visible. Sufficient views from the property would remain unaffected by the wind farm that the overall residential amenity of the property and the occupiers would not be significantly affected.

The occupiers can only escape views of the wind farm by looking out of their side and rear windows and by using their back garden. The resulting “judgement” is that the residential amenity *would not be significantly affected!* This clearly demonstrates the bias in presentation and renders other judgements unsupportable. Wind turbines are a prominent feature of the landscape and adversely affect views.

Part of the proposed wind farm footprint covers an area of deep peat. Is it pointless to state that peat, sequestering CO₂ and taking some 10,000 years to form, should be left undisturbed? Leaving the peat alone would be a better contribution to climate change than constructing a wind farm. The Planning Statement section 3.9 Peat, Drainage and Flood Risk contains only a section 3.9.1 with two sentences the second of which is incomplete. In the ES it is admitted that in the construction phase of the wind farm *The potential effect on peat bogs with medium sensitivity is considered to be of large magnitude and a substantial or moderate level of effect.* Appendix 13.2 only considers peat slide risk. What matters is how much peat is disturbed by the development – this is always underestimated and it seems to me not presented in this application.

Dr. Bruce Hobbs

Dykeneuk Cottage, Peebles Road, Penicuik, Midlothian, EH26 8PN

Mr Matthew Watson

Planning Officer

West Lothian Council

West Lothian Civic Centre

Howden South Road

Livingston

EH54 6FF

11th June 2021

Dear Sirs,

Planning Application 0320/FUL/21 Camilty Windfarm

I, Celia Hobbs, object to the Camilty wind farm.

I would like to suggest planners and Councillors refer to the decision letter of the previous application on this site and note that at every point the Reporter minimised any objection including the objections of the local planners and more surprisingly the national body of the time which was established to protect Scotland's scenery, Scottish Natural Heritage. It will be clear from close examination of this decision notice that not even smaller turbines should have been passed, let alone turbines just short of 150m.500 feet just short of Blackpool Tower 518 feet.

The development director of Vattenfall, a wind farm company was quoted in an article in the Herald newspaper 29 January 2021, saying that the Scottish Government has an "open door policy". Whereas he said of England, "It has introduced policy which is quite a barrier to development: The requirement for demonstrable local support of over fifty per cent and demonstrating that your windfarms are captured in local development plans, they're quite significant hurdles"

Why should our Local Plans be easier to ignore than those of England? Why should local opinion not count in Scotland? Why should the goal posts have been changed until the planning system means there is no hope for the public to have their views taken into account?

This is evidenced by the fact that that the Reporter agreed that the previous application could not have been passed under the previous West Lothian Local Plan, it was only because of the new stringent Scottish Planning policy the Reporter could allow the appeal.

I was part of a group who fought two wind farms on the other side of the Pentlands Auchencorth and Spurlens Rig and helped Midlothian Council win on appeal. The ten year fight was a complete waste of council taxpayers money as the applications did not accord to the local plan and should never have been submitted. I remember in 2010 one in three windfarms were passed on appeal. Save our Hills have done research and 19 out of 24 controversial wind farms have been passed on appeal in the last five years, that is a developer success rate of 5 out of six. Meanwhile in England, which abolished Reporters and put the power back in the hands of the Councils, there has not been a single windfarm built since 2012.

This explains exactly what has gone wrong with the Scottish planning system. Reporters have to pass some windfarms to justify their job and presumably the pressure to pass more and more comes from Government. Local Plans are years in the making by professional planners in planning departments. They are checked by Reporters and become law. If the council refuses the application on the advice of the planners it is not done lightly. The developer then appeals and one or two of these same Reporters come along and overrule their professional colleagues. It is a broken system.

With this in mind, I suggest planners and councillors note the bias in the decision notice of 2016. At every turn the Reporter minimises any difficulty and ignores other professional bodies' advice and puts a positive slant on everything. Both the local planners and SNH said this wind farm was not in an appropriate situation mainly because of the iconic Pentland Hills.

It was the same on the other side of the Pentlands. Auchencorth Moss was the site of the first wind farm application and in the latest Council wind farm assessment, ratified by a Government Reporter, this area has now been included in the Pentlands Special Landscape Area. In this case why did it take five years to defeat the application? West Lothian Council know Camilty wind farm is unsuitable, because, even with smaller turbines they deemed it unsuitable.

The proposed Auchencorth wind farm was on a peat bog and I see Camilty is also on peat. The passing mention of peat in the decision notice is not in tune with the importance in which it is valued today and another reason the decision in 2016 was flawed.

When the Reporter talks about turbine scale you have to realise this is no longer valid with the higher turbines. Note these quotes,

"In such a view, the current proposal would add only a minor extension to the approved sweep of turbines and would be compatible in terms of turbine scale and layout."

Not with higher turbines would it be compatible.

“Receptors at this viewpoint would have high sensitivity. SNH contends that despite the distance, the proposed turbines would be prominent and eye catching features whereas those at Pates Hill and Muirhall would be seen as relatively distant features. I agree that, being considerably closer to the viewpoint, the proposed development would be more noticeable than either of those developments.”

Even higher turbines would be even more noticeable.

However, the proposed turbines would appear as a small, well-spaced group within a vast lowland plain in which other groups of turbines, each well-spaced from the next, can be seen within the context of extensive areas of plantation forestry.

Hardly small at nearly 150 metres.

From the summit of Craigengar (VP 13), approximately 5 kilometres away, the proposed development would be seen as a small well-spaced group at the edge of the lower-lying plantation landscape below the wilder upland landscape of the foreground

The planning authority contends there would be significant adverse effects on the AGLV and regional park and also on the wider area of the Pentland Hills in West Lothian. It considers that the ES assessment of landscape and visual impact underestimates landscape impacts on the Pentland Hills and shares the view expressed by SNH that the proposal would extend the influence of large scale 78. VP 3 represents the view of those travelling on the A70 towards Edinburgh. The proposed development would be seen directly ahead and SNH contends that it would become the new focus for views from the A70 and would therefore detract from views of the Pentland Hills. In SNH's preferred alternative view, it contends that the appeal proposal would be seen at a distance of approximately 3.5 kilometres above a block of woodland (part of the Camilty plantation), where it contends the development would be highly prominent and distracting. SNH argues that, from much of the A70 between the boundary of the council's administrative area and Auchinoon to the north, the proposed wind farm would be a prominent element in the view.

The Reporter completely ignores the opinion of SNH; the people the Government has appointed to assess landscape in relation to wind farms. The Government always quotes wind farms are only sited in the right place. The very people the government appointed to identify the right place are ignored by this Reporter.

His consideration, as in most decision notices, completely ignores the rights of people to enjoy the peaceful enjoyment of their property, (a European right at the time). When he says it would still be a pleasant place to live I wonder how many Reporters live within 2 km of a wind farm and put up with the legally increased noise at their property? If the Auchencorth wind farm had been built, everything we chose about our small cottage would have been ruined by turbines. We bought it for the views and the tranquillity. It would have been impossible to sell as we had a mortgage and could not have taken a loss. In case you are told by the developer it is a myth wind farms do not affect house prices please correct them. I spent eighteen months getting a ruling from the Advertising Standards Agency that the wind

farm industry had to withdraw this claim. It is as plain as the nose on your face a cottage with beautiful views is more desirable than one looking at tall industrial machines. Never in the history of mankind have people had to live next to such machines and there is no relevant research to show what the effects are and will be long term.

It has been established that individual homes have as many rights as clusters of settlement. There is no compensation because developers are allowed to bribe the local community with so called Community benefit instead of compensating the victims.

Please reject this application and rest assured there will be many more people who would have objected but have been worn down by 16 years of failing to have their voice heard by this planning system which, in my opinion, is not fit for purpose. In 2005 there were 2,000 objections to Auchencorth wind farm on the southern side of the Pentlands. Today people who love the Pentlands will not have changed their minds, just been worn down from all the decisions like the 2016 appeal which have blighted the northern side of the Pentlands. Friends of the Pentlands have put in an objection and represent these people. I know how much pleasure people get, especially in the pandemic, from standing on the top of the Pentlands and not seeing industrial installations to the south. I would beg West Lothian Council to follow their principles, take a stand and protect what is left of the northern view.

Edinburgh is a capital city and World Heritage site and it seems wrong to destroy views from and to such a city.

Yours sincerely,

Celia Hobbs

Dykeneuk

Peebles Road

Penicuik

Midlothian

EH268PN

Honorary President: Thomas Huxley MA CBiol FSB FRSS (Hon)
Chairman: Mr Hamish Clark

Conserving, Protecting & Enhancing



Hamish Clark
9 Traquair Park East
Edinburgh
EH12 7AP

Mr Matthew Watson
Planning Officer
West Lothian Council
West Lothian Civic Centre
Howden Road South
Livingston EH 54 6FF

06.06.2021

Planning Consent Camilty Wind Farm
By West Calder, West Lothian
Ref 0320/FUL/21

Dear sir,

On behalf of Friends of the Pentlands I wish to object to the proposed construction and use of the wind farm at Camilty consisting of 6 turbines and associated infrastructure.

In 2013 Friends of the Pentlands sent a response objecting to an earlier scheme for 6 turbines at the same site at Camilty; the argumenets set out in that document remain the same today and the document should be read in conjunction with the present response. I enclose a copy of the document to avoid repetition.

The latest proposal is for even larger turbines, height to tip almost 150m (488 feet) with the hub over 91m (300 feet). These are colossal structures and will be seen from miles around and in particular from the Pentland hills eg West Cairn Hill.

The argument from the developers seems to be that the situation has changed . Other wind farms eg Harburnhead have been granted permission and have been built since the 2013 application at Camilty. They seem to be saying the new wind farms have spoiled the outlook so another half dozen turbines will not make any difference, but they do. Besides the obvious greater visual impact these turbines add to the cummulative effect referred to in the earlier report.

For all the reasons included above and in the 2013 response we urge West Lothian Council to refuse this application.

Yours sincerely

Allan Ainslie
Friends of the Pentlands

Background Brief

Our Society is an all volunteer body with a membership in the region of 350. We are dedicated to the protection, conservation and enhancement of the Pentland Hills with particular emphasis on recreation, responsible public access, cultural heritage, landscape and biodiversity. Our area of interest covers the whole of the Pentland Hills, not just the Regional Park. We organise walks, talks, litter picking, a wide range of project work and maintain a wildlife garden and wild flower meadow. During 2012 we devoted over 6000 volunteer hours toward achieving our aims and we expect to exceed that figure for the year 2013.

Friends of the Pentlands is a Scottish Charitable Incorporated Organisation. Registered in Scotland No. SC035514

Honorary President: Thomas Huxley MA CBIol FSB FRSS (Hon)
Chairman: Mr John Stirling

Conserving, Protecting & Enhancing



John Surtees
59 Catyside
Edinburgh
EH10 7HW

Mr Tony Irving
Senior Planning Officer
West Lothian Council
County Buildings
Linlithgow
EH 49 7EZ

13.05.2013

Planning Consent Camilty Wind Farm
By West Calder, West Lothian

Planning application REF 0219/Ful/13 – Camilty, West Calder. Formation of wind farm consisting of 6 turbines with associated infrastructure.

The Friends of the Pentlands wish to object to the above planning application.

We note that the wind farm is to be located adjacent to the boundary of the Pentland Hills an area designated as an 'Area of Great Landscape Value' (AGVL) and Policy ENV20 of West Lothian Local Plan states that 'Development proposals outwith an AGLV which would affect its setting from important viewpointswill not be supported if it adversely affects the designated area. We maintain this is the case.

We have three major concerns with wind farm applications:

- **The visual impact.**
- **The accumulative impact of the growing number of operational wind farms small clusters and single turbines pending planning applications for wind farms in the pipeline.**
- **'Turbine creep' whereby existing operational sites obtain planning permission to increase the number of turbines on the site or extended site or the increasing number of applications for single turbines or small clusters.**

Visual Impact

We acknowledge that this is an application for the formation of a wind farm consisting of 6 turbines each 132m (or approximately 432 ft) in height and having a total output of 20.4 MW. In addition to this there is substantial associated infrastructure including plinths and roads etc. Our grounds for objecting are as follows

The application is against Policy No NWR 29, the Development is not in a preferred area for wind farms in West Lothian as set out in the local plan.

The application is contrary to Policy No NWR 22 which states "The council will resist any proposal for renewable energy development that will affect the character, visual integrity or recreational qualities of both the Pentland Hills Regional Park and the wider area of the Pentland Hills in West Lothian. Proposals that are located outwith the Regional Park or the wider Pentland hills but nevertheless undermine the landscape and outdoor recreational qualities of these areas will not normally be supported unless it can be conclusively demonstrated that the integrity of the landscape and outdoor recreational qualities are not adversely affected. The agents are of the view that the environmental effects of the wind farm are acceptable. We do not agree with them that these are acceptable. They are unacceptable.

Many people walk, cycle, run or ride in the Pentlands Hills and we are concerned that the visual and landscape outlook will be adversely affected by this proposal.

A structure this size, will be visible from the North West side of the Pentland Hills especially by recreational visitors around West Cairn Hill, the ridge running south west to Craigengar and white Craig as well as from the old path from Crosswoodburn to the covenanters Grave via Bawdy Moss and Henshaw Hill. Henshaw Hill is within the Regional Scenic Area of South Lanarkshire Council .It can also be clearly seen from Harperrig and Crosswood reservoirs.

The turbines in the proposed development are 432feet high, over twice the height of the Scott Monument on Princess Street and only 79 feet short of the height above sea level of the towers on the Forth Road Bridge. These are colossal structures and whilst monuments and bridge towers do not move, these wind turbines will have rotating blades of 170ft radius which are far more visible than static objects.

The proposal is contrary to West Lothian Policy ENV24. The Council have listed the A70 as a key transport corridor in West Lothian. Development which is visually intrusive and impairs the appearance of the countryside outwith urban areas will be resisted.

The Draft Landscape Capacity Study for Wind Energy in West Lothian 2011 identified in particular the section of the A70 from the south western boundary of West Lothian looking northwards to Cobbinshaw reservoir and the Bathgate hills beyond as having attractive views. The proposed wind farm site, the turbines of which will be located on or about the 270m contour, will be clearly visible from this section of the A70

Cumulative Impact.

We are concerned at the growing number of planning applications for wind turbines in or near the Pentland Hills. On the north west side of the Pentlands you will be aware of the existing wind farms at Pates Hill (7no 107 m), Muirhall (6no 125m) There are proposals in the pipeline at Fauch Hill immediately to the south of the A70 (23 turbines 125m ht), adjacent at Harburnhead(22 turbines,126 m ht) and Pearie Law (6no 125m) all in West Lothian and in the case of Colzium in the Pentland Hills. Both the Fauch Hill and Harburnhead wind farms are the subject of a joint inquiry by the Directorate of planning and Environmental Appeals and a hearing has been provisionally fixed for 1st July 2013.

We consider that if those applications/proposals come to fruition they would have a severely adverse affect on the Pentland Hills and the surrounding countryside

Turbine Creep

We are also worried about turbine 'creep'. If permission is given for this development it will be more difficult to refuse an application for an increase in turbine numbers in the future. We are aware that several existing wind farms have grown in size since they became operational and are fearful that the same might be the case in respect of this initial application. Pates Hill wind farm close by received planning permission for 7 no turbines 102m ht. in 2007/2008 Another proposal is presently under consideration for a further 3 turbines.

Decommissioning

We note with approval the applicant's intentions regarding decommissioning as set out in section 2.6 (pages 6 + 7) of the Planning Statement. However we are of the view that the concrete plinths supporting the turbine should be dug out completely not just to below ground level, broken up and the rubble safely disposed. The same should apply to the upstand plinths.

Should West Lothian Council be minded to approve this application we would urge most strongly that prior to the granting of permission, the developer's/ landowner's intentions should be encapsulated in a legal agreement which includes an appropriate financial bond. This will ensure that when the time comes to decommission there will be a legally binding agreement on the developer/landowner on the process of decommissioning and the necessary finance available to ensure the decommissioning work is carried out.

For all the above reasons we urge West Lothian Council to refuse this application.

Yours sincerely

Allan Ainslie

Friends of the Pentlands

Background Brief

Our Society is an all volunteer body with a membership in the region of 350. We are dedicated to the protection, conservation and enhancement of the Pentland Hills with particular emphasis on recreation, responsible public access, cultural heritage, landscape and biodiversity. Our area of interest covers the whole of the Pentland Hills, not just the Regional Park. We organise walks, talks, litter picking, a wide range of project work and maintain a wildlife garden and wild flower meadow. During 2012 we devoted over 6000 volunteer hours toward achieving our aims and we expect to exceed that figure for the year 2013.

Friends of the Pentlands is a Scottish Charitable Incorporated Organisation. Registered in Scotland No. SC035514

Crosswoodhill,
West Calder,
EH55 8LP

Mr Mathew Watson
Planning Officer
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
EH54 6FF

10 June 2021

mathew.watson@westlothian.gov.uk

Dear Sirs,

Planning Application 0320/FUL/21 Camilty Windfarm

It saddens me that once again I have to write to object to yet another application to permit further industrialisation of this rural area through the construction of six 149.9m high machines contributing further to the cumulative impact of wind turbines. As one drives along the A70 between Harperigg and Carnwath the views of the Pentlands to the South remain imposing but a traveller's journey along the A70 is already significantly marred along many stretches by what I would describe as ribbon development of turbines. And in some stretches the views towards hills beyond to the North like the Ochils and Grampians are already dominated by industrial behemoths. But that is not a reason to add to them.

West Lothian Council has already considered and rejected an application for 6 smaller turbines in this location with the grounds for refusal being based largely upon the detrimental effect on the landscape. And West Lothian Council, too, have noted the cumulative impact in this respect. An appeal to allow this previous application was upheld but as this is a new application I trust that the Council will reiterate its view that the cumulative impact of turbines on the environs adjacent to the Pentland Hills is such that this development with even taller turbines would be a step too far. The EIA supporting the current

application minimises the visual impact but, given that the visibility of existing turbines at Harburnhead is underplayed and factually incorrect, I strongly advocate little heed should be given to the developers' assertions of insignificant impact on neighbouring properties or the A70.

Tourism is increasingly seen as Scotland's most important industry. It's essential we nurture our beautiful landscapes to sustain this drive to entice more visitors to Scotland. As owner of 4 holiday rental properties in the immediate vicinity of the proposed development, I declare an interest in furthering this ambitious policy, and with almost 30 years' of experience in welcoming guests to our self-catering cottages, I feel I am well qualified to provide an opinion on this matter.

It is probably relevant here to comment on the developers' statement on tourism, summarised in section 5.111 to 5.113, p23-34 in the Non-Technical Summary. I vigorously contest some of the views expressed there. The strongly held views that have been expressly relayed to me by our visitors are at total variance with the statement *"This concluded that there is no evidence that wind farms have a significantly negative effect upon tourism or recreation interests and that for the vast majority of tourists, wind farms are not a major factor in their decision-making"*. Any genuine evidence offered by accommodation providers is typically dismissed by developers as "anecdotal." Before the current COVID disruption (necessitating an absence of recreational guests) I regularly broached the subject with our guests. In a typical week chatting to our guests in our 4 different cottages and posing the open question: *how do you feel about the turbines you see?* the majority said they were horrified at how many there are both in our area and in Scotland; and, of these, a significant number said the turbines significantly spoilt their enjoyment of the Scottish countryside. An occasional guests said they were acceptable in the right places but the Pentlands was not the right place. This is a typical response pattern. I feel I know my visitors better than a researcher stopping someone in the street, often in the city, with a clip board, to ask their opinion of turbines. My open questioning is directed at guests who have chosen to stay in the countryside, close to the unspoilt Pentlands, unravaged by turbines. It is unsurprising that visitors enjoying a day out at the tourist attractions mentioned in the EIA including the Five Sisters Zoo, Livingston Designer Outlet and The Centre, the Almondell & Calderwood Country Park and the Almond Valley Heritage Centre would express significant concern about these proposed 6 turbines some distance from where they are,. But ask these same people for their opinion about 6 high and mighty turbines if on another day they are taking a countryside walk on land bordering either side of the A70 in the vicinity of the proposed turbines and I could vouch

for the fact that you would get a very different reaction from the majority of these walkers or cyclists: despair at the idea of the landscape being violated.. .

Obviously if the occupancy of holiday cottages, including my own, which are situated in the foothills of the Pentlands in the very near vicinity declines this will have a consequential effect on businesses in the wider West Lothian community. In West Lothian and the surrounding areas we want to be able to offer tourists a tempting rural experience. But we know that many tourists are not impressed by forests of turbines marring what they anticipated would be enjoyment of special iconic natural scenery. Please don't let this happen to the Pentland Hills. Tourists are a vital revenue stream to the local economy.

I have focused on tourists in the paragraphs above, but let's not forget our Scottish residents. It is widely recognised that this past year or so one of the few unexpected benefits Covid has brought with it is the discovery of our great Scottish countryside ; there has been an explosion in the number of walkers and cyclist in this area escaping the industrialisation of towns and cities. Sadly most of these people will not be aware of this planning application and therefore are unable to add their voice to this chorus of discontent which means a potential loss of so many other contributions to this debate, most of whom I am convinced would have objected to this proposal.

The EIA refers to 14 principle tourist routes and dismisses the effects on these routes with a general comment referring to *"intermittent views, screening and distance from the proposed wind farm site"*. This may be true for 13 of the routes, but this statement does not address the route adjacent to the site. For the Lang Whang (A70) it is patently not true. Three of the turbines are within 500 metres of the road and will be visible to some degree from several kilometres and the dominant feature for significant lengths of the road. Screening will obscure less than 1/3 of the turbine overall height.

I am sure you will be aware of the Petition PEO 1864 lodged on 24 March 2021 with the Scottish Parliament by Scotland Against Spin which seeks to increase the ability of communities to influence planning decisions for onshore windfarms by adopting English planning legislation for the determination of onshore wind farm developments. All too often the views of local residents and the local council seem to be ignored. Or dismissed.

On behalf of myself, my business and the neighbouring residents, I sincerely hope that you will resist the creep of ever larger turbines along the Lang Whang destroying the amenity of the Pentland Hills.

Yours sincerely

Mrs. Geraldine Hamilton
Crosswoodhill Farm,
West Calder, EH55 8LP

Comments for Planning Application 0320/FUL/21

Application Summary

Application Number: 0320/FUL/21

Address: Camilty Plantation Harburn West Calder West Lothian EH55 8RH

Proposal: Formation of a wind farm consisting of 6 turbines with maximum height to blade tip of 149.9m with associated infrastructure (EIA development)|cr|Application for planning permission for the erection, operation and subsequent decommissioning of a wind energy development and associated development including but not limited to new access tracks, modification to existing tracks and improved site access, temporary construction compound, hard standing areas, control building and cabling, anemometry mast and other works and development ancillary to the main development.

Case Officer: Matthew Watson

Customer Details

Name: Mr Guy Vernham

Address: Hartwood Steading West Calder EH55 8LE

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This proposal has been on the horizon (potentially quite literally for local residents) for a number of years. I and many others submitted objections back in 2013! Since then further proposals have been submitted requiring further submissions of objections and inevitably objection fatigue sets in with many believing their previous submissions will be considered at each step.

Alarming the changes to the original proposal have significantly increased the height of the turbines from 132m to 149.9m, thus significantly increasing the negative impact on a local landscape already dominated by wind turbines. Furthermore the capacity of the nearest sub-station (Lizzie Bryce) has been reached so connection to the grid will now need to be at Bathgate requiring even more disruption from works and heavy traffic on unsuitable local roads.

The immediate vicinity is already dominated by Harburnhead, Pearie Law, Pates Hill and Muirhall wind farms and this proposal would extend this wall of turbines adjacent to the Pentland Hills further to the east. Surely any reasonable assessment of acceptable cumulative impact has been reached and indeed exceeded.

The Southern Uplands Foothills and Pentland Hills area includes Special Landscape Areas. However these designated areas are not the only reason for identifying this area, as an 'area of significant protection'. West Lothian Local Plan (The Local Plan) (Approved 2009) recognises this area as sensitive with very little scope for further wind farm development. As such it is not included as an area for potential wind farm development in the West Lothian Local Plan. This is in part a reflection of the Pentland Hills' role as an undeveloped backcloth to the developed Central Belt as

recognised by SNH. Further wind farm development would seriously compromise the landscape. Wildlife habitat destruction & ornithology: Protected species including otters, badgers, bats, reptiles, insects and amphibians frequent the area, as do birds including geese, whooper swans, curlew, lapwing, ospreys, hen harriers, owls and other birds of prey. All would be threatened in both the construction and operational phases.

Site restoration: As with all wind farm applications, the Camilty proposal promises landscape restoration, forestry restoration, improved footpaths and access. Unfortunately, the experience locally is that such promises are not worth the paper that they are written on and sites remain a barren landscape to which access is discouraged not only by the appearance, but also by physical barriers and discouraging (indeed threatening) signs.

Cultural Heritage: Immediately adjacent to the boundary of the proposed wind farm there are 3 Scheduled Monuments - "Camilty, Hill, Roman Fortlet, Castle Greg", "Camilty Hill, enclosure, Harburn" and "Crosswood, cairn 750 m SE".

I strongly object to the proposed wind farm in an area which has already contributed more than its fair share to renewable energy developments.

**Hollyfield
Tarbrax
West Calder
West Lothian
EH55 8XA
Telephone : 01501 785394**

2 June 2021

**Matthew Watson Esq Planning Officer
West Lothian Council
West Lothian Civic Centre
Howden South Road
LIVINGSTON EH54 6FF**

Dear Mr Watson,

Camilty Wind Farm

I refer to the above application for this FURTHER wind farm in our area.

I would like to point out first of all that inland wind farms are not green. By excavating raised bogs (which surround this area) more carbon is released than will ever be saved by these turbines.

There will also be hold-ups and delays on the A70 due to this work.

Please do not let this go ahead. All these wind farms are money makers for their owners and a blight on our landscapes.

Yours sincerely,



(Mrs) Hazel Fraser

Matthew Watson
Planning officer
West Lothian Council
West Lothian Civic Centre
Hawden South Road
Livingston
EH54 6FF

Crosswoodburn
West Calder
EH55 8LR

Dear Sir,

I wish to object to the proposed wind turbines at Camilty Wind farm.

I am not on line, and at no time has anyone from the development had the courtesy to drop a letter in to me, about the new proposal and the increased size of the turbines. In my view this is discrimination. I will look directly on to the site from the front of my house. We have enough wind turbines in the immediate area, and the proposed area is deep peat. Disturbing the peat will impact on climate change, and the turbines would not have a significant capacity volume of electricity.

I realize that the deadline has passed, but would be grateful if you would consider this objection.

Yours faithfully.

Helen Bissett (Mrs).

Comments for Planning Application 0320/FUL/21

Application Summary

Application Number: 0320/FUL/21

Address: Camilty Plantation Harburn West Lothian EH55 8RH

Proposal: Formation of a wind farm consisting of 6 turbines with maximum height to blade tip of 149.9m with associated infrastructure (EIA development)

Case Officer: Matthew Watson

Customer Details

Name: Mr Ian Whyte

Address: Ormiston Hill House No1 Ormiston Farm Steadings Kirknewton EH27 8 DQ

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I'm of the opinion that there are enough turbines in this particular area. This will add nothing to the amenities but will significantly impact an already blighted spot

Comments for Planning Application 0320/FUL/21

Application Summary

Application Number: 0320/FUL/21

Address: Camilty Plantation Harburn West Lothian EH55 8RH

Proposal: Formation of a wind farm consisting of 6 turbines with maximum height to blade tip of 149.9m with associated infrastructure (EIA development)

Case Officer: Matthew Watson

Customer Details

Name: Mr Ian Kinniburgh

Address: Old Powder Mill Camilty West Calder EH55 8RH

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am concerned we have been missed by the consultation process.

We have just become aware of this proposed development and are concerned that the potential impact upon our property has not been considered despite being closer to the development than Camilty Lodge and Camilty Mill.

In common with our neighbours we are entirely reliant upon 4G connectivity and are concerned that this may be adversely impacted leaving us unable to utilise services we depend upon for day to day living or work.

I would welcome assurance that this impact will be assessed and if necessary measures taken to protect this essential utility.

From: [REDACTED]
To: [Watson, Matthew](#)
Subject: Proposed windfarm at Camilty
Date: 11 June 2021 23:11:46

Dear Sir/Madam

I was extremely concerned when I realised that the Camilty Windfarm proposal had been resurrected and would like to register my objection to it.

I am not against windfarms and realise that we do need renewable energy sources but I am totally opposed to the proposed development at Camilty. The number of turbines of increasing height springing up in our area is becoming a blight on the landscape and the nuisance and disruption caused during construction are alienating residents.

Contrary to what we are told, the turbines, in my opinion and experience do have an adverse effect on both wildlife and humans. Depending on the weather the noise can be extremely annoying and frustrating and the strobe effect can be frightening.

I feel we have enough wind turbines in our area and as well as opposing any development at Camilty I would argue against any future developments or extensions locally despite the fact that they may provide local communities with some much needed income.

I trust local resident views will be taken into account when decisions are being made.

Yours faithfully

Isobel McChesney

Sent from [Mail](#) for Windows 10

From: [REDACTED]
To: [Watson, Matthew](#)
Subject: Camilty wind farm objection
Date: 09 June 2021 21:01:15

I want to object to the proposed Windfarm in Camilty.
(0320/FUL /21)

Lanarkshire and the lothians are slowly becoming one big Windfarm. Turbines are now the dominant feature on our landscape. This is too much for one area.

I live between two large windfams and the noise levels under certain conditions are disturbing to say the least. I do worry what affect this has on our health and that of the wildlife.

The decrease in the bird population that we have witnessed in this area since the introduction of the windfams is shocking and surely will be linked to the industrialisation of a previously rural area.

I implore you to refuse permission for further destruction of our land.

James Harrington
Tarbrax

Comments for Planning Application 0320/FUL/21

Application Summary

Application Number: 0320/FUL/21

Address: Camilty Plantation Harburn West Lothian EH55 8RH

Proposal: Formation of a wind farm consisting of 6 turbines with maximum height to blade tip of 149.9m with associated infrastructure (EIA development)

Case Officer: Matthew Watson

Customer Details

Name: Mr John Thomas

Address: 12 Ormiston Farm Steadings Kirknewton EH27 8DQ

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Wind turbines are not without environmental impact and result in an unknown number of bird deaths by blade tips travelling at 200mph. The roads put in place for installation and servicing damage water courses.

The Camilty wind turbines will not be visible to most of us, but there are a few residents in the Kirknewton catchment area whose homes will be dominated by these devices. There are 18 residences listed on the "shadow flicker" map. Most are shown as on the edge or beyond the edge of the "shadow flicker" zone but which will have their view dramatically altered. The impact on the scenic route from Carnwath to Edinburgh - the "Lang Whang" - will be turbines filling the horizon as far as the eye can see.

If wind turbines solved all the problems of carbon emission from electricity generation it might be acceptable, but they don't. The 4.3MW peak output turbines will produce about 1.5MW over time due to drops in the wind or wind exceeding the safe operating speed for the turbine. When they're down, something else has to keep the lights on.

The average generation from these six 500ft turbines, 9MW is enough to keep 3000 kettles boiling, or about enough for 20,000 homes daily consumption. Perhaps just enough to power Livingston, but not the rest of West Lothian.

The answer to the outage problem is usually "storage" but how much is enough? To replace one of these turbines for a day of wind outage needs 36MWh of battery or other storage.

The state of South Australia recently had a 193.5MWh Tesla battery system installed. It cost

AU\$90 million and would keep Scotland's lights on for about 4 minutes if all the wind turbines stopped at the same time.

Piles of fossil fuels - coal, gas in storage and pipelines are a form of storage. The additional cost for storing a pile of coal is zero if the land is owned by the power station. The cost to the business is the cost of stockpiling fuel they don't need. Fossil fuel stockpiles are though essentially infinite w.r.t the fluctuations in demand. (The gas pipeline always gets filled up at the other end.)

Batteries on the other hand are expensive. They currently use scarce lithium, which is much in demand, and essential for electric car batteries amongst other things.

There have been times when the fossil fuel stockpiles stopped being infinite, during the 1970s. Will the public accept going back to that level of unreliability? Probably not, which means that for some time - until a storage system that approaches the cost per unit of a pile of coal - fossil-fuelled stations will continue to provide backup for the missing approx 70% of power not provided by wind during outages.

So given the impact on local residents, the Pentlands and similar, are six turbines producing 9MW on average - a conventional power station is between 500MW and up to 2000MW - worth the environmental downside? They cannot solve the emissions problem, as for the foreseeable future fossil-fuelled generators will be used for backup.

Comments for Planning Application 0320/FUL/21

Application Summary

Application Number: 0320/FUL/21

Address: Camilty Plantation Harburn West Lothian EH55 8RH

Proposal: Formation of a wind farm consisting of 6 turbines with maximum height to blade tip of 149.9m with associated infrastructure (EIA development)

Case Officer: Matthew Watson

Customer Details

Name: Dr M Harkness

Address: High Camilty West Calder EH55 8RH

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We have concerns that the height of the turbines will affect our broadband and TV signal. Our broadband is via a 4G home router (the only available option as the landline has speeds of less than 1mps) and our TV comes through a Sky satellite dish that points south towards the planned turbines.

EDF tell us that they will undertake an assessment of the impact on these services, and we welcome that. We ask that this specifically includes assessment of any impact on the use of 4G for home broadband and on the Sky satellite at our house. We also ask that any potential issues are required to be rectified before any work commences on the site. Two of us work from home and are dependent on a fast, reliable broadband connection for our livelihoods. Any interruption to the service, even for just a few days, could have a serious detrimental impact on our family's income. This issue is likely to affect other homes in the area who may not be aware of the application or the potential for impact on signals.

This is a very significant worry for us and we hope that the planning committee will consider our concerns carefully

With thanks.

Donkor Dea
Tarbrax Road
Tarbrax
West Calder
EH55 8XA

11/06/2021

Mr. Mathew Watson
Planning Officer
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
EH54 6FF

Dear Mr. Watson,

Windfarm Application (0320/FUL/21)

I am writing to express my objection to the Windfarm Application (0320/FUL/21) based on the following reasons:

The proposed Wind farm is sited near the junction of the B7008 and the A70. The two main access routes onto the site will be 2 half bell shaped routes – being entry and exit from high speed commuter Road as the A70.

Turbines comprising –, tower in 3 sections, base ring and blade hub x 6 turbines will comprise the abnormal loads over 44 tones, with a width of more than 2.9 meters and length of approx 18.3 meters, ground clearance of .325 meters. Their intended route from Grangemouth is similar to that used by other Windfarms. The route proposed is via the M9, M8, A801, A706 and A721, then onto the A70 at Carnwath, and finally along the A70 to the Wind Farm site – with appropriate escorts. In several locations, including the site entrance, the long loads will require use of both carriageways, and traffic management systems will be required.

This application, when compared to the 2013 W/F application (21019/FUL/13) and subsequent ones contains several variations eg change of height of turbines, life of project and any resultant considerations. EDF advises that:

- The new track layout & design of the site will reduce hydrological impact on peat.
- Mitigation measures are proposed to prevent pollution of surface water during construction.
- Part of the site today is located on actively managed forestry with limited ecological and biodiversity values

Concrete deliveries are required for – 21m turbine base diameters, max 6 m depth x6, plus base for control point, and also – “The increase in new dimensions would generally be apparent although barely perceptible in most situations”

- The cumulative impact of the existing wind farms surrounding Tarbrax, Auchengray, Woolfords, West Calder, Harburn ,Carnwath and surrounding areas has had negative effects on the area.
- The effect on wildlife, such as the flight paths of the pink-footed goose (a protected species) is still not guaranteed full protection.
- build for such huge lorry loads.
- The fact that there are dwellings very close by and the annoyance caused by the audible noise from moving turbine blades.
- The visual impact of huge turbines in a rural area.
- The culture, history and archaeology of the area would be further damaged.

Thank you for your help.

Yours sincerely

Margaret Addo

From: [REDACTED]
To: [Watson, Matthew](mailto:Watson.Matthew)
Subject: Fw: Camilty windfarm proposal
Date: 10 June 2021 23:21:15

From: mark mark
Sent: 10 June 2021 23:07
To: mathew.watson@westlothian.gov.uk <mathew.watson@westlothian.gov.uk>
Subject: Camilty windfarm proposal

Brookbank
Kirknewton
EH278DH

Dear Sir

I am writing to you to register my objection to the construction of a six-turbine windfarm at Camilty .

Alison my partner and I are owner/occupiers of Brookbank and three and a half acres of adjoining land which will be one of the very closest properties to this proposal.

I apologise for the lateness of this objection but I was not aware this application was going ahead and was under the impression it had been rejected years ago . I only heard about this by word of mouth from neighbours recently , given my proximity to this project you would have thought that someone would have come round to ask my opinion or at the very least I would have received some kind of communication , but sadly nothing to date , is this what will be called by the developers “full consultation” with the local community .

I cannot believe that yet another wind farm could go up in this area , is there not enough already ? I don't understand why the council would allow yet another windfarm in the area given that the trend seems to be get the application approved and then want to increase the size and number of turbines . Is this area which I think is one of the most beautiful and scenic parts of West Lothian(reason I moved here) just going to be allowed to be turned into one giant windfarm with no thought for the residents or people enjoying walking/cycling etc in the area . On a personal note, since moving here many years ago we have strived to improve conditions for the local wildlife and improve the local habitat with the goal of improving biodiversity and the ecosystem . The thought of six more “Bird killers” going in fills me with sadness .

I think I am right in saying that the nearest of these turbines will be less than a mile from our property and will be very dominant in our skyline for what will probably be the rest of our lives and apparently even though this will have an impact on the value/desirability of our property we have no recourse as far as planning is concerned .

I remember going to a presentation for “Harburnhead windfarm “ and being shown a computer animation demonstrating what we would see from our property and was told/shown we would only see the very tips of the blades , I enclose a couple of pictures of “Harburnhead” from our property and as you can see for yourself , at best they were very economical with the truth , Camilty windfarm is going to be closer to us and apparently we should only see the blade tips .What are we supposed to believe ?.Not the developers this time .

I also have concerns about blade flicker at our property as the sun in the afternoon will be behind the blades relative to our property , and if a few years down the line the developers want

to put in larger turbines/blades which seems to be the way to play the council , our situation would be even worse .

Another concern at this proximity to the turbines from what I have read would be possible major interference to our mobile phones , television and internet access which only recently has become acceptable , as there is no cable in the area we are heavily dependent on a good mobile connection and I think the transmitter is(some distance) behind the proposed wind farm so this could severely effect our signal and yet again if the developers apply for bigger turbines further down the line could have an even greater impact.

I hope this objection is not too late to have some kind of impact on the outcome of this application , and given the development of off shore farms and the general agreement that this is a better power solution , is this wind farm needed here or just the money it will produce , and for people who no doubt don't live in West Lothian or even Scotland .

Yours sincerely
Mark Dawson

Sent from [Mail](#) for Windows 10

Halfway House
Lang Whang
Kirknewton
EH27 8DH

Mr Mathew Watson
Planning Officer
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
EH54 6FF

9 June 2021

mathew.watson@westlothian.gov.uk

Dear Sirs,

Planning Application 0320/FUL/21 Camilty Windfarm

I write to object to the above proposal for the construction of six 149.9m high wind turbines and associated infrastructure in the Camilty forestry plantation.

The reasons for objecting to the construction of large industrial plant in this area have been well rehearsed. I attach a copy of my objection dated 17 May 2013, as Annex 1 to my current objection and believe that the substance of this objection is still valid. West Lothian Council was in agreement, and I am sure will have the same grounds for refusing the current application for larger and more intrusive turbines. I reproduce the refusal as Annex 2 of this objection. The West Lothian Local Plan has been superseded by West Lothian Local Development Plan 2018 so the paragraph references are obsolete. However, the latter document together with the Supplementary Guidance on Wind Energy Development require that, as with the previous plan, there should be a presumption against wind farm development in this area.

As owner and occupier of Halfway House, one of the closest residences to the proposed development I make the following comments:

Visual impact

The developers do not appear to have made any serious attempt to quantify the visual impact of the turbines on nearby residences and the analysis of the situation at Halfway House is factually incorrect.

The statement below from the 2021 EIA, clause 9.74, claims:

*Occupiers of the two single storey properties at Halfway House and Brookbank, off the A70, to the east of the application site would only see the proposed scheme in winter as described in the original 2013 ES, although may have views of blade tips of turbines at Harburnhead beyond. The magnitude of change in view as a result of the proposed development would be negligible leading to a **Negligible adverse** effect, which is the same as in the 2013 ES and not significant.*

The EIA submitted in 2013, Clause 9.5.74 states:

*Two single storey properties which lie close to each other to the east of the site on the A70 include Halfway House and Brookbank. Occupiers of both properties would have heavily filtered views through mature mixed deciduous and coniferous vegetation of the turbines rising out of conifer plantations. The views would only be possible in winter when trees around the houses would not be in leaf. The magnitude of change would be negligible, leading to a **Negligible** effect on views.*

The ratio of the distance from turbine 5 and the distance from the boundary of the “coniferous vegetation” to Halfway house is approximately 4:3. Application of simple geometry indicates that the filtering due to this vegetation will be to a level approximately 1.3 times the height of the trees. These may grow to 40 metres, however they are significantly lower at present, and will provide no realistic screening in the near future, but even when fully grown they will obscure only some 50m of the tower leaving 100m of turbine visible above the treeline. Substantial portions of the other turbines will also be clearly visible.

While writing this I have looked out of the window towards Harburnhead Wind Farm and can see the entire rotor of 2 turbines, the hub and above of 2 more and the tips of the blades of three further turbines; from my front gate I can see the entire rotor of 11 turbines, 7 from the hub upwards and 2 further blade tips. If the actual view of these turbines is reflected in the EIA as “may have views of turbine tips” it suggests a casual and careless approach to consideration of the impact on nearby residents. The proposed turbines situated between Halfway House and Harburnhead Wind farm are both larger and significantly closer and will thus be more visually intrusive. The tree which does most to obscure the view towards the windfarms from Halfway House is an ash suffering from dieback which is endemic in this area, so its coverage in summer will decline markedly in the near future. Ironically, trees along the roadside which would have provided some summer screening (but would probably have succumbed to dieback) have been removed as a condition of planning permission (0884/FUL/18) granted for another project in order to maintain a clear line of sight along the stretch of the A70 between Halfway House and the proposed Camilty wind farm; a demonstration of the transient nature of such screening.

The turbines proposed will be the dominant feature of the views from the A70 in the two kilometres approaching the site from the North-East, one of the few stretches of this road from which one can view the Pentland Hills to the South and the Ochils and beyond to the North.

I submit that the visual impact of the proposed development has been grossly understated in the submission.

Telecommunications.

We do not have the option of broadband via a land-line due to our location. We rely on a mobile signal. Although not ideal, this suffices for our needs allowing video conferencing and streaming of video and sound. The signal and technology have improved in recent years and are likely to continue to do so. Digital terrestrial TV is of generally acceptable quality, but the signal strength is such that some channels do drop out occasionally. Turbines 1-1.5km away in the line of site from the transmitter can only cause the signal to deteriorate. The issue of interference with telecommunications was raised by myself and others during the pre-application consultation. EDF responded to me (Sarah Dooley email 30/11/2020):

"As I am sure you are aware, the current Camilty consent, issued by the Department of Planning & Environmental Appeals (DPEA) includes a planning condition which requires the wind farm operator to remedy impacts on television and radio signals should they arise as a result of the wind farm. EDF R would welcome this condition, should West Lothian Council be minded to grant consent for our new application. We will further undertake to provide any remedial measures that are required to boost/restore mobile phone signal should this be compromised."

This is rather more conciliatory than the statement in the pre application consultation report:

*"Issue 4 – How will telecommunications not be compromised by the turbines
EDF R have experience of developing a number of wind farms and as a result of the experience and knowledge that they have built up it is not envisaged that telecommunications will be compromised. However, in the unlikely event that there is **significant** impairment that is **demonstrably attributable** to the development, EDF R will commit to investigate and remedy as soon as **is reasonably practicable**". (my emphasis)*

This is similar in tone to condition 21 applied to the previous consent, referred to by Sarah Dooley above:

Within a period of 12 months from the final commissioning of the development, any claim by any person, for radio interference or television interference at their house or at other premises, if those are within 3 km of a turbine of the development, shall be investigated by a suitably qualified engineer, appointed at the operator's expense, and the results submitted to the planning authority. Should the investigation find any significant impairment to the radio or television signal that is attributable to the development, the operator shall remedy such impairment, at its sole expense, as soon as is reasonably practicable, so that the standard of reception at the house or premises is maintained to the satisfaction of the planning authority. (Reason: to mitigate interference to local television and radio reception as a result of the development.)

I maintain that despite apparent assurances, the EDF statement resulting from the pre-application consultation and the previous condition are unacceptable, particularly in view of the cavalier assertions regarding visibility, which, in the case of the statement regarding the existing Harburnhead turbines are objectively incorrect. Their complacency regarding telecommunications thus inspires no confidence. I fully expect that their attitude in the event of interference to TV or 4G communications currently and potentially 5G in the future will simply be to deny it and procrastinate, leaving residents to struggle with the consequences.

Significant impairment of our TV signal could be the loss of one channel which we enjoy watching. Significant impairment of reception via 4G would be even occasional loss of signal during video conferencing or video streaming. Particularly in the case of video conferencing, from my point of view a reasonable timescale for remedial action to be taken would be within the day not at the convenience of EDF – inability to partake in meetings for even a short period would be disastrous for me professionally. An offer by EDF to “commit to investigate and remedy as soon as is reasonably practicable” is simply unacceptable. Furthermore, within the life of the windfarm communication technology will change for the better and, within and beyond the 12 month allowed for complaint, it may be that the presence of the wind farm prevents those close to it taking advantage of these advances.

While I hope that the development is refused permission, in the event of it being allowed, a condition relating to telecommunications should be imposed which is more favourable to those close to the turbines and likely to be adversely affected. Given the adverse effect that **any** deterioration of telecommunications would have on residents a condition should be imposed using the precautionary principle which would require that the developer provides guaranteed communications capability – which does not rely on EDF “not envisaging that telecommunications will be compromised”- prior to construction of the turbines. This capability should be of a standard which is in line with foreseeable developments or capable of upgrading to match such developments as they are implemented elsewhere. Whatever provision is made the cost to the householder for equipment rental and data should be no more than services which would normally be commercially available to householders and not at an inflated cost.

Conclusion

In summary, I believe that this application should be refused, but if granted the onus should be on the developer to ensure that local residents do not suffer rather than to consider their problems as an afterthought to be considered at EDF’s convenience.

Yours faithfully



Peter A Kew

Halfway House
Lang Whang
Kirknewton
EH 27 8DH

Mr Tony Irving
West Lothian Council
Planning and Building Standards
County Buildings
High Street
Linlithgow
EH49

Tony.irving@westlothian.gov.uk

17 May 2013

Dear Sirs,

Camilty windfarm –Planning Application 0219/Ful/13

I write to strongly object to the above proposal.

Currently the corridor alongside the Lang Whang (A70) provides a much needed rural environment of great beauty within easy reach of the more developed areas of the Central Belt, Glasgow and Edinburgh. It is intolerable that this valuable rural landscape should be industrialised in the manner proposed. The cumulative impact of existing large scale wind farms and single turbine developments is rapidly destroying what should be maintained as an area of beauty, attractive to both locals and tourists.

This area has traditionally had a conservative planning policy aimed at limiting inappropriate developments in the countryside. This has been largely successful in maintaining the unspoilt nature of the foothills of the Pentlands, despite their proximity to both Edinburgh and Livingston. When granted planning permission to renovate Halfway House, details such as the aspect ratios of windows, colour and material of guttering and colour of woodwork were specified in the planning conditions to ensure that the building retained the appearance of a traditional dwelling appropriate to the region. I believe many neighbours have been bound by similar conditions. Against this background it is now proposed that large scale industrialisation of the area should be undertaken. It is unbelievable that when the shape of the roofline of a single storey cottage can be considered important to the character of the area that permitting industrial structures over 20 times higher should even be contemplated.

There is a growing recognition that while land based wind farms make little overall contribution to carbon reduction and zero contribution to security of energy supply they have a disproportionate impact on the environment and serve mainly to produce profits for owners and developers. Against this background there is an unseemly rush by developers to put up wind turbines while the pickings are rich and with no regard to the effect on the countryside, on those who visit or live in it or on those who have built their livelihoods around the landscape. The proximity of an unspoiled area of natural beauty so close to the urban centres of central Scotland is an asset which we cannot afford to waste.

As an individual home owner situated less than 1km from the proposed development I am, of course, concerned about the impact on our quality of life. There is recognition In a letter dated January 2009 Ms Alison Hurd (Dept ref 2009/0000371OR) writing on behalf of the Directorate of the Built Environment, in response to an enquiry to the then Minister stated: “...*That is why SPP6 confirms that in all instances, proposals should not be permitted if they would have a significant long term detrimental impact on the amenity of people living nearby. This principle applies to houses within and outwith 2km of the proposed development and regardless of whether they are single dwellings or part of a settlement*” If this, and other developments in the vicinity are permitted this demonstrates the dishonesty inherent in this statement. It will be apparent that developers and authorities are complicit in simply ignoring this principle or believe that by denying the very obvious, significant and adverse impact on many local residents such impact does not exist. The visual impact at 1 km is beyond dispute, and while shadow flicker may be minimal, the less predictable phenomena of glinting due to reflection of sunlight from the blades certainly cannot be ruled out. Developers readily dismiss the possible harmful effects of low frequency sound or audible modulation and rely heavily on ETSU-97, despite it having been developed for much smaller turbines and with no examination of the consequences within 10 times the turbine height, and subsequent research in its support has relied on evidence from those living at a relatively large distance from the turbines. Articles in peer reviewed medical Journals, including the British Medical Journal are now appearing which suggest a real possibility of harm to those living close to large turbines. The BMJ published Doll’s work in 1950 which first demonstrated the link between smoking and lung cancer. This link was disputed by tobacco companies for many years. Similarly it is not surprising that those with a vested interest in the profitability of wind farms deny safety concerns through exactly the same motivation.

I trust that in view of the above, and the many similar objections which I am sure you will receive; permission will be refused for this development.

Yours faithfully



Peter A Kew MA, PhD, FEI, CEng.



ANNEX 2– Reasons given for refusal of permission for 6 wind turbines at Camilty site (0219/Ful/13) by West Lothian Council 18/02/2015

1 The proposal would have significant adverse effects on the landscape character and visual amenity of the Pentland Hills Area of Great Landscape Value, contrary to policies ENV 19 & 20 (areas of great landscape value) and NWR 23 (renewable energy - areas of natural heritage Importance) of the West Lothian Local Plan and paragraphs 169, 202 & 203 of Scottish Planning Policy.

2 The proposal would have significant adverse effects on the character, visual integrity and recreational qualities of the Pentland Hills Regional Park and the wider area of the Pentland Hills in West Lothian, contrary to policy NWR 22 (Pentland Hills) of the West Lothian local Plan and paragraphs 169, 202 & 203 of Scottish Planning Policy.

3 The proposal would be visually intrusive from views along the A70 corridor and impair the appearance of the countryside along this key transport corridor, contrary to policy ENV 24 (road corridors) of the West Lothian Local Plan.

4 The proposal, in combination with the consented Harburnhead and Pearie Law windfarms, would have significant adverse cumulative effects on the landscape character and visual amenity of the Pentland Hills Area of Great Landscape Value, on the character, visual integrity and recreational qualities of the Pentland Hills Regional Park and the wider area of the Pentland Hills in West Lothian, and on the visual amenity of A70 corridor, contrary to policy ENV 27 (renewable energy - cumulative impact) of the West Lothian Local Plan and paragraph 169 of Scottish Planning Policy.

5 The proposal would have significant adverse effects on the setting of Castle Greg Roman Fortlet Scheduled Monument, West Cairn Hill cairn Scheduled Monument and East Cairn Hill cairn Scheduled Monument, contrary to policies HER 12 (scheduled monuments), HER 15 (significant archaeological sites) and NWR 24 (renewable energy - built heritage) of the West Lothian Local Plan and paragraphs 145 and 169 of Scottish Planning Policy.

6 The proposal would have significant adverse effects on Harburn House Garden & Designed Landscape and its setting, contrary to policy HER 22 (gardens and designed landscapes) of the West Lothian Local Plan and paragraphs 148 and 169 of Scottish Planning Policy.

7 Insufficient information has been submitted to satisfactorily assess the individual and cumulative noise impacts of the proposal on sensitive receptors, contrary to policy NWR 20 (renewable energy - environmentally acceptable schemes) and IMP 10 (noise) of the West Lothian Local Plan and paragraph 169 of Scottish Planning Policy.

8 The proposal would have unacceptable adverse impacts on aviation en-route radar, contrary to policy NWR 26 (renewable energy - detailed site planning considerations) of the West Lothian Local Plan and paragraph 169 of Scottish Planning Policy.

From: [REDACTED]
To: [Watson, Matthew](#)
Subject: FW: Camilty Wind Farm - 0320/FUL/21
Date: 11 June 2021 13:18:26

Mr Watson
Planning Office

I wish to lodge my objection to the proposed Camilty Wind Farm - 0320/FUL/2021

I live and work from my smallholding at Halfway House beside the Lang Wang, in the shadow of the Pentland Hills. The site "affords" me "spectacular" views, being evidence of the onslaught from the west, of scores of wind turbines.

In 2013 a Windfarm proposal for 6 turbines in Camilty Forest, submitted to the West Lothian Council, was refused. Then ensued 8 years of further approvals/refusals and SEIs (Supplementary Environmental Information) and including change of operator. Such changes to the original submission have been passed/refused by West Lothian Council and Scottish Government, to the extent that local residents are now languishing under the continuing quandary that threatens our national asset - the Pentlands, and consequently, our way-of-life.

ACCIDENTS & DISASTERS

- Pentland Hills Environs -
- 1) The B7008/A70 junction has been the scene of a spectacular encounter of a vehicle with a stone wall and a flock of sheep on the Pentland foothills.
 - 2) A worrisome peat fire in May 2017 at Harburnhead W/F (opposite Camilty site) which required the attendance of several Fire Services vehicles for days. No damage to life or property was reported.
 - 3) Near weekly scrapes & scrunches between vehicular encounters on the Railway Bridge on B7008
 - 4) During periods of heavy rain, occasional HGVs & sundry heavy vehicles have needed to be "excavated" from deep bogs/gorges on A70 and B7008 road verges.
 - 5)

ARCHAEOLOGY

Since Bronze Age Man walked the environs of THE PENTLANDS, Roman Armies have followed in his virtual footsteps, mapping routes that Covenanters and Reivers would later follow. Eighteenth Century Drivers relied on stock routes through the Pentlands (most famous being Cauldstane Slap) to English cattle markets. Archaeological evidence is available to us today left by the Covenanters Grave on the Pentlands, and Castle Greg - 0.4 km from the proposed Camilty windfarm site beside the B7008, - an old Roman Road perhaps....?

At previous Wind Farm inquiries I have heard expert witnesses state questionable "opinions" - the best being - that Castle Greg is of negligible significance because of the absence of Tourist Information Boards on site. We local residents prefer that it remains just so, insisting that any archaeological evidence be preserved in situ, for future generations to decide and finance an outcome. The 2021 EIA "stand off" allowance of .4 km from Castle Gregg is much too risky! Any W/F construction work risks destroying any undocumented archaeological remains.

TELECOMMUNICATIONS

From the originally mooted 15 turbines, formal submissions have been reduced to 8, and now to 6 monster turbines @ 149.5 m. blade tip. I suggest that 0320/FUL/21 culminates in zero turbines...i.e. a refusal by WLC. However, If turbines are installed, we at Halfway House will be seriously concerned at the quality of television & radio reception that we shall receive. A quick solution should be mandatory (especially given the proximity of Turbine No 5). Failing that, then compensation for an IT provider to attend to and solve the emergency. A fast response can be crucial in a health emergency or a business deadline when the "problem" occurs in a rural environment

The EIA does not reassure us that any Telecommunication problem will be addressed immediately.....**but as soon as is reasonably practicable....??**

TOURISM & RECREATION

Long before 2013 the Lang Whang had been a focus of travel, popular with commuters of Central Scotland making the return journey into Edinburgh. Today, the route has been "populated" by wind turbines - close & distant, - an indication of the extent to which the governments are determined to "plough up" our natural heritage!

Local populations, in spite of these challenges, are appreciating our natural heritage as they take up such pastimes as walking, cycling, fishing, small holding, and allotmenting. Those entrepreneurs among us are now contributing to the local economy, and have developed an Equestrian Centre, Golf Club, Landscaping Business, Upmarket self catering accommodation, Wedding venues - set amongst (wherever possible) a "Turbine Free" background of forestry and hill farming.

A wind farm at Camility Forest would add to the dreaded cumulative impact of turbines - but on this occasion, the INTRODUCTION of giant turbines of 149.5m, plus additional roadworks to accommodate entry & exit routes for of these giant turbines.

I implore you, our West Lothian Councillors, to protect this panoramic corner of West Lothian from the onslaught of wind turbines, for the sanity of those who live, commute, and work here.

Mrs R Kew
Halfway House
Lang Whang
West Lothian

Comments for Planning Application 0320/FUL/21

Application Summary

Application Number: 0320/FUL/21

Address: Camilty Plantation Harburn West Lothian EH55 8RH

Proposal: Formation of a wind farm consisting of 6 turbines with maximum height to blade tip of 149.9m with associated infrastructure (EIA development)

Case Officer: Matthew Watson

Customer Details

Name: Dr Richard Drysdale-Wilson

Address: Rosevale Cottage Harburn West Calder EH55 8RE

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Ref: 0320/FUL/21

I wish to object to the proposed wind farm

1. Previous applications for this site have already been refused by the local authority who have taken into consideration local opinions and local environmental issues.
2. The site is very close to existing private dwelling houses which will cause considerable disturbance to the occupants during the construction of the wind farm and also after completion due to turbine flicker and turbine blade noise.
4. Connecting the wind farm to the national grid will cause considerable disruption to residents throughout the Lothians
3. The site is very close to the Castle Greg Roman Fort and any excavations for constructions will destroy any possible further archaeological discoveries in that area.
4. There have already been a large number of wind farms in the immediate area and the presence of existing wind farms should not be a reason for further proliferation.
5. The Pentland hill area has been already recognised as being extremely valuable recreationally for local residents and a haven for wild life and another wind farm will cause even more disturbance.

From: [REDACTED]
To: [Watson, Matthew](#)
Subject: Camilty Wind Farm - 0320/Ful/21
Date: 09 June 2021 05:37:22

SAVE THE PENTLANDS WORKING GROUP

We object to this wind farm application. We are a group of local residents who are incensed with living and working under threat, AGAIN, of the proliferation of turbines in the Pentland environs. Having lived through and endured, the daily disruption to our lives of earlier operational wind farmswe declare that enough is enough! We consider that the Pentlands and its Regional Park is a national heritage to be shared, and enjoyed, while being held in trust for future generations - not constantly under attack of desecration to the daily lives of the present generation..

Accidents and Disasters

The enormity of the 6 turbines of 149.5 m plus associated infrastructure at the proposed Camilty Wind Farm site will present a distraction to drivers on the B7008 & A70. Traffic accidents have been known to occur when vehicles descending on the B7008 from Camilty Hill arrive at the A70 T junction. While attempting to observe the Give Way sign, the drivers have demolished a section of stone wall, (on one occasion accompanied by a telephone pole) and landed in the field opposite, amongst the sheep, which, till then, were contentedly grazing on the Pentland foothills. ('Phone services were "out" for several days.)

Of Accidents and Disasters, the EIA Technical Report - 5.12.9, states ".....no consideration effects in relation to health . The EIA states that "no considerations were likely". Neighbouring Harburn Head W/F in May 2017, presented an example of a very NECESSARY "likely consideration". As reported in the Press, at the time, a peat fire required the attention of 10 Fire Services vehicles over the weekend, with one remaining on watch for several days. The Wind Farm was consequently closed down for a period afterwards. Fortunately property and personnel escaped unharmed. Camilty Wind Farm has also been designed on peat – 7m deep at its centre!.

Health

Camilty EIA Technical Report continues – 5.12.9 "no significant effects in relation to health, therefore no separate Health effects were considered – same as March 2013". Since 2013, 8 years have transpired and brought COVID 19 into our lives. This emphasises the importance of reliable telecommunications in rural areas. We rely heavily on tv & radio coverage for current government covid reports. Mental Health Studies have emphasised the importance of TV & radio to help cope with depression, and maintain contact with the outside world, or even local emergency health services. Unfortunately, EDF can not assure us that such reliable telecommunication services will happen. . They say that any such incidents will be investigated and appropriate action will be taken – not a reassuring comfort to our state of well being....while we waitand wait....and wait.....

Landscape Effects

Since 2013 these landscape effects have altered considerably. Forestry felling activity at the site has opened up panoramic views of the Pentlands. NOT placing 6 huge turbines on this site, would seriously contribute to West Lothian's developing tourist industry.!

Tourism & Recreation

A Wind Farm at Camilty Forest would add to the dreaded cumulative impact of turbines along the B7008 corridor aiming at our revered Pentland Hills. These environs of the Pentlands form the focus of today's local tourism & recreation industries - ranging from its Roman, Medieval and Scottish History, to 21st century recreational pursuits of walking, cycling, fishing, small holding, and allotmenting. A popular reflection of "*times past*" is captured in song - the "Sang of the Wang"- (JG Wilkinson, 2012)

During these 8 years, Tourism & Recreation pursuits have expanded to contribute today to the local economy (which appears to have been unacknowledged by EDF)...eg Equestrian Centre, Golf Club, Landscaping Business, Upmarket Self Catering Accommodation, Wedding Venues, all set against a rural backdrop of forestry and hill farming. Weekend encounters on A70 – between HGVs and wedding traffic to the consternation of those involved, hopefully will not become the norm.

RE CASTLE GREG – the EIA states " there was potential for hitherto unrecorded buried remains that could be distributed during construction of the wind farm." We therefore insist on retaining all archaeological evidence INTACT and holding it INTRUST for future generations. How can EDF's suggested operational "stand off" of .4 km from Castle Greg achieve this?

We respectfully seek West Lothian Council's support, and that too of the Scottish Government in preserving this remaining panoramic corner of West Lothian, and protecting it from the Wind Turbine Creep towards our revered Pentland Hills. Long may visitors and residents continue to enjoy it!

With thanks

R Kew, Secretary *Save the Pentlands Working Group*

Heathfield
Tarbrax Road
Tarbrax
West Calder
EH55 8XA
tel. [REDACTED]
[REDACTED]

Matthew Watson,
Planning Officer,
West Lothian Council,
West Lothian Civic Centre,
Howden Road South,
Livingston EH54 6FF
Matthew.watson@westlothian.gov.uk

2nd June 2021

Camilty Wind Farm - Planning Application no. 0320/FUL/21

Dear Sir,

I am writing to express my objection to the proposed Camilty Wind Farm project.

Firstly, the proposed wind farm and all its ancillary structures and services would have a drastic and devastating visual effect on the landscape, and as such would deprive this part of West Lothian of one of its greatest assets. I understand that the proposed turbines would be 149 metres high, and as such would dominate this formerly beautiful landscape, including views from many miles around, from the popular country routes of the A70 and B7008, and from this treasured walkers' recreational area of the Pentland Hills. The presence of the site would also have a drastic effect on the lifestyle and property of nearby residents.

Secondly, I would reiterate the points that have already been made in recent years concerning protection of local bird and animal life; for example, the population of pink-footed geese and their flight-paths would be severely affected, as well as the rich variety of local birdlife which includes curlews, lapwings, oystercatchers, kestrels and buzzards.

Thirdly, the culture, history and archaeology of the area would be further damaged, for reasons which will by now be well known to the Council.

For all these reasons this project would, in my view, be contrary to the public interest. I do appreciate the overall necessity and benefits of renewable energy, but this area has now been virtually saturated with wind turbines to the extent that the preservation of at least a reasonable proportion of our beautiful upland landscapes is at serious risk and must now surely take precedence. I would therefore urge the Council to refuse this application.

Yours sincerely

Stephen Midgley

Development Management Committee

22 September 2021

Item 5 - Application : 0320/FUL/21

Formation of a wind farm consisting of 6 turbines with maximum height to blade tip of 149.9m with associated infrastructure (EIA development)

Camilty Plantation - Harburn - EH55 8RH





West Lothian
Council

0320/FUL/21 - Camilty Plantation Harburn West Lothian - EH55 8RH

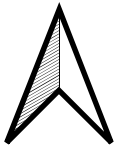
Development Management - West Lothian Civic Centre - EH54 6FF

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0320/FUL/21 - Camilty Plantation Harburn West Lothian - EH55 8RH

Development Management - West Lothian Civic Centre - EH54 6FF

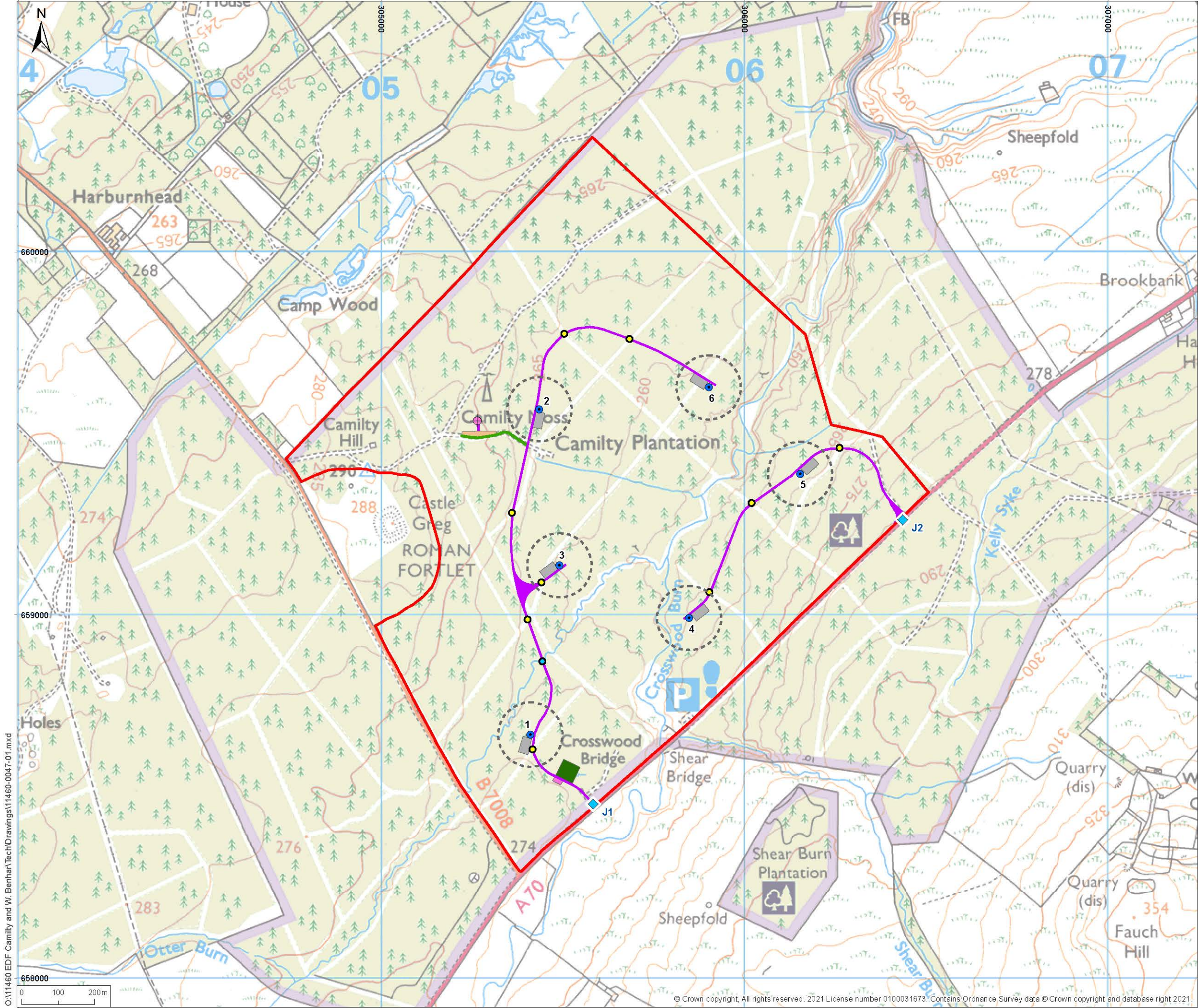
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- Legend**
- Application boundary
 - Site access points
 - Proposed turbine location
 - Turbine keyhole
 - Proposed access track
 - Existing track
 - Proposed crane hardstanding
 - Proposed substation compound
 - Proposed construction compound
 - Proposed permanent met mast location
 - Proposed permanent met mast laydown area
 - Proposed forestry crossing
 - Proposed water Crossing

Rev	Description	By	CB	Date



20 Western Avenue, Milton Park, Abingdon, Oxfordshire, OX14 4SH
T: +44(0)1235 821 888 E: rps@rpsgroup.com

Client EDF Energy Renewables Ltd

Project Camilty Wind Farm

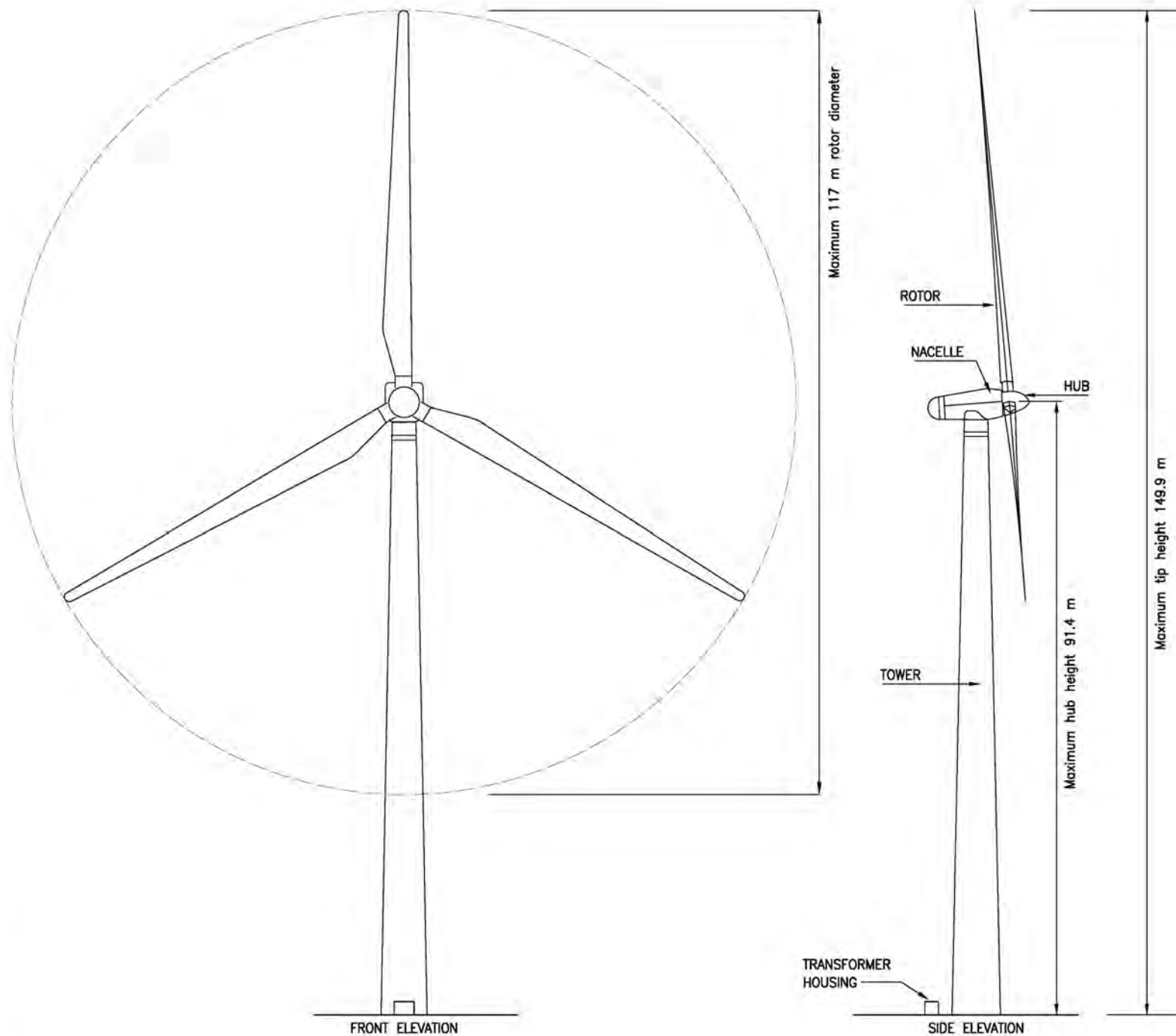
Title Proposed Site Layout

Status	Drawn By	PM/Checked By
FINAL	KAG	MB
Project Number	Scale @ A3	Date Created
OXF11460	1:10,000	FEB 2021
Figure Number		Rev
R1.2		-

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OXF11460-EDF Camilly and W. BenbenTechDrawings\11460-0028-02.dwg



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All dimensions in metres unless otherwise stated.

Rev	Description	By	CB	Date



20 Western Avenue, Milton Park, Abingdon, Oxfordshire, OX14 4SH
T: +44(0)1235 821 888 E: rps@rpsgroup.com

Client **EDF Energy Renewables Ltd**

Project **Camilly Wind Farm**

Title **Proposed Turbine Dimensions**

Status **FINAL** Drawn By **KAG** PM/Checked by **MB**

Job Ref **OXF11460** Scale @ **A3** Date Created **MAR 21**

RPS Drawing/Figures Number
OXF11460-CAM-PA4

Rev
-

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View looking towards the north east of the site from A70 layby



View looking towards the north east of the site – 2013 consented scheme



View looking towards the north east of the site – 2021 proposal



View looking towards the south west of the site



View looking towards the south west of the site – 2013 consented scheme



View looking towards the south west of the site – 2021 proposal



View looking north from Crosswood Fishery to the south of the site



View looking north from Crosswood Fishery to the south of the site – 2013 consented scheme



Single turbine view

View looking north from Crosswood Fishery to the south of the site – 2021 proposal



View looking west from West Cairn Hill



View looking west from West Cairn Hill – 2013 consented scheme



View looking west from West Cairn Hill – 2021 proposal



View from Craigengar



View from Craigengar – 2013 consented scheme



View from Craigengar – 2021 proposal





DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Application under Section 42 to develop land to modify condition 4 of planning permission in principle 0020/P/16 for a 19-hectare residential development with associated works to allow a maximum of 375 residential units to be constructed on the north side of the A89 (increase from 300 to 375) at Standhill North/South, West Main Street, Armadale

2 DETAILS

Reference no.	0497/P/21	Owner of site	Mr John R W Orr
Applicant	Avant Homes Ltd. & The Trustees of The Woodhead Trust	Ward & local members	Armadale & Blackridge Councillor Andrew McGuire Councillor Stuart Borrowman Councillor Sarah King
Case officer	Matthew Watson	Contact details	01506 283536 matthew.watson@westlothian.gov.uk

Reason for referral to Development Management Committee: More than 15 objections received.

3 RECOMMENDATION

Grant planning permission in principle, subject to conditions and a legal agreement.

4. DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 The application proposes to modify condition 4 of planning permission in principle 0020/P/16 to allow a maximum of 375 residential units to be constructed on the north side of the A89 at Standhill North.
- 4.2 The application site is a 19ha site that comprises Standhill North on the north side of the A89 and the under construction Standhill South development. Both sites are allocated in the West Lothian Local Development (LDP), 2018 for housing development (refs: H-AM 12 and H-AM 13) and were previously allocated in the West Lothian Local Plan for housing development as part of the Armadale Core Development Area.
- 4.3 Condition 4 of planning permission in principle 0020/P/16 currently specifies that no more than 300 residential units can be constructed at Standhill North.

- 4.4 The modification of condition 4 which is sought will mean that a total of 485 residential units are proposed to be constructed across Standhill North and South. As noted below at paras 4.15 and 4.16, Standhill South has detailed planning permission for 110 houses. The majority of these houses have been constructed and occupied.
- 4.5 Therefore, the matter to be decided in this application is whether the principle of an additional 75 houses on the north side of the A89 (West Main Street) is acceptable.
- 4.6 To note, as the application is to modify a condition on a planning permission in principle permission, there is no detailed layout submitted with the proposal.

History

Standhill North and South

- 4.7 0020/P/16: Planning permission in principle for a 19ha residential development with associated works, Granted, 20/01/2020
- 4.8 0591/EIA/15: EIA screening opinion for a residential development, EIA Not Required, 22/09/2015
- 4.9 0590/PAC/15: Proposal of application notice for a residential development with associated access roads, open space and surface water treatment works, Consultation approved, 15/09/2015

Standhill North

- 4.10 0594/FUL/19: Temporary storage of subsoil and topsoil (in retrospect), Grant temporary permission, 16/03/2021
- 4.11 0801/FUL/06: Erection of 311 houses and garages/parking with associated roads, infrastructure and open space / landscaping, Withdrawn, 18/03/2015

Standhill South

- 4.12 0960/PO/20: Modification of planning obligation relating to planning permission 0047/FUL/16 and 0127/FUL/18 to delete the A801 residential contribution, Granted, 01/12/2020
- 4.13 0840/FUL/19: Erection of 4 houses (substitution of house types on plots 43, 54, 63 & 69 from Rosebury to Malton with plots numbers amended to 143, 154, 163 & 169 as variation to planning permission 0127/FUL/18), Granted, 11/11/2019
- 4.14 0081/FUL/19: Erection of 4 houses (substitution of house types on plots 149, 172, 180 & 192 from Westbury to Cotham as variation to planning permission 0127/FUL/18), Granted, 28/03/2019
- 4.15 0875/PO/18: Application for the modification of the planning obligation relating to planning permission 0047/FUL/16 and 0127/FUL/18 to substitute Plan 1 to reflect revised boundary of affordable housing land, Withdrawn, 19/09/2018

- 4.16 0857/PO/18: Application for the modification of the planning obligation relating to planning permission 0047/FUL/16 and 0127/FUL/18 to substitute Plan 1 to reflect revised boundary of affordable housing land, Granted, 21/09/2018
- 4.17 0601/PO/18: Application for the modification of the planning obligation relating to planning permission 0047/FUL/16 to apply its provisions to planning application 0127/FUL/18, Granted, 18/07/2018
- 4.18 0127/FUL/18: Erection of 110 houses with associated works (revised layout to replace that granted under planning permission 0047/FUL/16), Granted, 15/08/2018
- 4.19 0047/FUL/16: Erection of 110 houses with associated works, Granted, 23/11/2017
- 4.20 0093/FUL/07: Erection of 93 houses with garages and associated own road, parking and landscaping, Withdrawn, 18/03/2015

5. REPRESENTATIONS

- 5.1 A total of 189 objections have been received. One comment in support and one neutral comment were also received.
- 5.2 A sample of representations are appended to the report. All the letters are available in the case file. A summary of representations is below:

Comments	Response
<ul style="list-style-type: none"> Impact on school capacity 	<ul style="list-style-type: none"> The impact on education infrastructure can be managed with a phasing condition that restricts house occupations per year.
<ul style="list-style-type: none"> Impact on transport infrastructure 	<ul style="list-style-type: none"> The applicant has submitted a Transport Assessment with the application to assess the impact of a further 75 houses on the site. The council's Roads and Transportation Service has raised no objections to the proposal.
<ul style="list-style-type: none"> Impact on healthcare and GP provision 	<ul style="list-style-type: none"> There is no requirement in the LDP to deliver healthcare facilities as part of this development. The council does not have any supplementary guidance requiring developer contributions to healthcare infrastructure. NHS Lothian was consulted on the proposal but has not responded.
<ul style="list-style-type: none"> Loss of wildlife habitat 	<ul style="list-style-type: none"> This has been assessed under application 0020/P/16.

<ul style="list-style-type: none"> • Disruption and noise during construction • Loss of views • Loss of green space 	<ul style="list-style-type: none"> • The impact of construction on nearby residential properties can be managed through the use of a planning condition. • The loss of views is not a material planning consideration • The application is allocated for housing development.
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6. CONSULTATIONS

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

Consultee	Objection?	Comments	Planning Response
Education Planning	No	No objections subject to a phasing condition	Noted.
Transportation	No	No objections to the application based on the Transport Assessment submitted with the application.	Noted.
NHS Lothian	N/A	No response received.	N/A

7. ASSESSMENT

- 7.1 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.
- 7.2 The development plan comprises the Strategic Development Plan for South East Scotland (SESplan) (2013) and the adopted West Lothian Local Development Plan (2018).
- 7.3 The relevant development plan policies are listed below:

Policy	Policy Summary	Assessment	Conform ?
West Lothian Local Development Plan (LDP) CDA 1 Development in the Previously Identified Core Development Areas	This policy states the council will support new housing in areas previously designated as CDAs, such as Armadale, as long as infrastructure requirements are met.	The proposal is in effect for an additional 75 houses on a site that was part of a former CDA. As noted in the section on 'Infrastructure Impact', the proposal is acceptable in terms of infrastructure impact. The proposal complies with Policy CDA 1.	Yes

West Lothian LDP HOU 1 Allocated Housing Sites	Housing development on allocated sites will be supported in principle.	The application is for further housing development on an allocated housing site. The proposal therefore complies with Policy HOU 1.	Yes
West Lothian LDP TRAN 1 Transport Infrastructure	This policy requires the transport impacts of development to be acceptable.	The submitted Transport Assessment has been found to be acceptable by Roads and Transportation and the proposal will not adversely impact junction and existing road capacities. The proposal complies with Policy TRAN 1.	Yes
West Lothian LDP TRAN 2 Development Contributions and Associated Works	This policy requires developers to contribute towards travel improvements, where justified.	As the proposal will not adversely impact junction and existing road capacities, no further contributions will be required.	Yes
West Lothian LDP INF 1 Infrastructure Provision and Developer Obligations	This policy states the Council requires developer contributions to mitigate the impacts of development.	The application is acceptable in terms of its impacts on infrastructure. See section below on 'Infrastructure Impact' for a detailed assessment.	Yes
Supplementary Guidance Planning for Education	The SG sets out the relevant developer contributions rates	Subject to a phasing condition, the proposal meets the terms of the Education SG.	Yes

7.4 The determining issues in relation to this application are set out below:

Principle of Development

- 7.5 Policy CDA 1 states the council will support new housing in areas previously designated CDAs, such as Armadale, as long as infrastructure requirements are met.
- 7.6 Policy HOU 1 states that housing development on allocated sites will be supported in principle.
- 7.7 The proposal is in effect for an additional 75 houses on the Standhill North allocated housing site (ref: H-AM 12). Appendix 2 of the West Lothian LDP gives a capacity of 300 houses for Standhill North.
- 7.8 Whilst Appendix 2 of the LDP identifies capacities for the allocated housing sites, the council may support increasing these indicative numbers where any additional infrastructure impact can be accommodated. As set out below, in the 'Impact on Infrastructure' section the infrastructure impacts of the proposed additional 75 houses can be accommodated and managed.
- 7.9 The principle of an additional 75 houses on the north side of the A89 is therefore acceptable and the proposal complies with policies CDA 1 and HOU 1.

Impact on Infrastructure

- 7.10 The main issues to consider in terms of the infrastructure impacts of the additional 75 houses are the impacts on transport and education infrastructure.

Transportation

- 7.11 Policy TRAN 1 requires the transport impacts of development to be acceptable.
- 7.12 Policy TRAN 2 requires developers to contribute towards travel improvements where justified.
- 7.13 The applicant has submitted a Transport Assessment (TA) with the application which models the impact of an additional 75 houses on the north side of the A89. The council's Roads and Transportation team has examined the TA and has not raised any objections in terms of impact on the existing road network and junction capacities. Detailed access requirements for Standhill North will come forward as part of any matters specified in conditions application.
- 7.14 Overall, the additional 75 houses at Standhill North will not have an adverse impact on the road network nor require further contributions to off-site improvements. The proposal complies with policies TRAN 1 and TRAN 2 of the LDP.

Education

- 7.15 Policy INF 1 requires the infrastructure impacts of development to be addressed in new development.
- 7.16 The Supplementary Guidance on Planning for Education sets out the levels of developer contributions for schools in different catchments.
- 7.17 The application site falls within the following catchments:
- Non-Denominational Primary – Armadale Primary & Eastertoun Primary
 - Denominational Primary – St Anthony's Primary
 - Non-Denominational Secondary – Armadale Academy
 - Denominational Secondary – St Kentigern's Academy
- 7.18 The West Lothian LDP gives an indicative capacity of 300 houses for Standhill North (H-AM 12) and 100 houses for Standhill South (H-AM 13). The applicant has submitted an Education Note analysing current and future capacity within schools that fall within the site
- 7.19 Education Planning has been consulted on the application and has advised that, subject to contributions being received, there are no capacity issues at Denominational Primary and Secondary schools. Contributions will be taken in line with the SG requirements at a rate of £1,187 per unit and £2,510 per unit respectively.

- 7.20 In relation to Non-Denominational Primary, Armadale and Eastertoun Primary Schools have capacity to accommodate the increased number of children from the additional housing proposed. Forward funding of the Southdale Primary School has enabled this capacity to be created. The SG on Planning for Education sets out an Armadale wide approach to Non-Denominational Primary contributions and the applicant is required to contribute towards that Armadale wide solution at £6,374 per unit.
- 7.21 With regards to Non-Denominational Secondary capacity, contributions towards the forward funding of Armadale Academy are required at a rate of £2,064 per unit. Armadale Academy is also forecast to exceed it's 1210 pupil capacity. The applicant has proposed a phasing condition to mitigate the impact of development on Armadale Academy. This is as below:
- No more than 54 market occupations prior to August 2022
 - No more than 108 market occupations prior to August 2023
 - No more than 162 market occupations prior to August 2024;
 - No more than 216 market occupations prior to August 2025; and
 - No more than 270 market occupations prior to August 2026.
- 7.22 The phasing condition relates to market housing only to enable the affordable housing for the site to be brought forward at an early stage without constraint, whilst ensuring education capacity is managed.
- 7.23 Education Planning is satisfied that the proposed phasing condition will satisfactorily mitigate the impact of the development on Armadale Academy.
- 7.24 With this phasing condition in place, the proposal complies with Policy INF 1 of the LDP and the SG on Planning for Education.

Healthcare and Community Facilities

- 7.25 A large number of representations have objected to the application on the grounds of insufficient capacity at healthcare facilities.
- 7.26 Appendix 2 of the West Lothian LDP does not require the delivery of any additional healthcare facilities as part of the housing allocations at Standhill North and South. In addition, the council does not currently have supplementary guidance in place for developer contributions towards healthcare infrastructure. NHS Lothian was consulted on the application and has not responded. Notwithstanding the lack of response from NHS Lothian, the additional 75 houses proposed will not materially affect the demand for healthcare services in Armadale.
- 7.27 The applicant will also be required to contribute towards the forward funding of Armadale Library at £163 per unit and towards town centre improvements at £350 per unit. Cemetery provision contributions are £88 per unit.
- 7.28 With the payment of the above developer contributions, the proposal complies with Policy INF 1.

Conclusion

- 7.29 Overall, the additional 75 houses proposed will not have an adverse impact on infrastructure, subject to a phasing condition to manage capacity at Armadale Academy. A modification to the existing Section 75 legal agreement, which already secures the developer contributions outlined above, is required to apply the contributions to this application, as well as making other modifications to update developer contribution rates.

8. CONCLUSION AND RECOMMENDATION

- 8.1 In summary, the principle of an additional 75 houses at Standhill North is acceptable given that infrastructure impacts of the proposal can be addressed and managed. An appropriate phasing condition is required to manage the impact on education infrastructure. With this condition in place, the proposal complies with the relevant policies of the development plan.
- 8.2 Consequently, and in view of the above, it is recommended that planning permission in principle is granted, subject to conditions and a legal agreement to secure developer contributions.

9. BACKGROUND REFERENCES & ATTACHMENTS

- Draft Conditions
- Location Plan
- Sample of Representations

Plans and site photos are available in the accompanying slide presentation pack.

Craig McCorriston

Head of Planning, Economic Development and Regeneration Date: 22 September 2021

Draft Conditions – 0497/P/21

- 1 No development shall start on site, until a plan showing the phasing of development blocks, including the infrastructure to be provided within each block, indicative unit numbers and the timing for delivery, has been submitted to and approved in writing by the planning authority. The plans shall accord with the indicative masterplan drawing 15074(PL)002_REV D hereby approved. Thereafter the development shall be carried out in accordance with these details.

Reason: To enable the planning authority to assess those details which have yet to be submitted and to accord with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended.

- 2 Further to condition 1 above, the development of any phase shall not begin until details of the following matters for that phase have been submitted to and approved in writing by the planning authority. Thereafter the development shall be carried out in accordance with that approval.
 - a) The layout and design of the site including all existing and proposed buildings & other structures, roads, footways, footpaths, cycletracks, pedestrian and cycle crossings, car and cycle parking, electric vehicle charging points, boundary enclosures, open space, foul drainage, surface water drainage.
 - b) Plans, sections and elevations of all buildings & other structures, indicating the type and colour of all external materials.
 - c) Hard and soft landscaping details including the location of all retained and proposed trees, hedges and shrubs; a schedule of plants to comprise species, plant size and proposed number/density; a programme of implementation and details of the future maintenance arrangements for open space and landscaped areas.
 - d) A plan of the trees to be removed, the existing trees to be retained and associated tree protection measures in accordance with BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations.
 - e) Plans and site sections showing existing and proposed ground levels, proposed finished floor levels and any retaining structures.
 - f) A report on the findings of a contaminated land site investigation and risk assessment that shall be conducted in accordance with the Environment Agency's Contaminated Land Report 11, Model Procedures for the Management of Land Contamination, CLR11 and, if required, a remediation statement setting out how the condition of the site will be made suitable for the intended use by removing unacceptable risks to all relevant and statutory receptors.
 - g) A drainage assessment setting out how surface water from the development being treated and attenuated by a sustainable drainage system (SuDS) in accordance with CIRIA SuDS Manual C753 and SuDS Working Party Water Assessment & Drainage Assessment Guide.
 - h) A scheme of intrusive site investigations to establish the exact situation regarding coal mining legacy issues, a report on the findings of that scheme and, if required, a remediation statement setting out how the condition of the site will be made suitable for the intended use by removing unacceptable risks to all relevant receptors.
 - i) Programme of archaeological works.
 - j) An assessment of the potential flooding from the drain on the eastern boundary with Glenwood Drive.
 - k) A inspection and maintenance regime for the watercourse and culvert on site.

l) The location and dimensions of any site compound including staff and visitor parking and the construction access arrangements associated with the whole development site or each phase applied for.

m) Details of any piling or other significant vibration works required during construction works which may be perceptible in other premises and a scheme of mitigation measures to minimise and monitor vibration affecting sensitive properties.

Reason: To enable the planning authority to assess those details which have yet to be submitted and to accord with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended.

- 3 Further to condition 2 a) above, a pedestrian crossing shall be provided on the A89 at a suitable location along the southern boundary of the application site.

Reason: In the interests of road and pedestrian safety and to facilitate safe pedestrian access to local facilities and services.

- 4 Further to condition 2 a) above, no more than 375 units shall be constructed on the land to the north of the A89.

Reason: To limit the scale of development to that applied for reflecting the assessment made with regard to infrastructure provision.

- 5 No more than the following number of units shall be occupied per academic year from academic year 2021/22:

- No more than 54 market occupations prior to August 2022
- No more than 108 market occupations prior to August 2023
- No more than 162 market occupations prior to August 2024;
- No more than 216 market occupations prior to August 2025; and
- No more than 270 market occupations prior to August 2026.

Unless otherwise agreed with the planning authority following an education review.

Reason: To ensure that the proposed development does not adversely impact education capacity at Armadale Academy.

- 6 Following completion of any contaminated land remediation measures required by condition 2, a verification report that demonstrates the effectiveness of the remediation carried out shall be prepared. The development shall not be occupied until the verification report has been submitted to and approved in writing by the planning authority.

Reason: To ensure any appropriate remediation is carried out.

- 7 Following completion of any coal mining remediation and mitigation measures required by condition 2, a verification report that demonstrates the effectiveness of the remediation carried out shall be prepared. The development shall not be occupied until the verification report has been submitted to and approved in writing by the planning authority.

Reason: To ensure any appropriate remediation is carried out.

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

Noise (Construction)

- 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. This includes deliveries and operation of on site vehicles and equipment.

- No generators shall be audible within any residential properties between the hours of 2100 and 0800.

Noise (Vehicles/Plant)

- All site vehicles (other than delivery vehicles) must be fitted with non-tonal broadband reversing alarms.
- Heavy goods vehicles shall not arrive or leave the site except between the hours of 0800 and 1800 Monday to Friday and 0800 and 1300 on a Saturday. No heavy goods vehicles shall arrive or leave the site on a Sunday.

Vibration (Construction)

- Where piling or other significant vibration works are likely during construction which may be perceptible in other premises, measures must be in place (including hours of operation) to monitor the degree of vibration created and to demonstrate best practice. Prior to any piling or other significant vibration works taking place, a scheme to minimise and monitor vibration affecting sensitive properties shall be submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the details as approved.

Site Compound

- The development shall not begin until the location and dimensions of any site compound 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.

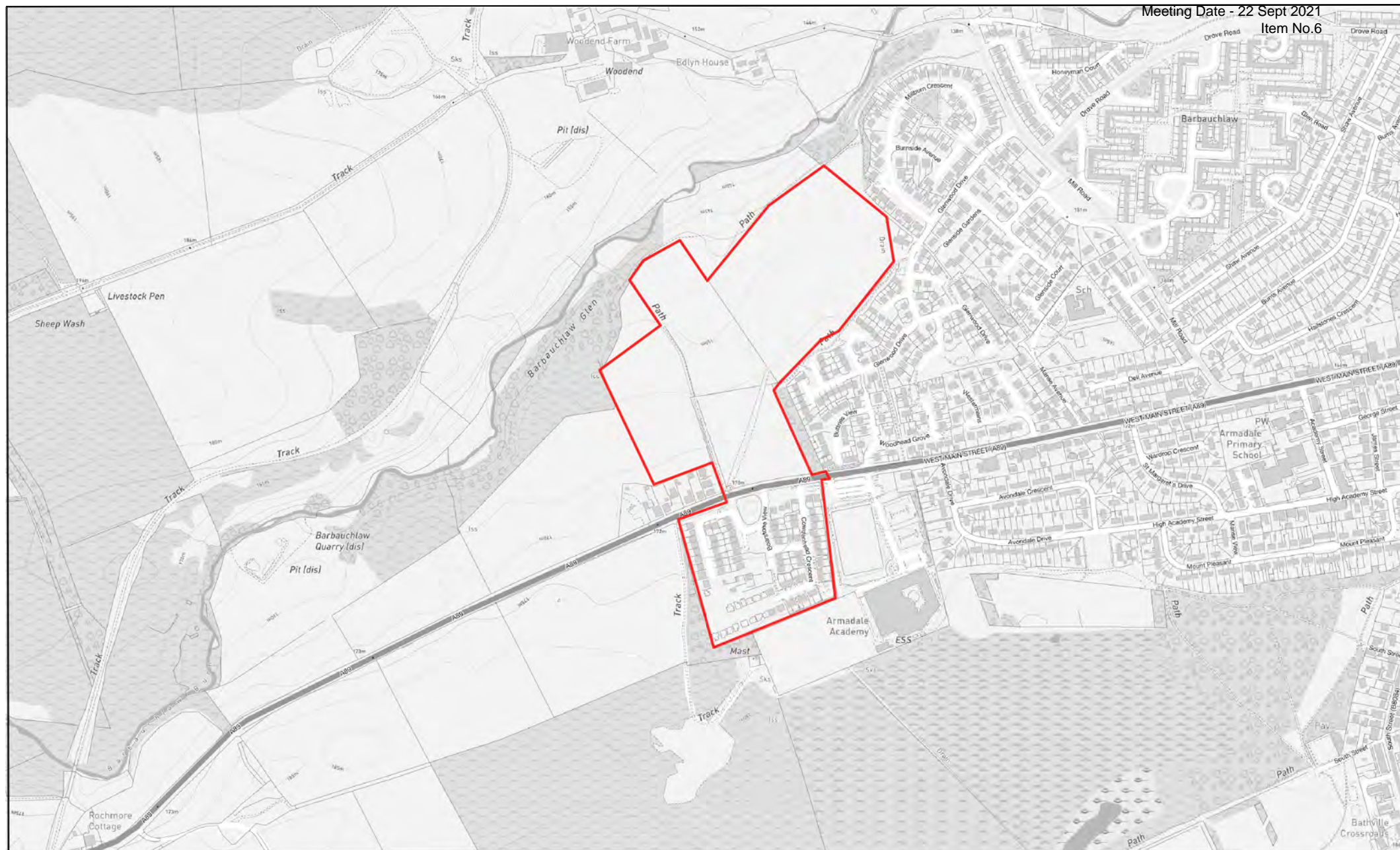
Waste

- Effective facilities for the storage of refuse, building debris and packaging shall be provided on site. The facilities shall be specifically designed to prevent refuse, building debris and packaging from being blown off site. Any debris blown or spilled from the site onto surrounding land shall be cleared on a weekly basis. For the purposes of this condition, it shall be assumed that refuse, debris and packaging on surrounding land has originated from the site if it is of the same or similar character to items used or present on the 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.

Reason: In the interest of visual and environmental amenity.



Comments for Planning Application 0497/P/21

Application Summary

Application Number: 0497/P/21

Address: Standhill North/South West Main Street Armadale West Lothian

Proposal: Application under Section 42 to develop land without complying with condition 4 of planning permission in principle 0020/P/16 for a 19 hectare residential development with associated works to allow a maximum of 485 residential units to be constructed

Case Officer: Matthew Watson

Customer Details

Name: Miss Caitlin Skippins

Address: 49 Glenwood Drive Armadale Eh48 3rq

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Building these houses will not only be damaging the habitat for many wild animals found within this area, however it'll also be over populating the town ever further. Armadale has very little resources in terms of medical help and education as it currently stands, and by adding an additional 485 houses, this'll only put more strain on all the schools and the doctors surgery. Roads will become busier, making it far more dangerous for children who walk to and from school. Pollution will only further increase within the town, as not only littering and use of essential fuels will be used by new residence, however the construction will only release more partial matter and debris into the air. As a community we should be doing what we can to reverse the affects of pollution, not add it. This is a step in the WRONG direction.

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Case Officer: Matthew Watson

Customer Details

Name: Mrs Caroline Doyle

Address: Woodcroft George Street Armadale EH48 3JQ

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The amenities in Armadale are already at or beyond capacity. Armadale will not benefit from more housing when its schools and doctors surgery are already struggling to meet the demand on them. The proposed site for this housing development will grossly take away from one of very few recreational areas the people of the town can currently enjoy.

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Case Officer: Matthew Watson

Customer Details

Name: Mr Colin Bell

Address: Darralea West end Armadale Eh48 3ab

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I strongly object to this development going ahead. We bought our house 2 1/2 years ago and one of the main reasons was the amazing views, access to walkways with our family and privacy with no one looking into us. When we moved in the first avant homes phase was underway and the mess and noise was practically unbearable. It was also dangerous at times trying to walk along to the town with heavy plant machinery going between the fields. Our schools are at maximum capacity, doctors surgery is the same and we have absolutely no facilities as it is for children or teenagers without the additional houses being built. Living nearby the glen we regularly see wildlife and they should not be forced from living here due to houses being built that there is absolutely no need for.

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: Mr Craig Keane

Address: 3a Glenside Gardens Armadale EH48 3RA

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Schools at capacity and doctors over subscribed that people are being turned away. Armadale can't cope with such a large development with additional investment in schools/doctors/infrastructure etc

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: Mr Daniel Starrs

Address: 55 Millburn Crescent Armadale EH48 3RD

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Lack of resources like schools & doctors accommodate 485 additional households, endangering wildlife, increased traffic congestion and loss of greenbelt.

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: Mr David Sutherland

Address: 19 Glenside Court Armadale Bathgate EH143RX

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Object to loss of green belt Also lack of adequate doctor provision at present. Further housing would have a disproportionate impact.

Finally further housing would result in increased traffic congestion within the town centre

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: Miss Dawn McGowan

Address: 76 Glenwood Drive Armadale EH48 3TU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Armadale community could not cope with this size development. The secondary and primary schools are already over subscribed as is our general practitioner services. The local GP has closed their register for the last few years and people already have to attend Blackridge GP - the proposed volume of potential residents will also overwhelm this practice. Would there be any assistance from Avant in supporting these services?

Due to the field no longer being agriculturally farmed an abundance of wildlife is occupying the space - fox, deer, badgers, bats and a huge host of birdlife and insects. The little local pond is full of life and gives children the opportunity to learn about nature.

The proposed field is a pathway to a well used local circular walk, affectionately called the "Glen" building works would prevent the community's enjoyment of this little bit of countryside.

As a resident who will be living on the edge of the proposed site I would also strongly object to the noise from the building works and to the dust and mess created. We have already endured this for the last couple of years from Avants other nearby site.

I hope the local community support these objects and make sure they add their comments.

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: Mr Iain Campbell

Address: 35 Glenwood drive Armadale Bathgate EH483RQ

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to the planned building works.

The Armadale school is already over filled. As it is common knowledge that there is a national teacher shortage already the additional kids to go to the school will increase class numbers. This will reduce one to one teaching time for the kids who are already going to be competing for jobs and higher education through a major recession where competition has never been higher.

The local dentist and gp are maxed out. There is already weeks wait time for emergency appointments. Vulnerable people are already not getting the service and care that is required for their health, this will only increase the chances of health problems and additional stress to their families. This also includes wait times and being unable to get through to order repeat prescription's.

There is already a vast number of parents picking kids up from school via glenwood drive. I have personally witnessed many near accidents in the streets due to this. The additional cars/kids will only increase the chances of this happening.

The additional pollution will be harmful via the additional cars going to be in the area. The roads which are already not fit for purpose will sustain more damage ie. potholes due to more use. There is not enough parking along the high street already so cars will be getting illegally parked. Kids or elderly may then have to walk on the road due to people parking on paths which increase the chance of being struck by a vehicle or cyclist. this could end up restricting emergency services getting to someone in need. This ultimately could result in someone losing their life.

By taking away the green area many different wildlife will be losing their habitat. This green space can also majorly increase the chances of mental health issues for vulnerable people who rely on it. Residents would then need to travel again adding to the congestion and pollution.

The additional build works will majorly affect night shift workers. The additional noise will affect people's sleep which can lead to mistakes and accidents due to tiredness. This can also in itself lead to mental health and family issues. Many of whom will have been on the front line working through one of the biggest ever global pandemics.

I hope that you take the time to read this and consider the points made by myself and others.

Comments for Planning Application 0497/P/21

Application Summary

Application Number: 0497/P/21

Address: Standhill North/South West Main Street Armadale West Lothian

Proposal: Application under Section 42 to develop land without complying with condition 4 of planning permission in principle 0020/P/16 for a 19 hectare residential development with associated works to allow a maximum of 485 residential units to be constructed

Case Officer: Matthew Watson

Customer Details

Name: Janice Pollock

Address: 64 Glenwood drive Armadale Eh483tu

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: What a waste to start building houses at this beautiful area in Armadale. This is a place with open lovely views and where people can go for walks. To do away with the green belt would totally destroy the glen. Great concerns about traffic, schools, doctors. It was difficult before to get an appointment with your GP (before COVID) now with 485 houses being built this will have a negative effect in all of the above. This is going to take 5 years to build and there will be dust pollution and noise. Again this is a lovely part of Armadale please leave the glen alone

Comments for Planning Application 0497/P/21

Application Summary

Application Number: 0497/P/21

Address: Standhill North/South West Main Street Armadale West Lothian

Proposal: Application under Section 42 to develop land without complying with condition 4 of planning permission in principle 0020/P/16 for a 19 hectare residential development with associated works to allow a maximum of 485 residential units to be constructed

Case Officer: Matthew Watson

Customer Details

Name: Mr John Baxter

Address: 50 Glenwood Drive Armadale Bathgate EH48 3TU

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to the planned development of 485 Houses at standhill. The schools in Armadale cannot cope with the increased numbers of students the an additional 485 households will bring.

The current Doctors surgery is struggling at the minute to cope how will it cope with more patients?

The traffic around schools, on the main street is extremely busy, additional housing will increase the number of vehicles causing traffic chaos.

The development site is an area of greenbelt full of wildlife eg bat's, deer, ducks, swans, and much more.The Glen and surrounding fields is the only green space at the north/south end of Armadale where people can enjoy the open space and the wildlife. I object to the planned development.

Comments for Planning Application 0497/P/21

Application Summary

Application Number: 0497/P/21

Address: Standhill North/South West Main Street Armadale West Lothian

Proposal: Application under Section 42 to develop land without complying with condition 4 of planning permission in principle 0020/P/16 for a 19 hectare residential development with associated works to allow a maximum of 485 residential units to be constructed

Case Officer: Matthew Watson

Customer Details

Name: John Pettigrew

Address: 14 Burnside Avenue Armadale EH483RE

Comment Details

Commenter Type: Councillor

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Lack of resources eg schools,doctors to deal with 485 new households.Increased traffic congestion,loss of greenbelt.

Comments for Planning Application 0497/P/21

Application Summary

Application Number: 0497/P/21

Address: Standhill North/South West Main Street Armadale West Lothian

Proposal: Application under Section 42 to develop land without complying with condition 4 of planning permission in principle 0020/P/16 for a 19 hectare residential development with associated works to allow a maximum of 485 residential units to be constructed

Case Officer: Matthew Watson

Customer Details

Name: Katerina Taneva

Address: 39 Millburn Crescent Armadale Eh48 3rd

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Lack of resources and less green area. More traffic and not enough schools.

Comments for Planning Application 0497/P/21

Application Summary

Application Number: 0497/P/21

Address: Standhill North/South West Main Street Armadale West Lothian

Proposal: Application under Section 42 to develop land without complying with condition 4 of planning permission in principle 0020/P/16 for a 19 hectare residential development with associated works to allow a maximum of 485 residential units to be constructed

Case Officer: Matthew Watson

Customer Details

Name: Mrs Lesley Baxter

Address: 50 Glenwood Drive Armadale Eh48 3tu

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My self and my husband wish to object to the development planned for standhill.

The development site is a greenbelt area which is popular with walkers, the area is full of wildlife which will be destroyed by such a development.

The resources within Armadale such as Schools, Doctors etc are full to capacity and most definitely cannot cope with additional students/patients.

The surrounding roads are gridlocked during peak times, Glenwood drive which is a private estate is used as a pick up and drop off area for parents dropping their kids off to go to Armadale Academy, the traffic is likely to increase on out street as people try to avoid the traffic gridlock at the Academy. We also object to having to live with the noise and pollution that will be created with such a large development site. We have had to endure the noise and pollution for a few years now since the original Avant site started and this is likely to continue for any years if the new site is approved.

We strongly object to this development.

Comments for Planning Application 0497/P/21

Application Summary

Application Number: 0497/P/21

Address: Standhill North/South West Main Street Armadale West Lothian

Proposal: Application under Section 42 to develop land without complying with condition 4 of planning permission in principle 0020/P/16 for a 19 hectare residential development with associated works to allow a maximum of 485 residential units to be constructed

Case Officer: Matthew Watson

Customer Details

Name: Mrs Linda Ross

Address: 16 Russell Avenue Armadale West Lothian Eh483PA

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I have concerns over the impact this development will have on the already over stretched facilities of the town.

Will there be further medical facilities , dental facilities and school facilities provided to accommodate this development ?

Armadale has a high volume of traffic on a daily basis and this development will only increase this

This is a popular walking area with wildlife in abundance which will be destroyed

Comments for Planning Application 0497/P/21

Application Summary

Application Number: 0497/P/21

Address: Standhill North/South West Main Street Armadale West Lothian

Proposal: Application under Section 42 to develop land without complying with condition 4 of planning permission in principle 0020/P/16 for a 19 hectare residential development with associated works to allow a maximum of 485 residential units to be constructed

Case Officer: Matthew Watson

Customer Details

Name: Mr Mark Gourdie

Address: 9 Glenwood Drive Bathgate EH48 3RQ

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Armadale does not need almost 500 new homes in this area. It does not have the facilities or infrastructure to support them. It would also be an environmental nightmare. There is wildlife abundant in this area including numerous bird species and deer that would have their habitat destroyed!

Comments for Planning Application 0497/P/21

Application Summary

Application Number: 0497/P/21

Address: Standhill North/South West Main Street Armadale West Lothian

Proposal: Application under Section 42 to develop land without complying with condition 4 of planning permission in principle 0020/P/16 for a 19 hectare residential development with associated works to allow a maximum of 485 residential units to be constructed

Case Officer: Matthew Watson

Customer Details

Name: Mrs Michelle Lindsay

Address: 72 glenwood drive Armadale Eh48 3tu

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The schools in this area are already full , the doctors is completely full . More houses without more facilities to cope with them just does not make sense.

Comments for Planning Application 0497/P/21

Application Summary

Application Number: 0497/P/21

Address: Standhill North/South West Main Street Armadale West Lothian

Proposal: Application under Section 42 to develop land without complying with condition 4 of planning permission in principle 0020/P/16 for a 19 hectare residential development with associated works to allow a maximum of 485 residential units to be constructed

Case Officer: Matthew Watson

Customer Details

Name: Miss Sophie Murray

Address: 90 Glenwood Drive Armadale EH48 3TU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Armadale simply cannot deal with the building of 485 houses. We don't have the schools, health services, shops etc to be able to cope with this. Not to mention the damage caused to the residents of Glenwood Drive and the Wildlife that resides down the Glen. During the process of the development of the houses beside Armadale Academy, the residents had to deal with the noise of every vehicle bringing the dirt into the fields. That was bad enough, so imagine 5 years of that everyday, that would be unfair.

Comments for Planning Application 0497/P/21

Application Summary

Application Number: 0497/P/21

Address: Standhill North/South West Main Street Armadale West Lothian

Proposal: Application under Section 42 to develop land without complying with condition 4 of planning permission in principle 0020/P/16 for a 19 hectare residential development with associated works to allow a maximum of 485 residential units to be constructed

Case Officer: Matthew Watson

Customer Details

Name: Mr Steven Pilkington

Address: 90 Cowdenhead Crescent Armadale Bathgte EH48 3EE

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: Housebuilding is always going to be important for the local economy and the location makes sense as a natural extension of the Ellis Vale development.

However, a total of 485 homes represents additional demand on local facilities that must be addressed if this application were to be granted.

The primary schools in the local zoning for this development requires refurbishment and/or an additional school built to cope with the demand this and future developments will place.

In addition, local facilities such as GP surgeries need to be boosted in order to cope with the demand.

It would be preferable if space in the development was allocated for such facilities, or funding to be made available by the developer to help sustain such facilities.

The Winchburgh regeneration project has commitments for school building/refurbishment and this should be no exception.

Comments for Planning Application 0497/P/21

Application Summary

Application Number: 0497/P/21

Address: Standhill North/South West Main Street Armadale West Lothian

Proposal: Application under Section 42 to develop land without complying with condition 4 of planning permission in principle 0020/P/16 for a 19 hectare residential development with associated works to allow a maximum of 485 residential units to be constructed

Case Officer: Matthew Watson

Customer Details

Name: Stuart Burns

Address: 51 drove road Armadale Eh483nn

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to this armadale is over run with nothing to do in the place, its also terrible for parking, and the glen is haven for wildlife we dont need more house the doctors and chemist cant cope the way it is the now without nearly 500 new houses being built

Comments for Planning Application 0497/P/21

Application Summary

Application Number: 0497/P/21

Address: Standhill North/South West Main Street Armadale West Lothian

Proposal: Application under Section 42 to develop land without complying with condition 4 of planning permission in principle 0020/P/16 for a 19 hectare residential development with associated works to allow a maximum of 485 residential units to be constructed

Case Officer: Matthew Watson

Customer Details

Name: Miss Yvonne Nisbet

Address: 3 Avondale Crescent Armadale EH48 3HL

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Armadale schools are packed, there is only 1 doctors surgery which is already very hard to get an appointment at never mind all the extra strain, I don't honestly think that Armadale can cope with all the extra housing, aswell as that the glen is a popular walking spot for all ages and would hate to see it affected

Development Management Committee

22 September 2021

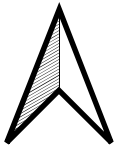
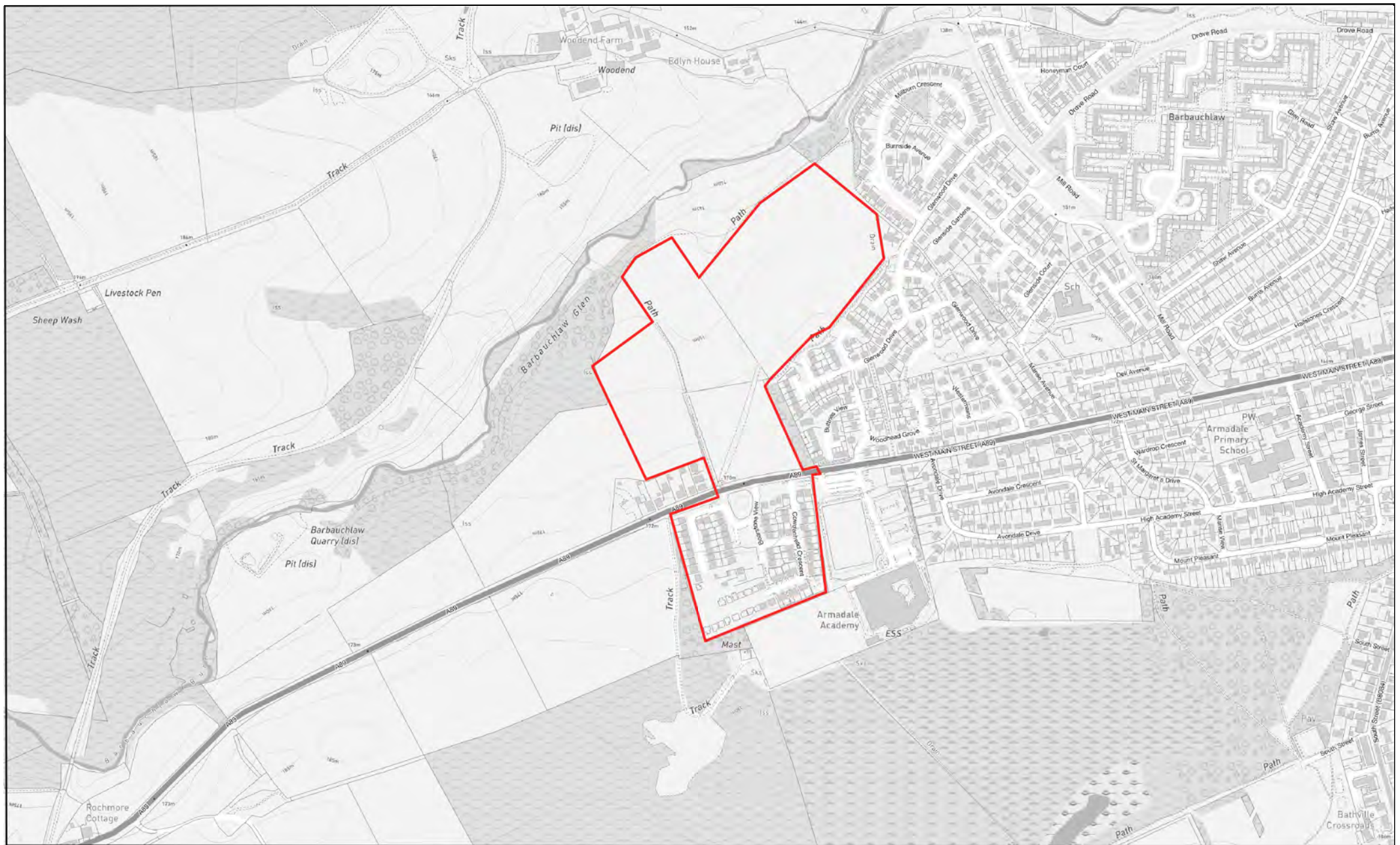
Item 6 - Application : 0497/P/21

Application under Section 42 to develop land to modify condition 4 of planning permission in principle 0020/P/16 for a 19 hectare residential development with associated works to allow a maximum of 375 residential units to be constructed on the north side of the A89 (increase from 300 to 375).

Standhill North & South - West Main Street - Armadale







View from West Main Street looking north into site



View looking south to Standhill South



View looking north towards consented soil storage on site



View south west across site



View west out of the site



Looking south east towards Glenwood Drive



Looking north west out of the site







DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

DESCRIPTION

Change of use from storage (class 6) to industrial (class 5), alterations and erection of a 180sqm extension at 18 Firth Road, Houstoun Industrial Estate, Livingston.

DETAILS

Reference no.	0645/FUL/21	Owners of site	Mitsubishi Electric Air Conditioning Systems Europe Ltd
Applicant	Mitsubishi Electric Air Conditioning Systems Europe Ltd	Ward & local Members	East Livingston and East Calder Councillor Frank Anderson Councillor Doran-Timson Councillor Carl John
Case officer	Steven McLaren	Contact details	01506 282404 steve.mclaren@westlothian.gov.uk

Reason for referral to Development Management Committee: The application has been called to committee by Councillor John.

RECOMMENDATION

Grant conditional planning permission.

4 DETAILS OF THE PROPOSALS AND BACKGROUND

- 4.1 Planning permission is sought to change the use of a warehouse at Firth Road from Class 11 (storage or distribution) to Class 5 (general industrial), including a small 180sqm extension and associated alterations.
- 4.2 The application site forms part of a well-established industrial estate with the building originally constructed in 1974 by Livingston Development Corporation as a manufacturing facility for Crown Cork Company. The application site forms part of a grouping of 4 buildings which are all operated by Mitsubishi. The building has previously been extended and details of previous planning applications are set out below.

- 4.3 The applicant intends to change the existing storage distribution building into a manufacturing plant and carry out a small extension on the east side of the building. The building currently operates a two-shift operation with the majority of staff employed during the day shift at a total of 28 staff. The proposed use as a production facility will have an estimated 150 staff operating during dayshift by 2025 but starting at 30 staff by late 2021 and increasing incrementally to the maximum in 2025. The result of the proposals is that the number of employees in attendance at the application site will be significantly greater than is currently employed. Details of the implications of these changes are discussed within the report.
- 4.4 Previous planning applications determined by West Lothian Council are: 0827/FUL/14 for the erection of a 2.4m high security fence and 0331/FUL/16 for a 277sqm extension and alterations to the building. Both of which were granted.

5 REPRESENTATIONS

- 5.1 There have been two representations made on this application. A summary of the comments is provided in the table below:

Comments	Response
<ul style="list-style-type: none"> Increase in number of employees to the site Current shift patterns 	<ul style="list-style-type: none"> Mitsubishi has set out changes to staffing levels and work practices which will result in little overall change to the number of employees at the wider site.
<ul style="list-style-type: none"> 5 minute delay at Grange Road junction Parking of HGVs on Firth Road Danger to cyclists and pedestrians 	<ul style="list-style-type: none"> Transportation's response to delays and on street parking is set out below. Firth Road has a lit footpath network which can be used by both pedestrians and cyclists.
<ul style="list-style-type: none"> Litter from waiting vehicles. 	<ul style="list-style-type: none"> The litter issue is noted but is not a planning matter.

CONSULTATIONS

- 6.1 A summary of consultations received is provided in the table below. The full documents are contained in the application file:

Consultee	Objection	Comments	Planning Response
Transportation	No	A personal change of use to Mitsubishi to be used with a revert to Class 6 should Mitsubishi vacate the site.	Noted. This can be controlled through a planning condition.

7 ASSESSMENT

- 7.1 Section 25 of The Town and Country Planning (Scotland) Act 1997 (as amended) requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

7.2 The Development Plan comprises the Strategic Development Plan for South East Scotland (SESPlan) and the West Lothian Local Development Plan,

7.3 The relevant Development Plan policies are listed below:

Policy	Policy Summary	Assessment	Conform
West Lothian Local Development Plan, 2018 DES1 (design principles)	All development proposals will require to take account of and be integrated within the local context and built form. Amongst other criteria there should be no significant adverse impact on landscape character and development proposals must also accord with other relevant policies in the development plan	The scale and design of the proposed extension is acceptable and appropriate for an industrial site setting.	Yes
West Lothian Local Development Plan, 2018 EMP1 (safeguarding and developing existing employment land)	This policy supports the conversion and re-development of land and premises within identified employment areas.	The change of use from storage or distribution (Class 6) to general industrial (Class 5) is generally acceptable within this employment area. The identified increase in staff at the site from 2021 to 2025 can be seen as problematic in traffic terms however, the fact the applicant controls a number of buildings and parking within this area allows for the increase in staffing numbers to be managed and the use of a personalised consent will ensure the continued control of parking in the area.	Yes

7.4 The determining issues in relation to this application are set out below:

Staffing levels and parking issues

7.5 As stated in paragraph 4.3, the current use of the building for storage use currently employs a maximum of 28 staff during dayshift. The proposed change to a manufacturing facility will result in staffing levels being at 30 employees by the end of 2021, increasing to 50 by end 2022, 80 staff by end 2023, 120 by end 2024 and the maximum of 150 employees by end 2025. This results in a substantial increase in the number of employees at this building over the following 4 years.

7.6 The parking standards required for warehouse and storage uses is substantially lower than that required for general industrial uses where the number of employees at a site is usually higher. Setting aside the historic nature of the site with the parking provision provided at that time, currently the building requires 50 spaces but for a general industrial and manufacturing use the space requirement increases to 151.

7.7 The parking space allocation for this building alone (AC5) is 21 spaces with 2 being occupied by temporary toilets for lorry drivers as a Covid measure. This may reduce to 18 spaces as a Building Standards requirement to provide accessible parking but this reduction can be omitted if not required. On face value therefore, there is a significant shortfall.

- 7.8 Mitsubishi Electric operate 5 premises at Houstoun Industrial Estate which are referred to as AC1, AC2, AC3, AC4 and AC5. AC1 lies on Nettlehill Road and is a Class 5 manufacturing facility with AC 2 to 4 located at Firth Road. AC2 and AC3 are both manufacturing facilities with AC4 being storage/distribution for the company.
- 7.9 AC5 is the application site and would result in the company's 4th manufacturing building in Houstoun Industrial Estate. A schedule of sites and employee numbers is attached as an appendix to this report.
- 7.10 Mitsubishi is also transferring staff to the former Sun Microsystems site in Linlithgow and with other staffing changes, and as a result of the Covid pandemic, 36 staff now work permanently from home, 21 staff have been transferred to Linlithgow with a further 90 to be transferred by the end of 2021.
- 7.11 By controlling 4 buildings off Firth Road, allowing some staff to work full time from home and by transferring additional staff to the Linlithgow site, the applicant has set out that by 2025 the net effect of new posts, off set by the changes set out above, will result in 3 additional day shift staff.
- 7.12 The applicant has provided further supporting information including parking plans for the 4 buildings at Firth Road and information on working patterns, car sharing etc. This information is appended to the report. Within the supporting information details of a day shift parking survey has been provided for the 12th, 25th and 26th August where changes to staffing locations and working patterns have been amended.
- 7.13 That survey focuses on the Firth Road buildings of AC2, AC3, AC4 and AC5. It excludes AC1 which is sited on Nettlehill Road and demonstrates that there has been an increase in the number of vacant parking spaces by 33 within the Firth Road sites across the dates specified above.
- 7.14 The supporting information provides additional details on staff relocation and shift patterns and it is the management of staff within the Firth Road grouping of building which Mitsubishi sets out would result in no net change to the overall parking situation at the site, should permission be granted for the general industrial (Class 5) use.
- 7.15 The applicant is constrained by the land that it owns therefore the creation of a large number of parking spaces is not feasible. There is scope however to potentially create additional spaces within the AC3 building site by reconfiguring parallel parking to end on spaces, creating an additional 15 space for the site.

Impact on junction with Grange Road

- 7.16 Transportation was asked to comment specifically on the issues of double yellow lines and traffic lights. Parking signals and parking controls were considered and discounted for the following reasons.
- 7.17 A 5 minute delay at a road junction at peak times is not classed as excessive and the council's Road Safety team would only consider traffic lights if there was little chance of vehicles exiting side roads. The recently installed signals on Houstoun Road at Grange Road and Nettlehill Road was carried out to alleviate this problem.

- 7.18 Parking restrictions on straight sections of road within industrial areas are unlikely to be supported by the police as allowing HGV's to park within industrial areas is preferable to moving vehicles elsewhere, unless there is a road safety argument.
- 7.19 Further to the point raise above, the applicant has also set out that with the current facility being storage and distribution, the number of vehicle movements is greater than that for a manufacturing facility. The current facility is responsible for the transportation of goods throughout Europe and drivers are given a time window for arrival at the building. Due to the large distances covered it is not always possible to control late or early arrivals resulting in lorries being parked on the road. The move to a manufacturing facility will therefore reduce lorry movements and the likelihood of on-street parking of HGVs.
- 7.20 Given the points above, the scale of the proposed extension and comments from Transportation, the proposals accord with policies DES1 and EMP1 of the adopted West Lothian Local Development plan, 2018.

8 CONCLUSIONS AND RECOMMENDATIONS

- 8.1 Mitsubishi is an established large-scale employer in Livingston and is transferring elements of its operation to Linlithgow. Whilst traffic on Firth Road may be heavy, Mitsubishi's planned reorganisation of staff within its facilities will result in little overall change to the numbers of staff employed within the area and is likely to reduce the number of HGVs to the site.
- 8.2 It is accepted that if the AC5 building was sold or leased to a third party for general industrial purposes, without the opportunity to utilise surrounding land to provide suitable additional parking for the site, that parking could be increased to an unacceptable level. This should be controlled by a planning condition.
- 8.3 Transportation has been consulted and is satisfied with the staffing changes Mitsubishi has set out and is also satisfied that there is no need for traffic signals at the junction with Firth Road/Grange Road.. There is therefore no need for parking restriction on Firth Road and the change from storage and distribution to manufacturing will also reduce lorry movements.
- 8.4 The recommendation is therefore to grant planning permission subject to a condition requiring the site to remain as part of the Mitsubishi complex at Firth Road and that should it change hands, either sold or leased, then the use must revert to Class 6 (storage or distribution).

9 BACKGROUND REFERENCES AND ATTACHMENTS

- Draft condition
- Location plan
- Site plan
- Staffing details
- Supplementary information
- Car park plans
- Letters of representation.
- Local member request form

Craig McCorriston
Head of Planning, Economic Development & Regeneration

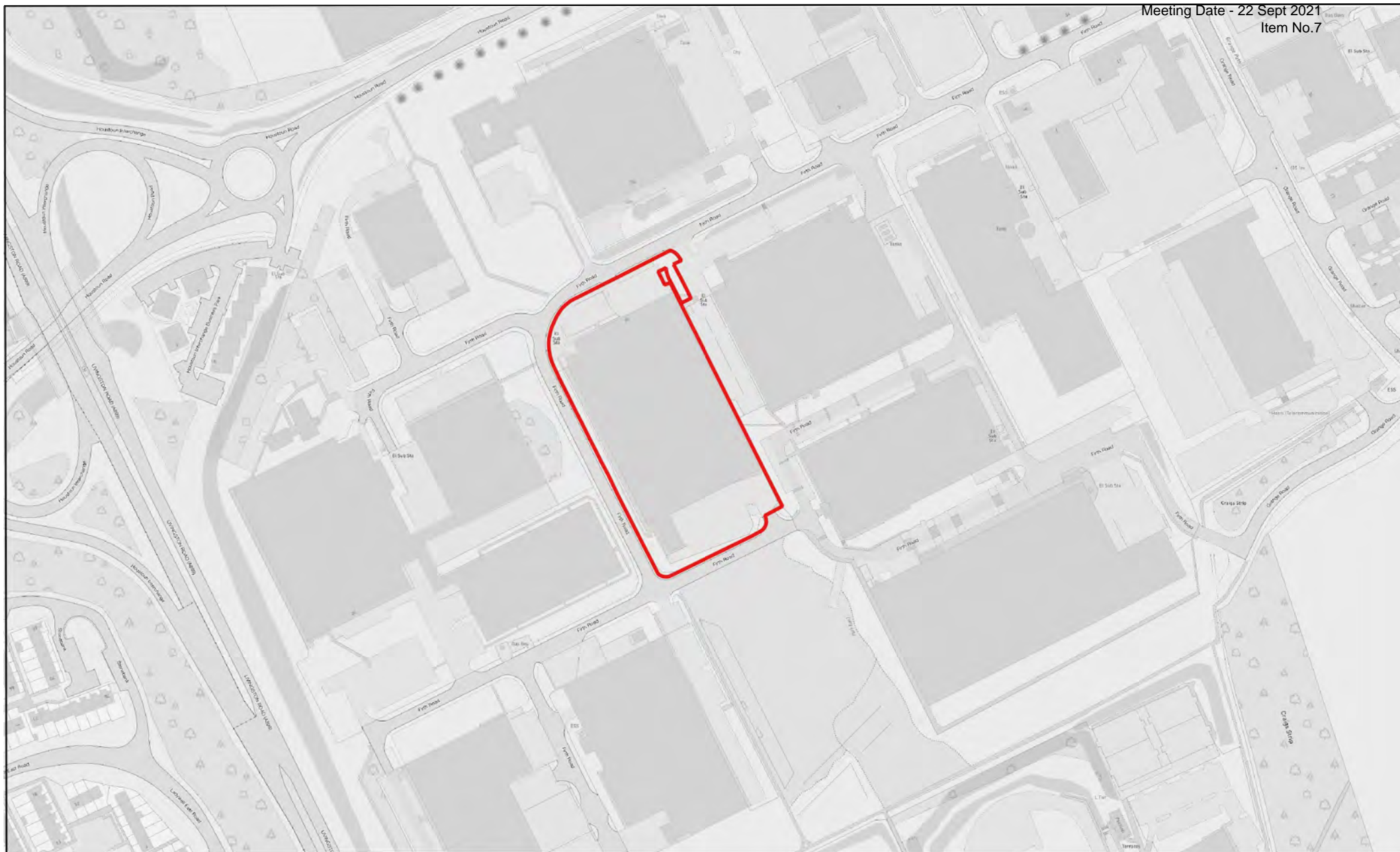
Date: 22 September 2021

Draft condition: 0645/FUL/21

- (1) The building which is subject of this planning application shall operate as a Class 5 (general industrial) unit only while it is owned and managed by Mitsubishi Electric Air Conditioning Systems Europe Ltd as part of the manufacturing and supply facility forming the grouping of AC2, AC3, AC4 and AC5 buildings at Firth Road, Houstoun Industrial Estate, Livingston.

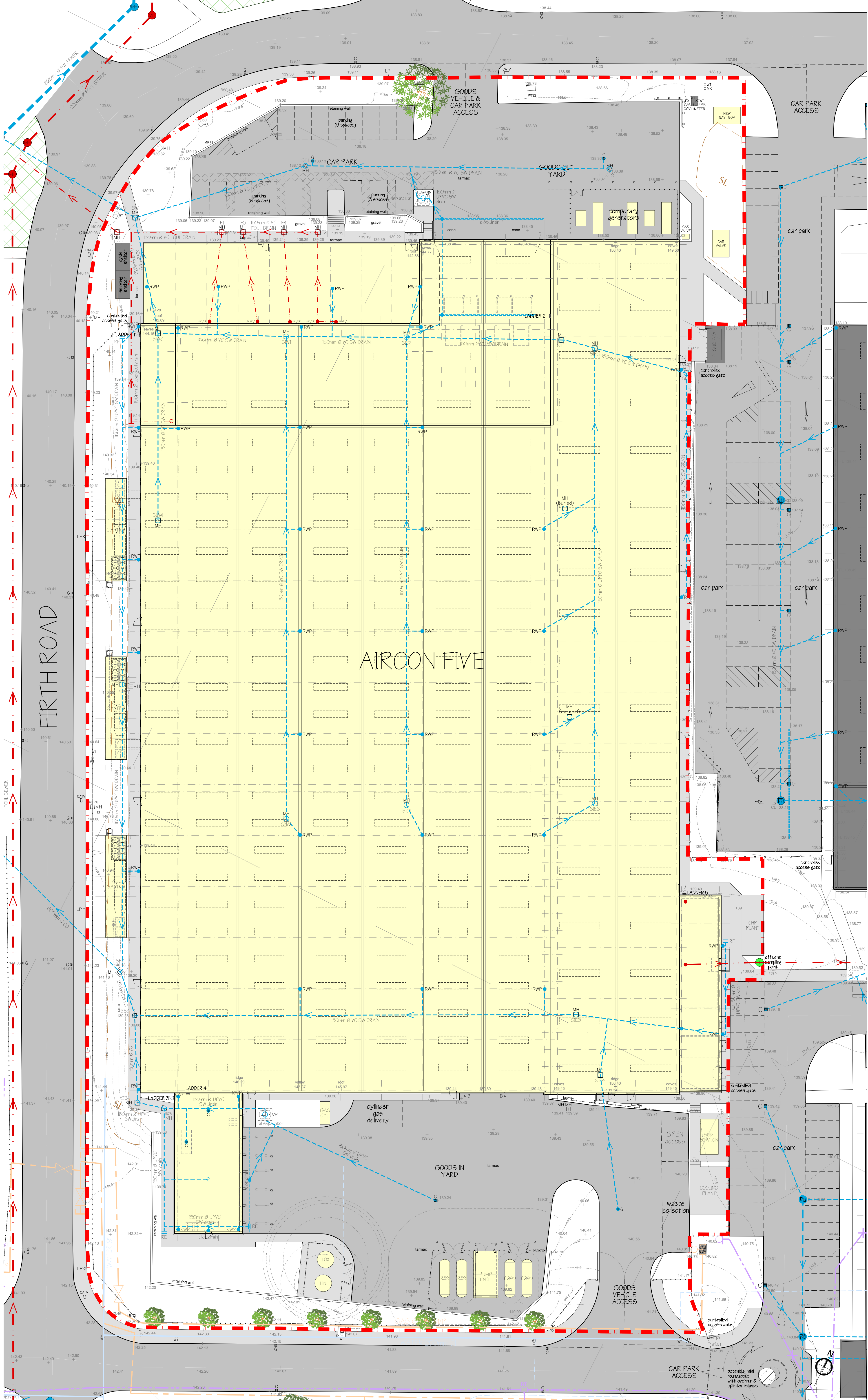
In the event that the site is sold, transferred or leased to a third party, its use shall revert to Class 6 (storage or distribution), unless a further planning application is submitted and approved by the planning authority.

Reason In order to control staff numbers and parking within the surrounding road network.



- Meeting Date - 22 Sept 2021
- notes
1. THE CONTENTS OF THIS DRAWING ARE SUBJECT TO COPYRIGHT AND MAY NOT BE COPIED OR DISTRIBUTED IN FULL OR IN PART WITHOUT PRIOR WRITTEN APPROVAL.
 2. DO NOT SCALE FROM THIS DRAWING. ANY DIMENSIONS ARE TO BE REPORTED & VERIFIED BEFORE COMMENCING WORK.
 3. ALL DIMENSIONS, LEVELS & RELEVANT SITE CONDITIONS TO BE CHECKED BY CONTRACTOR BEFORE COMMENCING WORK.
 4. BEFORE EXCAVATIONS, POSITION & DEPTH OF ALL UNDERGROUND SERVICES TO BE ESTABLISHED BY THE CONTRACTOR USING CAT & GEMMY RADIO DETECTION EQUIPMENT.
 5. THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL RELEVANT PROJECT DRAWINGS, SPECIFICATIONS & STRUCTURAL ENGINEER'S INFORMATION.
 6. ALL NEW WORKS TO COMPLY WITH THE SCOTTISH BUILDING STANDARDS TECHNICAL HANDBOOKS 2020 UNO.
 7. ALL ELECTRICAL WORKS TO COMPLY WITH THE IET WIRING REGULATIONS, 18th EDITION (BS 7671:2018).
 8. ALL GAS INSTALLATIONS TO COMPLY WITH THE GAS SAFETY (INSTALLATION & USE) REGULATIONS 1998, AS AMENDED.

- LEGEND
- 1 SITE BOUNDARY
 - 2 SURFACE WATER DRAINAGE
 - 3 FOUL DRAINAGE
 - 4 LOW PRESSURE GAS MAIN
 - 5 MEDIUM PRESSURE GAS MAIN
 - 6 WATER DISTRIBUTION MAIN
 - 7 WATER SUPPLY PIPE
 - 8 TELECOM (BT)
 - 9 TELECOM DUCT (BT)
 - 10 DATA (VIRGIN MEDIA)
 - 11 ELECTRIC LV CABLE
 - 12 ELECTRIC HV (TRV) CABLE



DRAWING CREATED FROM 2003 (SK) 01B. 08.06.21

rev 1 description date

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client

MITSUBISHI ELECTRIC
FIRTH ROAD
LIVINGSTON EH54 5DJ

project title

AC5 ALTERATIONS
18 FIRTH ROAD, LIVINGSTON

drawing title

PROPOSED
SITE PLAN

original scale	original size	date	drawn
1:250	A1	08.06.21	AM
drawing status	STATUTORY APPROVAL		
project number	drawing number	revision	
2003 (-) 006			

Mitsubishi Electric proposed change of use of our AC 5 building at 18 Firth Road, Houston Industrial Estate, Livingston EH54 5DJ.

Current use of building :-

Approx 10,000 sqM Storage and distribution of finished A/C products with a small office block and car park at north elevation.

Currently operates a two shift operation with the greatest number of staff on dayshift (7am until 4pm).

Total number of people on dayshift :-

Logistics - 21 staff,

MIS - 7 staff,

Total 28 staff.

Existing number of car parks - 19 spaces.

Building currently has a Class 6 use.

Proposed use of building :-

Conversion into a production facility to allow the company to meet current and projected increases in customer demand.

This would require the reclassification of the building to Class 5.

There will be a significant increase in staff within this building as a production facility with an estimated max on dayshift of 150 staff.

This number of staff will grow to the max by 2025, with an estimated 30 staff by late 2021, increasing to 50 staff by end 2022, 80 staff by end of 2023, and 120 staff by end 2024.

NB The existing Logistics warehouse and distribution facility will be transferred to a leased site at Blackness Road, Linlithgow, EH49 7HZ. With a proposed start of transfer from end 2020.

Mitsubishi Electric proposed change of use of our AC 5 building at 18 Firth Road, Houston Industrial Estate, Livingston EH54 5DJ.

Additional information about Mitsubishi within Livingston :-

We currently occupy 5 sites in the Houston Industrial site :-

AC1 at Nettlehill Road which is class 5 general industrial site.

AC2 at Firth Road which is a class 5 general industrial site.

AC3 at Firth Road which is a class 5 general industrial site.

AC4 at Firth Road which is a class 6 storage/distribution site.

AC5 at Firth Road which is proposed for change of use.

Number of employees at the above sites :-

AC1, 712 staff with a day and 3 shift working system in place,

AC2, 352 staff with a day and 3 shift working system in place,

AC3, 181 staff with a day and 3 shift working system in place,

AC4, 116 staff with a day and 3 shift working system in place,

AC5, 33 staff with day and night shift working system in place.

Total number of employees @ Nov 2020 - 1,394

The greatest number of staff on all sites are during the core dayshift hours of 07:00am and 16:00 pm.

Estimated numbers during these hours per site is as follows :-

AC1 - 387 staff,

AC2 - 224 staff,

AC3 - 136 staff,

AC4 - 106 staff,

AC5 - 28 staff.

Total number of employees on dayshift @ Nov 2020 - 881.

With the creation of 150 off new positions in AC5 by 2025, there are also a number of actions that have or will reduce the numbers who will continue to work the traditional dayshift hours.

1. Following Covid outbreak a total of 36 staff now work permanently from home.
2. Transfer of existing logistics staff to Linlithgow, 21 on dayshift.
3. With large office accommodation in Linlithgow, its also planned to transfer various departments to Linlithgow, incl Mits Sales, Purchasing, Scottish Sales, Factory Automation, MERCE R&D etc. This will transfer a further 90 staff by November 2021.

Mitsubishi Electric proposed change of use of our AC 5 building at 18 Firth Road, Houston Industrial Estate, Livingston EH54 5DJ.

In addition we have introduced a flexible start/finish shift for dayshift staff workers, actively promote the cycle to work scheme, encourage car sharing.

The net effect of new positions off set by the above will result in an estimated number of employees by 2025 on dayshift of approx three (3).

Current available car parking spaces per site is as follows :-

AC1 with 240 spaces,
AC2 with 42 spaces,
AC3 with 73 spaces
AC4 with 128 spaces,
AC5 with 19 spaces.

Total number of car parking spaces over all sites - 502.

We have over the years almost maximised the available space to create additional car parking spaces. It's estimated that a maximum of 10 off spaces could still be generated on Mitsubishi land.

From: [Andy Meikle](#)
To: [McLaren, Steve](#)
Cc: [Douglas Adamson](#)
Subject: Application 0645-FUL-21, Mitsubishi AC5 Change of Use
Date: 30 August 2021 13:57:36
Attachments: [image001.png](#)
[2003 \(9-\) 003 Parking Provision Plan AC2.pdf](#)
[2003 \(9-\) 004 Parking Provision Plan AC3.pdf](#)
[2003 \(9-\) 005 Parking Provision Plan AC4.pdf](#)
[2003 \(9-\) 006 Parking Provision Plan AC5.pdf](#)

Steven,

With reference to your email of 06/08/21 regarding planning application 0645/FUL/21, please find the following clarifications requested:

Lorry Parking

1. The proposed change of use from storage (class 6) to industrial (class 5) will result in an inevitable reduction in truck movements to and from the building as it changes from a logistics operation to a production facility. The logistics operation involves transportation and storage of products throughout Europe. Drivers are given specific time 'windows', however due to the travel distances involved it is not always possible to control late or early arrivals resulting in lorries parking up until a loading bay is available. As a production facility, lorry movements are only required to transport completed products locally to the relocated logistics facility in Linlithgow which eliminates any need for temporary lorry parking.

Staff Deployment

2. Mitsubishi regularly review staff numbers across each of the sites they operate as a means of maintaining an optimum balance with the overall facilities available. As operations develop and change over time, staff are redeployed across each of the sites depending on availability and need for e.g. office space, canteen and toilet facilities, parking provision etc. Such measures proved crucial in adapting work places to comply with Covid regulations, but are nevertheless an inherent part of the company's practices. Staff numbers within each building can therefore be subject to change during periods of redeployment.

Staff Relocation

3. The Logistics department and 21 dayshift staff currently operating from AC5 will be relocated to the new facility in Linlithgow. Working from home as a result of the Covid outbreak is to be retained permanently and currently accounts for 36 staff. Redeployment involving various departments will also see a further 90 staff transfer permanently to new office accommodation in Linlithgow. The reduction in staff numbers across all Livingston sites almost entirely mitigates the increase as a result in the proposed change of use of AC5 and represents a net increase of 3.

Shift Patterns and Movement Between Buildings

4. Further measures have been introduced by the company to maintain a balance with available facilities and alleviate potential congestion on the local road network, particularly during shift changes. These include flexible start and finish

times for dayshift workers, actively promoting a cycle-to-work scheme and encouraging car sharing, use of public transport and local walking to work. The core dayshift hours are 7:00 a.m. to 4:00 p.m., with 60 staff currently operating flexible times starting between 6:00-8:00 a.m. and finishing between 3:00-5:00 p.m. Car sharing is significant, including amongst staff who work in different buildings, contributing to the balance of parking availability across each site. As a result of these measures, in addition to their normal duties, staff regularly walk between each of the buildings in Houstoun Industrial Estate and it is a common sight to see the company's blue-jacketed uniform among pedestrians along the footpaths adjoining Houstoun Road and Firth Road.

Existing Car Parking and Use

5. AC5 has 21 existing parking spaces with 2 currently being occupied by temporary toilets for truck drivers as a Covid measure. With the relocation of Logistics to Linlithgow and the easing of Covid restrictions, the temporary toilets will be removed. The current design proposes a reduction of the existing 21 spaces to 18 as it is anticipated Building Standards may require the inclusion of accessible car parking which is currently not provided. This reduction may be omitted if not required following forthcoming assessment by Building Standards. AC2, AC3 and AC4 currently have a total of 243 parking spaces and AC1 a further 240 spaces. Following the recent change in shift patterns and staff redeployment, parking availability has been studied across the AC2-AC5 sites during the dayshift to determine the effect of the change. The number of free parking spaces before (12/08/21) and after (25-26/08/21) these changes were implemented are recorded below:

date time	12 August 7:00 a.m.	25 August 2:00 p.m.	26 August 7:00 a.m.
Aircon 2	0	5	6
Aircon 3	2	9	7
Aircon 4	20	21	34
Aircon 5	0	8	8
Total	22	43	55

Potential Scope for Additional Car Parking

6. Consideration has previously been given to the purchase of vacant land adjacent AC2 to provide a potential area of hardstanding for overflow parking, however there was concern that encouraging significant increase in parking facilities would be viewed unfavourably in comparison to the other congestion mitigating measures mentioned previously. Any guidance that could be given by Planning and/ or Transportation on this matter may be beneficial for further consideration. Available existing land within the Livingston sites for additional parking is limited, but potential has been identified for alteration to the parking at AC3 which could provide a net addition of up to 14 spaces, depending on the results of a more detailed topographical survey. Please refer to drawing numbers 2003 (9-) 003, 004, 005 and 006 for layouts of parking provision at AC2-AC5.

With regard to the proposals, it is perhaps worthy of note that the AC5 building was initially constructed in 1974 by Livingston Development Corporation for the Crown Cork Company as a manufacturing facility for the production of beverage

containers. The proposed change of use therefore represents a return to the building's original use class.

As a final note, Mitsubishi would be pleased to invite yourself and members of the Planning Committee to a guided tour of one of their existing production facilities if desired, to assist in clarifying current operations. This invitation may also be extended to relevant neighbouring property owners.

I trust the above provides the clarifications requested, however should you require any further information please do not hesitate to contact me.

Regards,



Andrew Meikle MCIAT
42 Woolfords, Cobbinshaw
By West Calder EH55 8LH

T: 0845 345 3194
E: andy@ameikle.com

- Meeting Date - 22 Sept 2021
- Item No. 7
- notes
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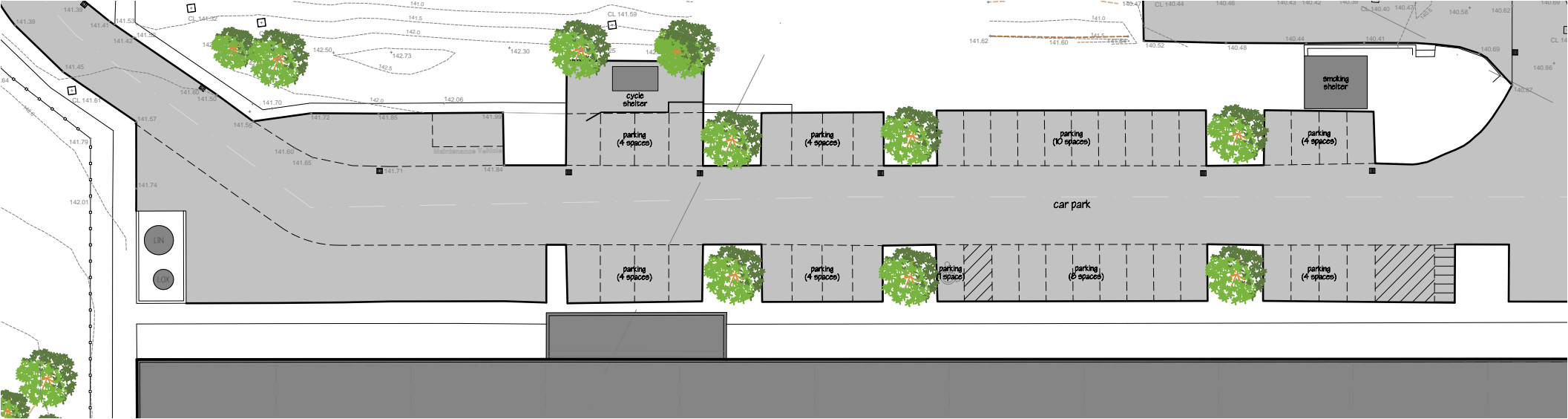
4. BEFORE EXCAVATIONS, POSITION & DEPTH OF ALL UNDERGROUND SERVICES TO BE ESTABLISHED BY THE CONTRACTOR USING CAT & GENNY RADIODETECTION EQUIPMENT.

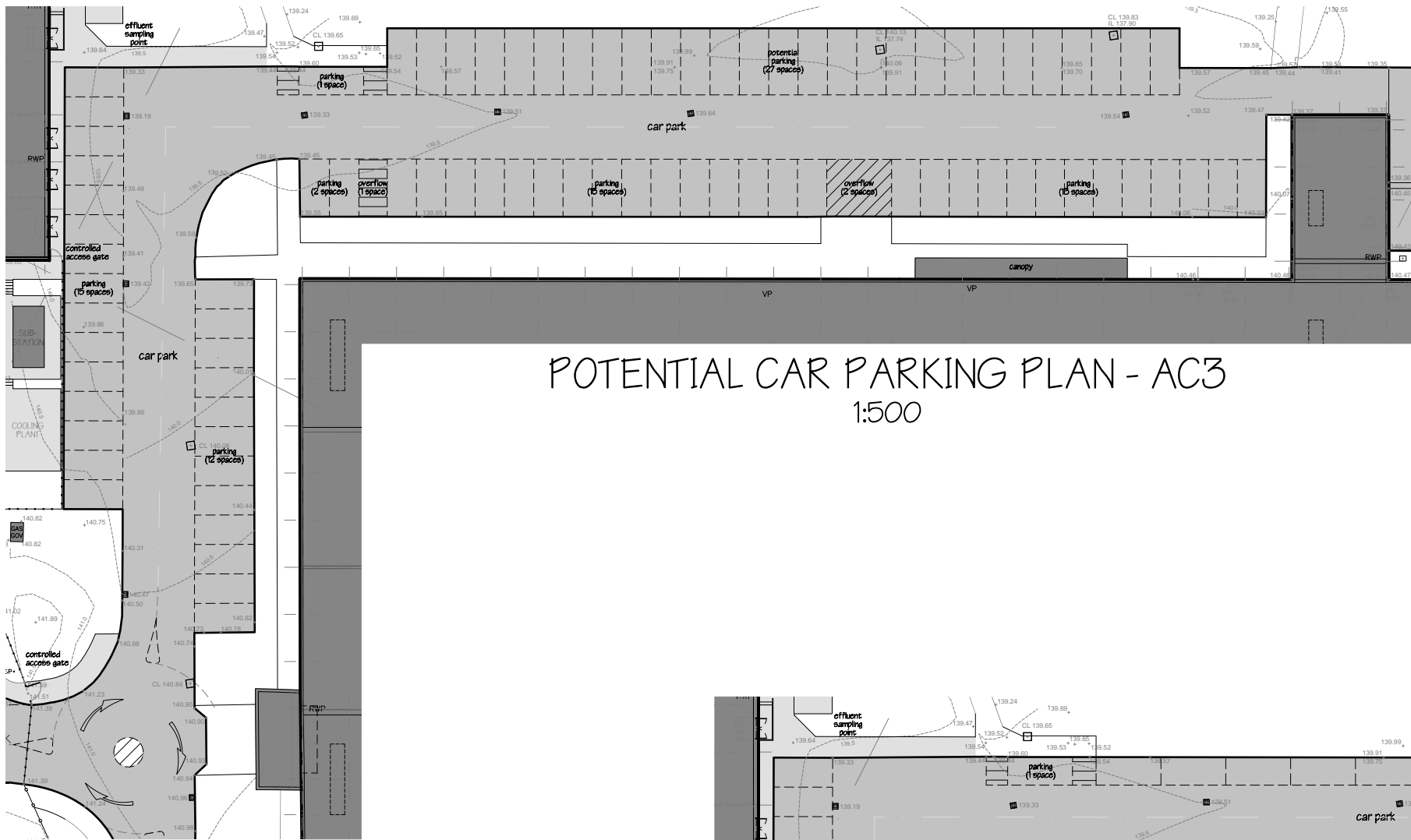
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6. ALL NEW WORKS TO COMPLY WITH THE SCOTTISH BUILDING STANDARDS TECHNICAL HANDBOOKS 2020 U.N.O.

7. ALL ELECTRICAL WORKS TO COMPLY WITH THE IET WIRING REGULATIONS, 18th EDITION (B.S. 7671: 2018).

8. ALL GAS INSTALLATIONS TO COMPLY WITH THE GAS SAFETY (INSTALLATION & USE) REGULATIONS 1998, AS AMENDED.

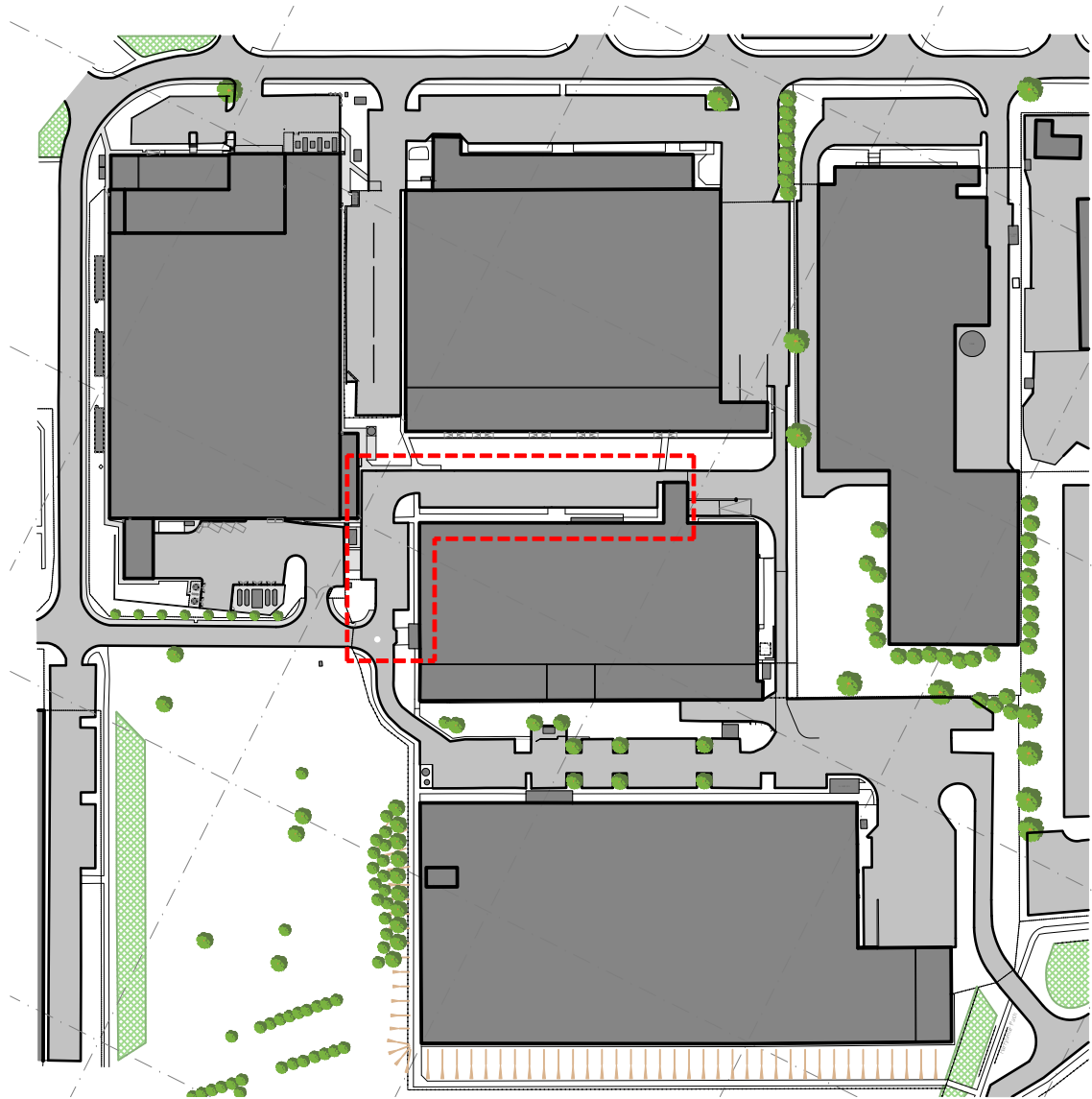




POTENTIAL CAR PARKING PLAN - AC3
1:500



EXISTING CAR PARKING PLAN - AC3
1:500



LOCATION PLAN
1:2500

- Meeting Date - 22 Sept 2021
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rev | description | date

andrew meikle
chartered architectural technologist

42 Woolfords, Cobbinshaw, By West Calder EH55 8LH
☎ 0845 345 3194 ✉ andy@ameikle.com

client

MITSUBISHI ELECTRIC
FIRTH ROAD
LIVINGSTON EH54 5DJ

project title

AC5 ALTERATIONS
18 FIRTH ROAD, LIVINGSTON

drawing title

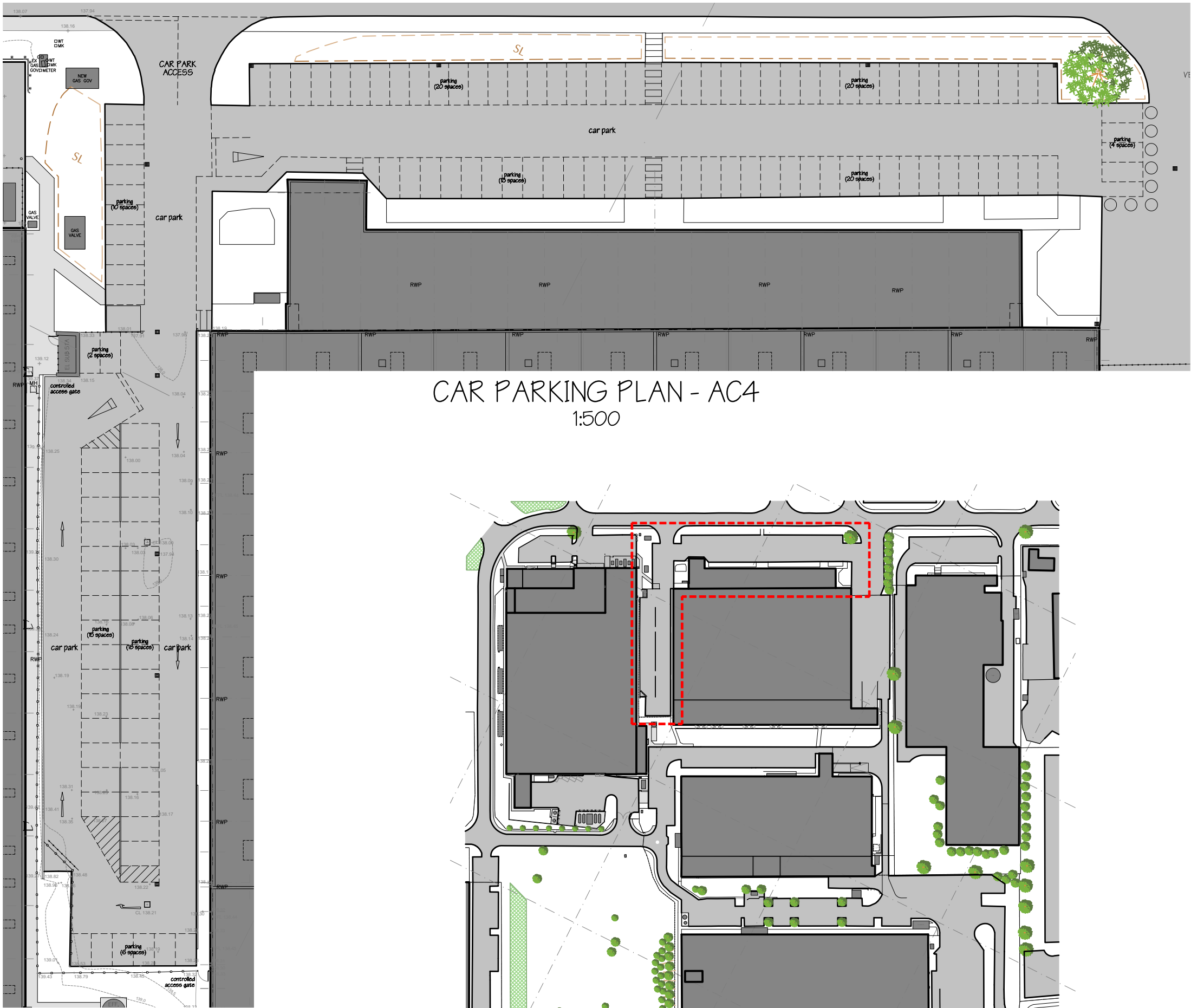
SITE PLAN:
PARKING PROVISION - AC3

original scale	original size	date	drawn
varies	A2	28.08.21	AM

drawing status

STATUTORY APPROVAL

project number	drawing number	revision
2003 (9-)	004	-




CAR PARKING PLAN - AC4
1:500

LOCATION PLAN
1:2500

- Meeting Date - 22 Sept 2021
Item No. 7
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rev	description	date
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andrew meikle
chartered architectural technologist

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0845 345 3194 andy@ameikle.com

client

MITSUBISHI ELECTRIC
FIRTH ROAD
LIVINGSTON EH54 5DJ

project title

AC5 ALTERATIONS
18 FIRTH ROAD, LIVINGSTON

drawing title

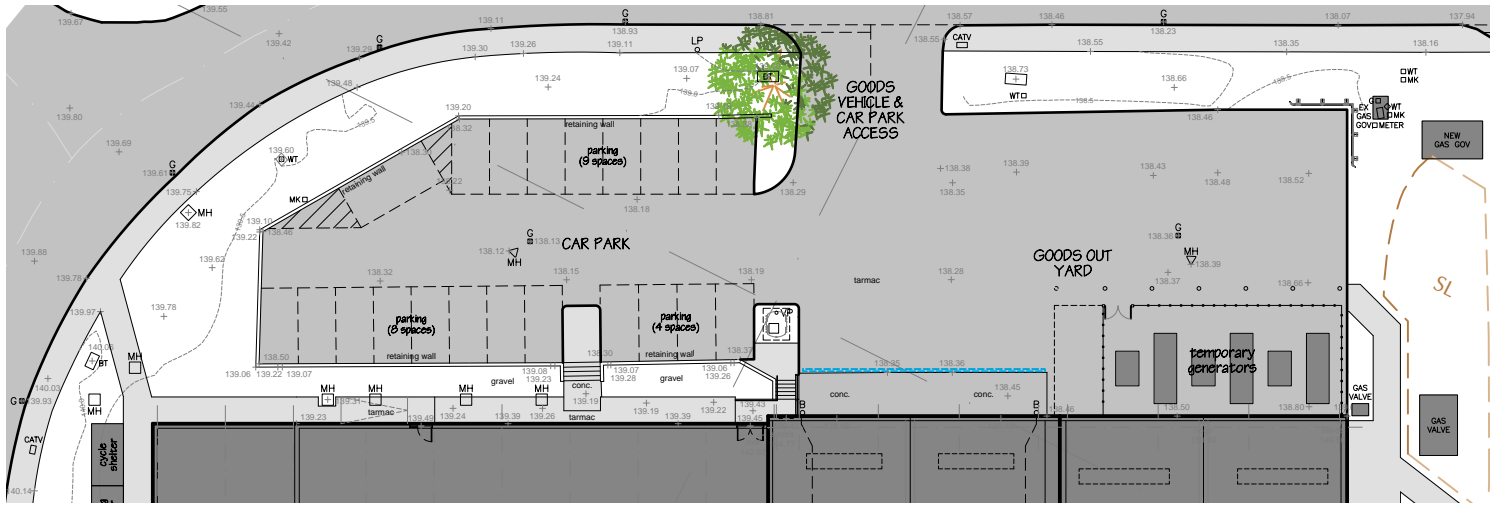
SITE PLAN:
PARKING PROVISION - AC4

original scale	original size	date	drawn
varies	A3	28.08.21	AM

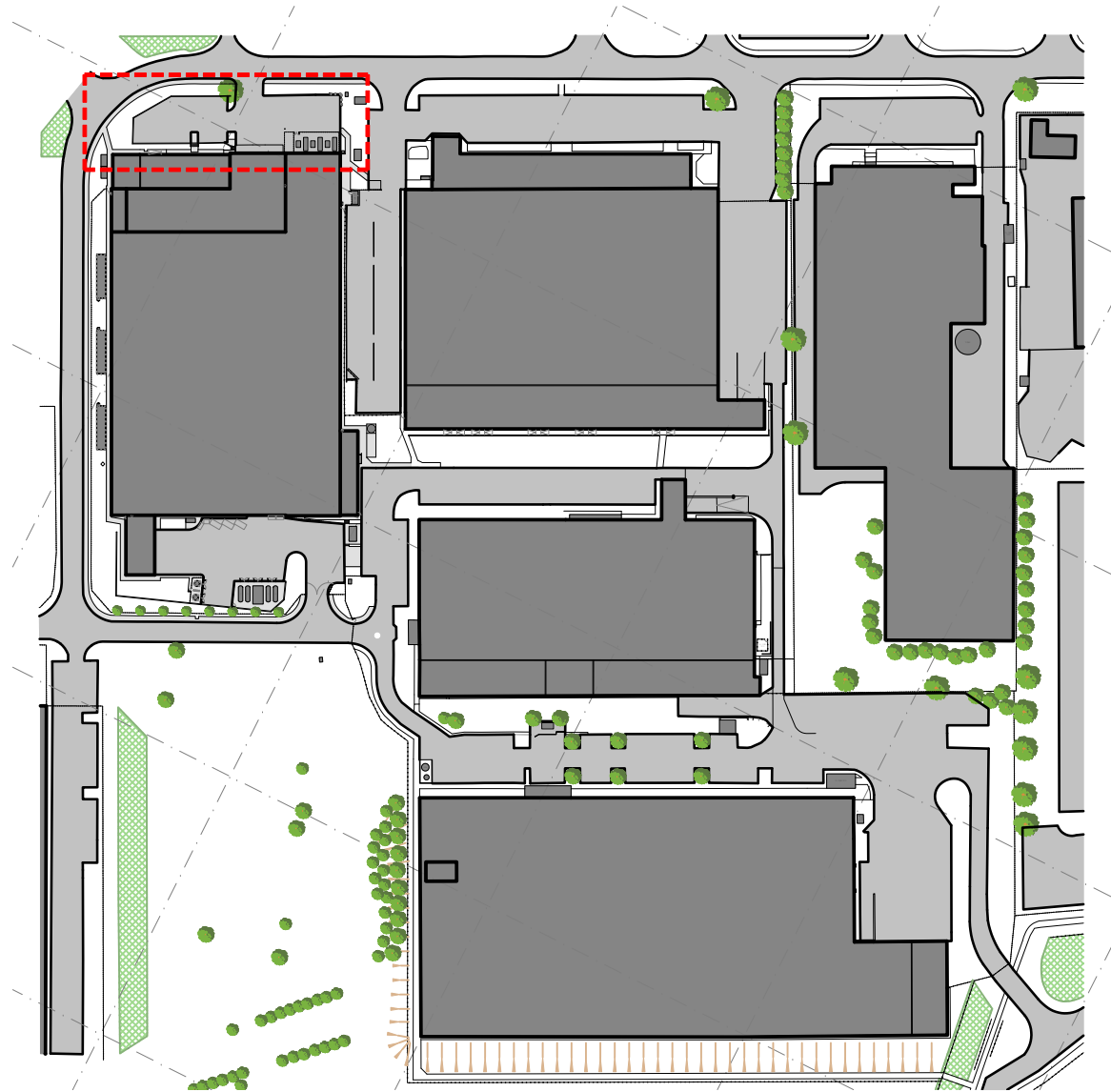
drawing status

STATUTORY APPROVAL

project number	drawing number	revision
2003 (9-)	005	-



CAR PARKING PLAN - AC5
1:500



LOCATION PLAN
1:2500

- Meeting Date - 22 Sept 2021
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rev	description	date
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42 Woolfords, Cobbinshaw, By West Calder EH55 8LH
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client
MITSUBISHI ELECTRIC
FIRTH ROAD
LIVINGSTON EH54 5DJ

project title
AC5 ALTERATIONS
18 FIRTH ROAD, LIVINGSTON

drawing title
SITE PLAN:
PARKING PROVISION - AC5

original scale	original size	date	drawn
varies	A3	28.08.21	AM

drawing status
STATUTORY APPROVAL

project number	drawing number	revision
2003 (9-)	006	-



Transcal Limited Firth Road Houstoun Industrial Estate Livingston, EH54 5DJ Scotland GB

Neighbour Representation re Planning application. Your reference 0645/FUL/21

West Lothian Council
Development Management

Be Email

13 July 2021

Dear Sirs

18 Firth Road

Following your Notice Letter of 22 June and review of details online, I have the following comments:

1. Transcal is delighted that Mitsubishi Electric, a prestigious neighbour, continues to invest in the Livingston area bringing quality employment opportunities and economic stability.
2. Transcal has been at the Firth Road site since 1998. The building is the Head Quarters for our international business employing 98 on the Livingston site and over 500 across the world. We believe that we also offer quality employment opportunities and economic stability to the Livingston Area.
3. The change of use from warehouse to industrial brings prospect of more employees which in turn brings more pressure to the dual laned Firth Road. In particular:
 - A) The Mitsubishi workforce enters and exits at two main times in the day causing delays of up to five minutes at junctions with Grange Road and Houstoun Road. These delays are alleviated in past year, we believe due to staggered work patterns introduced to mitigate COVID risk. This COVID enforced arrangement for clocking on and clocking off might not always apply.
 - B) Firth Road currently has no parking restrictions. This results in Mitsubishi delivery vehicles (i.e., articulated lorries) parking on Firth Road. Invariably, the loading bays are also fully occupied with vehicles. There therefore appears no availability of parking on Mitsubishi's own site – hence the necessity for road parking. Typically, the peak for number of articulated lorries at the Mitsubishi site and on Firth Road is around 7 am in the morning (when our respective employees are coming to work (and in Mitsubishi's case also leaving work)).



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TRANSCAL
TRANSCAL LIMITED
VAT NO. GB 446 4182 46
REG IN SCOTLAND NO. 96703



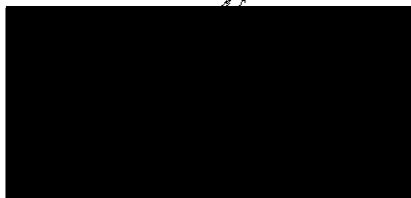
Transcal Limited Firth Road Houstoun Industrial Estate Livingston, EH54 5DJ Scotland GB

- C) Both Mitsubishi and Transcal have employees who travel by various means, car, cycle, and as pedestrians. The latter two modes of travel are particularly dangerous when weaving around / crossing roads where high sided articulated vehicles are parked / negotiating entrance to Mitsubishi site often by reversing from road blocking both Firth Road carriageways. The sharp bend in Firth Road also adds to visibility difficulties for all road users.
 - D) More road users would risk Transcal site and its employees transiting by car, and delivery vehicles, being grid locked at certain times in the day.
 - E) Another, not entirely planning related matter, is the incessant coffee cups, plastic bottles, drinks tins and food takeaway packaging left behind by the lorry drivers. Regretfully, this experience is common at many lorry parks.
4. Transcal has no issue with any of the building proposed works. Our concerns re the application are purely on access and related safety issues.

By way of possible solution, the application of double yellow lines in Firth Road, and traffic lights at foot of Firth Road accessing Grange Road time phased to key times in day, might be worthwhile. We believe this would assist relieve congestion and lower risk to all road users in Firth Road. We trust in the planning authority process to give this matter due consideration.

While we make this submission as part of the Planning Process, we also plan to raise our concerns over parked lorries and litter direct with Mitsubishi Electric representatives to build good neighbour relations and for the safety of our respective employees while transiting to / from work. I have photographic evidence in support of the above issues raised.

Yours faithfully for Transcal Ltd



Jim Thomson C.A.

Financial Director



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REG IN SCOTLAND NO. 96703

From: Gary Craig <store@prestigeleisure.com>
Sent: 06 August 2021 16:09
To: McLaren, Steve
Subject: Representation Acknowledgement Letter- 0645/FUL/21, -
[OFFICIAL]
Attachments: Exhibit 1 - planning consultation part1.pdf; Exhibit 2 - AC5 to AC1
distance.pdf; Exhibit 3 - excerpt from planning application.pdf;
Exhibit 4 - planning consultation part 2.pdf; Exhibit 5 - local area
plan and pictures of congestion.pdf

Importance: High

Dear Mr McLaren,

Thank you for your patience.

I note our below objections to planning application 0645/FUL/21 | Change of use from storage (class 6) to industrial (class 5), alterations and erection of a 180sqm extension | 18 Firth Road Houstoun Industrial Estate Livingston West Lothian EH54 5DJ.

The main crux of our strong objection to the application is a fundamental shortage of parking in the area. The plans in their current state would cause massive congestion as well as posing a serious health and safety concern for the passage of emergency vehicles. Below are points of detail on the areas of concern. In all exhibits, areas for specific attention and/or of concern are highlighted in red:

- Please see Exhibit 1 (planning consultation part 1). According to the background narrative, Mitsubishi Electric (ME) employ 1,394 individuals with a peak time workforce of 881 on day shift yet they only have parking provision for 502 cars currently. The site in question with regards to the application, AC5, currently has 28 members of staff and this is set to increase to 150. A net increase of 122 yet only 10 new parking spaces are being created under the proposal. There is an inconsistency on whether there are new spaces planned. This inconsistency will be discussed further below.
- As mitigation there is a claim made that new working conditions mean that more people will be working from home, some functions will be transferred to another site etc. However, there is no doubt that for a manufacturing site, all or the vast majority of the projected 150 staff will need to be present and that these mitigations are not relevant. Furthermore, any changes in working conditions which reduce the headcount at AC1 (ME's biggest site which account for nearly half their parking spaces) are too far away in terms of distance to have any impact on conditions at AC5. It is unlikely that employees would be willing to walk this distance and highly doubtful that ME could compel them to do so. Attached is Exhibit 2 (area map) showing the distance between the 2 sites for convenience.
- Please see Exhibit 3 (excerpt from planning application). It states that the current number of parking spaces at AC5 is 21 and that after that plan is executed that the number of parking spaces will actually reduce to 18. Yet in other parts of the correspondence there is discussion of an increase in parking spaces by 10. There is serious inconsistency here in terms of whether the plan is to increase or decrease the number of spaces.
- Please see Exhibit 4 (planning consultation part 2). Highlighted is a set of comments stating that Building Standards and Transportation's recommendation for the class change from 5 to 6 would require an increase in parking from 50 to 151. Another inconsistency presents itself. The claim in the ME application is that the number of existing spaces is 21 yet BS&T state that it is 19. More concerning is the fact that the building should ALREADY have 50 spaces available yet it only has 21 or 19 depending on which part of the application is true. WLC officers also state that it is acceptable because ME are moving staff around. This is wholly inaccurate; whilst some staff

may be redeployed elsewhere, the statement is clear that AC5 numbers are to increase to 150 permanent staff . Therefore regardless of staff movement there is an 5X increase in permanent staffing on the site which is already lacking in parking provision.

- There is a statement in the same Exhibit about a solution based upon 'Personal basis Mitsubishi only'. What could this basis possibly be? An application is being made based upon a situation that is already woefully under provisioned in terms of parking. Yet this application will inevitably exacerbate the problem of congestion in the area even further. We are certain that WLC would want to demonstrate transparency in their dealings to dispel any notion that this is a sweetheart deal and that their approach to all firms is consistent regardless of size, power and influence.

- Please see Exhibit 5. It details the road areas in red surrounding AC5 which are effectively already single lane (sometime with cars parked on the opposite pedestrian pavement) because of cars parked on the main road. Even under the current situation, before ME looks to add another net 131 jobs to the site, the roads are terribly congested. This poses a serious and dangerous restriction on emergency vehicles being able to pass as they may need to. You may already be aware that we suffered a serious flooding (Jan 2016) which required the intervention of the local fire brigade with their pumps to help reduce the losses and disruption caused by the water damage. Despite the valiant efforts of the emergency services the cost of the damages was in excess of £1m. Without the timely intervention of the fire brigade this would have been much worse.

- Furthermore, over the last twenty years, there have been several major fires in the Houstoun Industrial Estate sometimes resulting in the destruction of an entire industrial unit. Therefore, it is essentially when, not if, another major fire occurs. Consequently, it is imperative that the impact of additional parked cars is seriously considered.

- Finally, as a responsible organisation we have always included increased parking provision in our plans during expansions on our site. We have always held the notion that, quite rightly, we would need to take impact of changes we made on our neighbours and act in accordance with the rules as well. These rules have been strictly enforced by WLC with regards to our plans and we would expect the same criteria to be met for any firm looking to make changes in our area. Given that our sites are separated by just a road we see no reason why a different set of criteria would apply here.

We welcome the opportunity to present our objections in person at committee.

Kind regards

Gary Craig
Operations Manager

**Mitsubishi Electric proposed change of use of our AC 5 building
at 18 Firth Road, Houston Industrial Estate, Livingston EH54 5DJ.**

Current use of building :-

Approx 10,000 sqM Storage and distribution of finished A/C products
with a small office block and car park at north elevation.

Currently operates a two shift operation with the greatest number of
staff on dayshift (7am until 4pm).

Total number of people on dayshift :-

Logistics - 21 staff,

MIS - 7 staff,

Total 28 staff.

Existing number of car parks - 19 spaces.

Building currently has a Class 6 use.

Proposed use of building :-

Conversion into a production facility to allow the company to meet
current and projected increases in customer demand.

This would require the reclassification of the building to Class 5.

There will be a significant increase in staff within this building as a
production facility with an estimated max on dayshift of 150 staff.

This number of staff will grow to the max by 2025, with an estimated
30 staff by late 2021, increasing to 50 staff by end 2022, 80 staff by
end of 2023, and 120 staff by end 2024.

NB The existing Logistics warehouse and distribution facility will be
transferred to a leased site at Blackness Road, Linlithgow, EH49 7HZ.
With a proposed start of transfer from end 2020.

**The major issue with this proposal is the shortage of available
Mitsubishi land to allow increase car parking at the AC5 site.**

Mitsubishi Electric proposed change of use of our AC 5 building at 18 Firth Road, Houston Industrial Estate, Livingston EH54 5DJ.

Additional information about Mitsubishi within Livingston :-

We currently occupy 5 sites in the Houston Industrial site :-

AC1 at Nettlehill Road which is class 5 general industrial site.
AC2 at Firth Road which is a class 5 general industrial site.
AC3 at Firth Road which is a class 5 general industrial site.
AC4 at Firth Road which is a class 6 storage/distribution site.
AC5 at Firth Road which is proposed for change of use.

Number of employees at the above sites :-

AC1, 712 staff with a day and 3 shift working system in place,
AC2, 352 staff with a day and 3 shift working system in place,
AC3, 181 staff with a day and 3 shift working system in place,
AC4, 116 staff with a day and 3 shift working system in place,
AC5, 33 staff with day and night shift working system in place.

Total number of employees @ Nov 2020 - 1,394

The greatest number of staff on all sites are during the core dayshift hours of 07:00am and 16:00 pm.

Estimated numbers during these hours per site is as follows :-

AC1 - 387 staff,
AC2 - 224 staff,
AC3 - 136 staff,
AC4 - 106 staff,
AC5 - 28 staff.

Total number of employees on dayshift @ Nov 2020 - 881.

With the creation of 150 off new positions in AC5 by 2025, there are also a number of actions that have or will reduce the numbers who will continue to work the traditional dayshift hours.

1. Following Covid outbreak a total of 36 staff now work permanently from home.
2. Transfer of existing logistics staff to Linlithgow, 21 on dayshift.
3. With large office accommodation in Linlithgow, its also planned to transfer various departments to Linlithgow, incl Mits Sales, Purchasing, Scottish Sales, Factory Automation, MERCE R&D etc. This will transfer a further 90 staff by November 2021.

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In addition we have introduced a flexible start/finish shift for dayshift staff workers, actively promote the cycle to work scheme, encourage car sharing.

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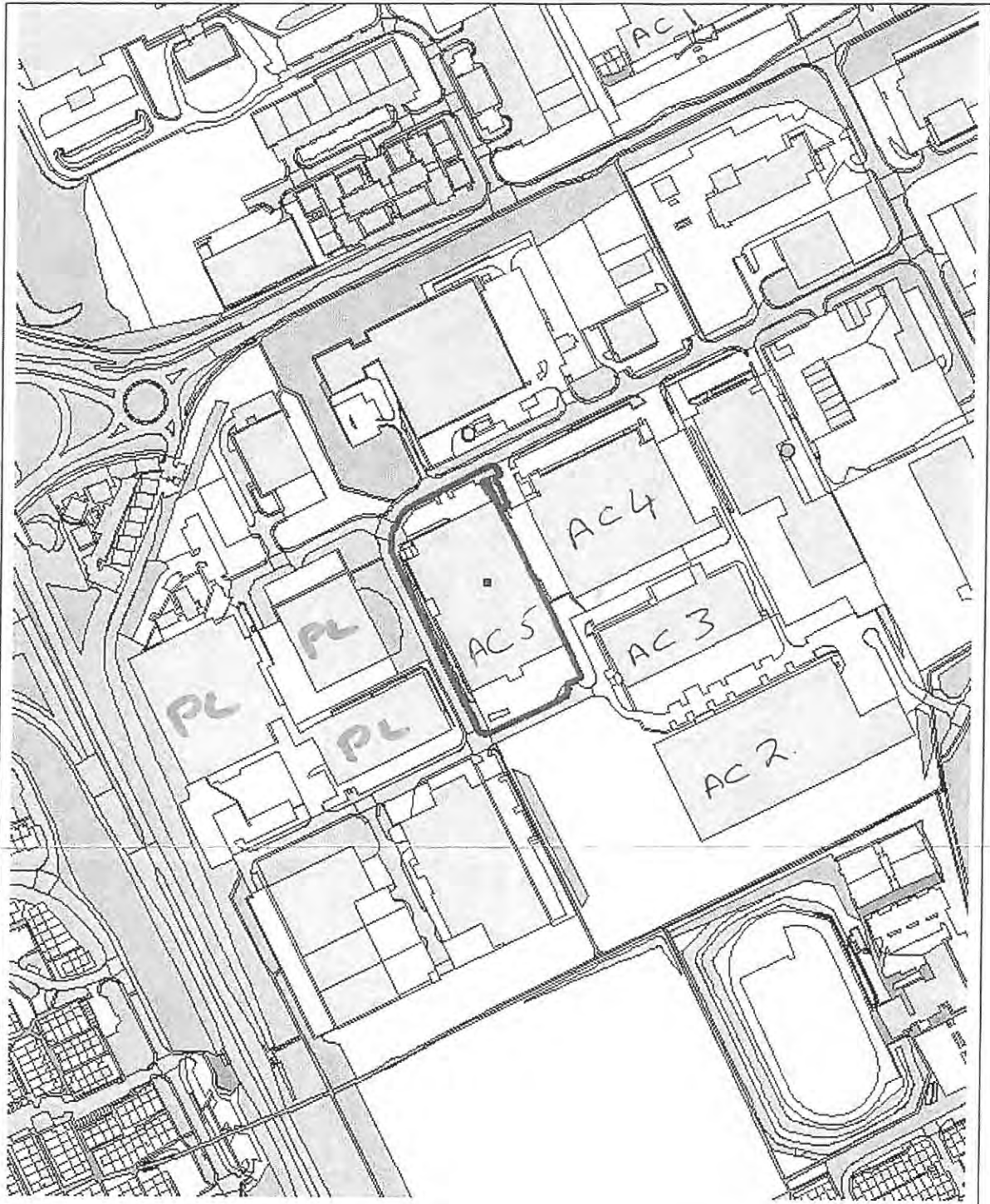
In summary we are requesting the support and assistance from West Lothian Council to :-

1. Examine the information on available parking spaces, proposed staff numbers by 2026, limited opportunity to increase parking, and access if we meet minimum requirements?

If not how many additional do we require to gain approval?

2. Based on the above information, provide feed back prior to our submission of drawings etc via our appointed architect, on our likelihood of :-

- a). Change of class for AC5 from class 6 to class 5?
- b). Granting of Warrant and Planning Permission for works to commence March/April 2021?



Location Plan

CAR PARK W2
EXTEND.

Site Area

Please state the site area:

1.68

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)

Storage (class 6)

Access and Parking

Are you proposing a new 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 change to public paths, public rights of way or affecting any public right 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?

21

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)? *

18

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, cycles spaces).

Water Supply and Drainage Arrangements

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



Yes



No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *



Yes – connecting to public drainage network



No – proposing to make private drainage arrangements



Not Applicable – only arrangements for water supply required

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.

Adamson, Douglas

From: McCorriston, Wendy [REDACTED]
Sent: 11 December 2020 12:43
To: Adamson, Douglas
Cc: Ayre, Rodney; Montgomery, Robert
Subject: RE: Requested information following telephone discussion. - AC5 - Mitsubishi, Livingston - [OFFICIAL]

DATA LABEL: OFFICIAL

Douglas
That's good to hear.

You are welcome and we look forward to receiving the application.

Kind Regards
Wendy

From: Adamson, Douglas [REDACTED]
Sent: 11 December 2020 09:23
To: McCorriston, Wendy [REDACTED]
Cc: Ayre, Rodney [REDACTED]; Montgomery, Robert [REDACTED]
Subject: RE: Requested information following telephone discussion. - AC5 - Mitsubishi, Livingston - [OFFICIAL]

Good Morning Wendy,

As mentioned in my e-mail earlier this week, we had an Air Con 5 update meeting yesterday with all interested parties
Including our Architect (Andrew Meikle).

Your proposed solution of a **Personal basis Mitsubishi only** planning permission route would indeed be an acceptable solution.

Andrew is currently finalising drawings etc., for making formal application, and we will include the additional covering information
and company acceptance of personal permission with the application as suggested.

Again can I thank you on behalf of Mitsubishi for all the advice and assistance you have given allowing this application to be submitted.

Best Regards,

Douglas.

From: McCorriston, Wendy [REDACTED]
Sent: 09 December 2020 09:01
To: Adamson, Douglas
Cc: Ayre, Rodney; Montgomery, Robert
Subject: RE: Requested information following telephone discussion. - AC5 - Mitsubishi, Livingston - [OFFICIAL]

DATA LABEL: OFFICIAL

Douglas

I have heard back from Building Standards and Transportation and their comments are below :

BS has advised that the requirement for a building warrant will be dependent on what you do to the building, however, regards car parking a warrant may be required dependent on the area of the car parking if more than 200m² – BS won't insist on the number of car parking spaces, only on the number of accessible spaces should additional car parking be proposed.

The contact for more information in respect of BS is Craig Johnstone [REDACTED]

Transport has advised that the change of use of AC5 from class 6 to class 5 requires car park going from 50 spaces up to 151 spaces. The site has 19 at the moment. However, they accept that the company is moving staff around as the collective site use changes. Transport has therefore advised that the solution they would accept is that the change of use for AC5 is acceptable as long as Mitsubishi are the owners and if Mitsubishi leave the site it would revert back to class 6.

This would mean that any planning permission would be granted on a personal basis to Mitsubishi only. Would this be an acceptable solution to the company ?

The Transport contact is Chris Nicol [REDACTED]

If so, a planning application could be submitted as normal with the additional covering information that you previously sent and confirmation that the company would accept a personal permission should the application be granted. Obviously the application would need to go through the normal notification and consultation process. The comments are therefore given without prejudice to the proper processing of the application or the final decision of the council, as there may be objections and a final decision may need to be made by committee rather than under officer delegation. Nevertheless, hopefully the above information is of assistance in giving the officer position on the proposals.

The Principal officer in Planning who would allocate any application is Gillian Cyphus.

Thanks
Kind Regards
Wendy

From: Adamson, Douglas [REDACTED]
Sent: 20 November 2020 08:44
To: McCorriston, Wendy [REDACTED]
Cc: Ayre, Rodney [REDACTED]; Montgomery, Robert [REDACTED]
Subject: RE: Requested information following telephone discussion. - [OFFICIAL]

Good Morning Wendy,

May I thank you for your prompt and helpful assistance in connection with our proposed alterations.

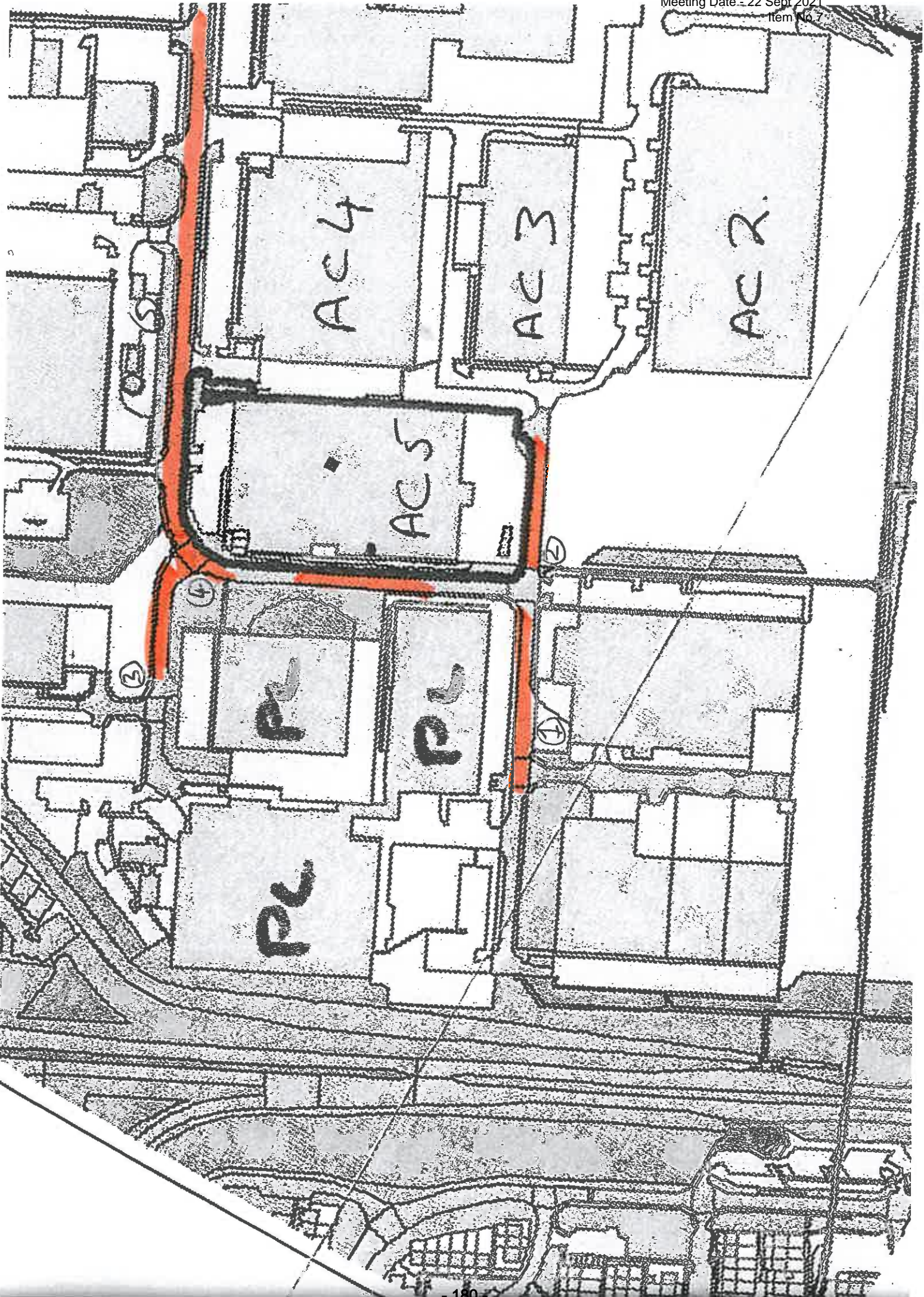
Your reading of my information which unfortunately was very long winded, is correct.

Although our plans will significantly increase the total number of Mitsubishi employees within the West Lothian area,

The transfer of staff to the Linlithgow site will result in only a very small increase here at the Houston Industrial estate Campus.

If your colleagues within Transportation require any additional information, or would benefit from a site visit, I will be

Only too happy to assist.





2a



Looking East along Firth Road between Prestige Leisure UK & LPE

26



3a



28A Firth Road (Across from Transcal & Prestige Leisure UK 28 Firth Road)

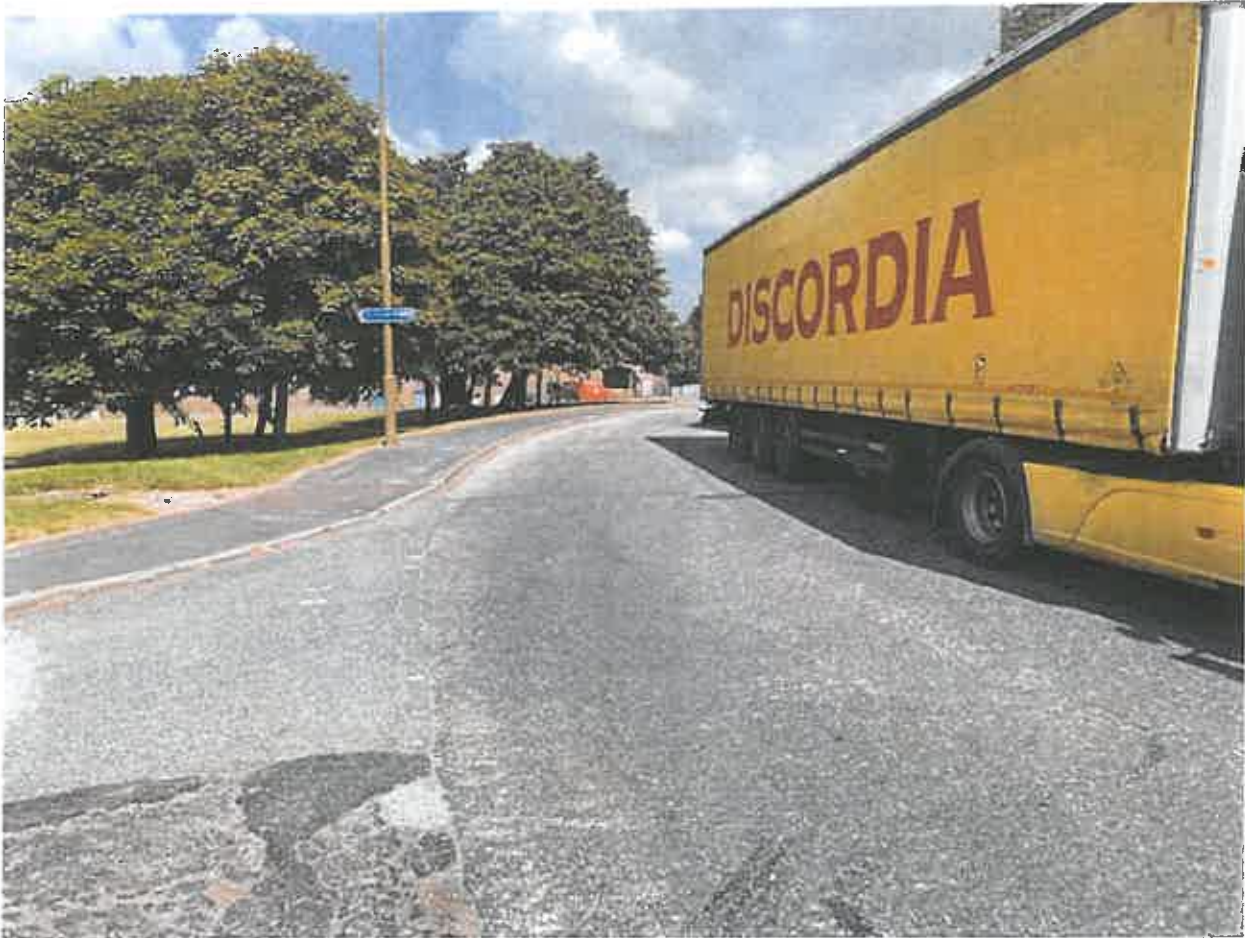
Looking down Firth Road towards Grange Road.

3b



Firth Road looking East towards Grange Road.

4a



4b



42



Looking North along Firth Road between 28A Firth Road and 18 Firth Road

(4d)



Looking North along Firth Road between 28A Firth Road and 18 Firth Road



(S)



Development Management

WEEKLY LIST OF APPLICATIONS RECEIVED

☒ LOCAL MEMBER REQUEST FORM ☒

Weekly List for the week commencing

21st June 2021

Members wishing further information on any of the applications in the attached Weekly List of Planning Applications or wishing any application to be referred for determination to the Development Management Committee are asked to complete and return this form to Wendy McCorriston, Development Management Manager, as soon as possible and no later than:

12th July 2021

PLEASE NOTE:

In accordance with standing orders any request for an application to be referred to Development Management Committee has to be from a member of the ward in which the application site is located or Chair of the Development Management Committee.

The planning application details are available for inspection within the Planning & Building Standards web site by clicking on the link below.

<https://planning.westlothian.gov.uk/publicaccess/>

Action Required (please tick ✓)	Application Number 0645/FUL/21
<input type="checkbox"/> Contact me to discuss these proposals	MemberCllr Carl John.....
<input type="checkbox"/> Refer this application to the Development Management Committee	Signed
<input type="checkbox"/> Other (please specify)	Dated 12 th July 2021.....

My reasons for this action are:

It is in my ward and I would like it to go to committee. Carl

Development Management Committee

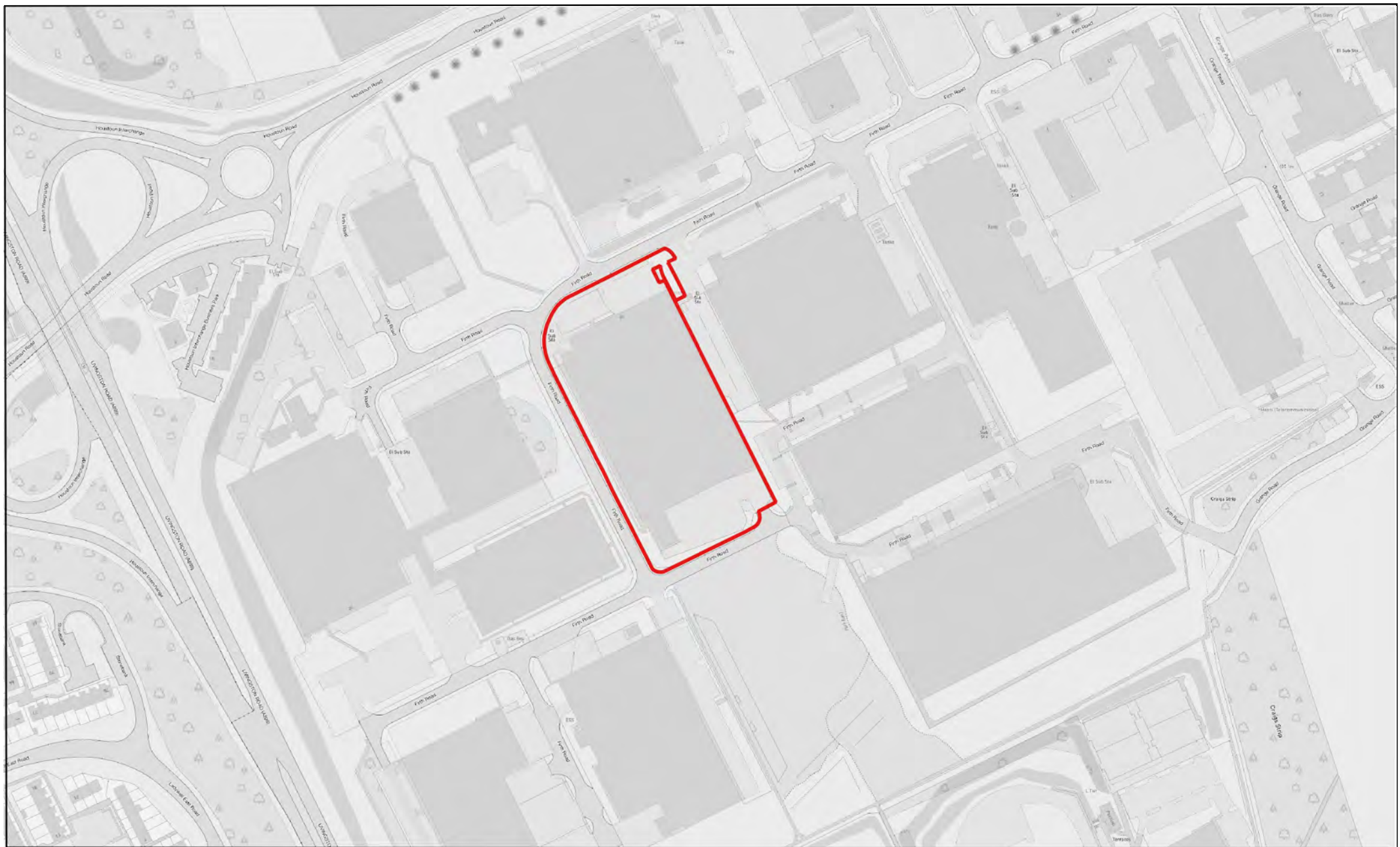
22 September 2021

Item 7 - Application : 0645/FUL/21

Change of use from storage (class 6) to industrial (class 5), alterations and erection of a 180sqm extension.

18 Firth Road - Houston Industrial Estate - Livingston





0645/FUL/21 - 18 Firth Road - Houston Industrial Estate- EH54 5DJ

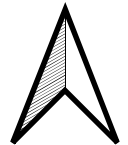
Development Management - West Lothian Civic Centre - EH54 6FF

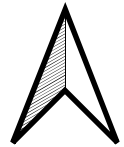
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 8. ALL GAS INSTALLATIONS TO COMPLY WITH THE GAS SAFETY (INSTALLATION & USE) REGULATIONS 1998, AS AMENDED.

- DRAWING CREATED FROM 2003 (SK) 010B. 08.06.21

rev	description	date
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42 Woolfords, Cobbinshaw, By West Calder EH55 8LH
0845 345 3194 andy@ameikle.com

client

mitsubishi electric
FIRTH ROAD
LIVINGSTON EH54 5DJ

project title

AC5 ALTERATIONS
18 FIRTH ROAD, LIVINGSTON

drawing title

PROPOSED SITE
CONTEXT PLAN

original scale	original size	date	drawn
1:1000	A2	08.06.21	AM

drawing status

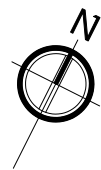
STATUTORY APPROVAL

project number	drawing number	revision
2003	(--)	005

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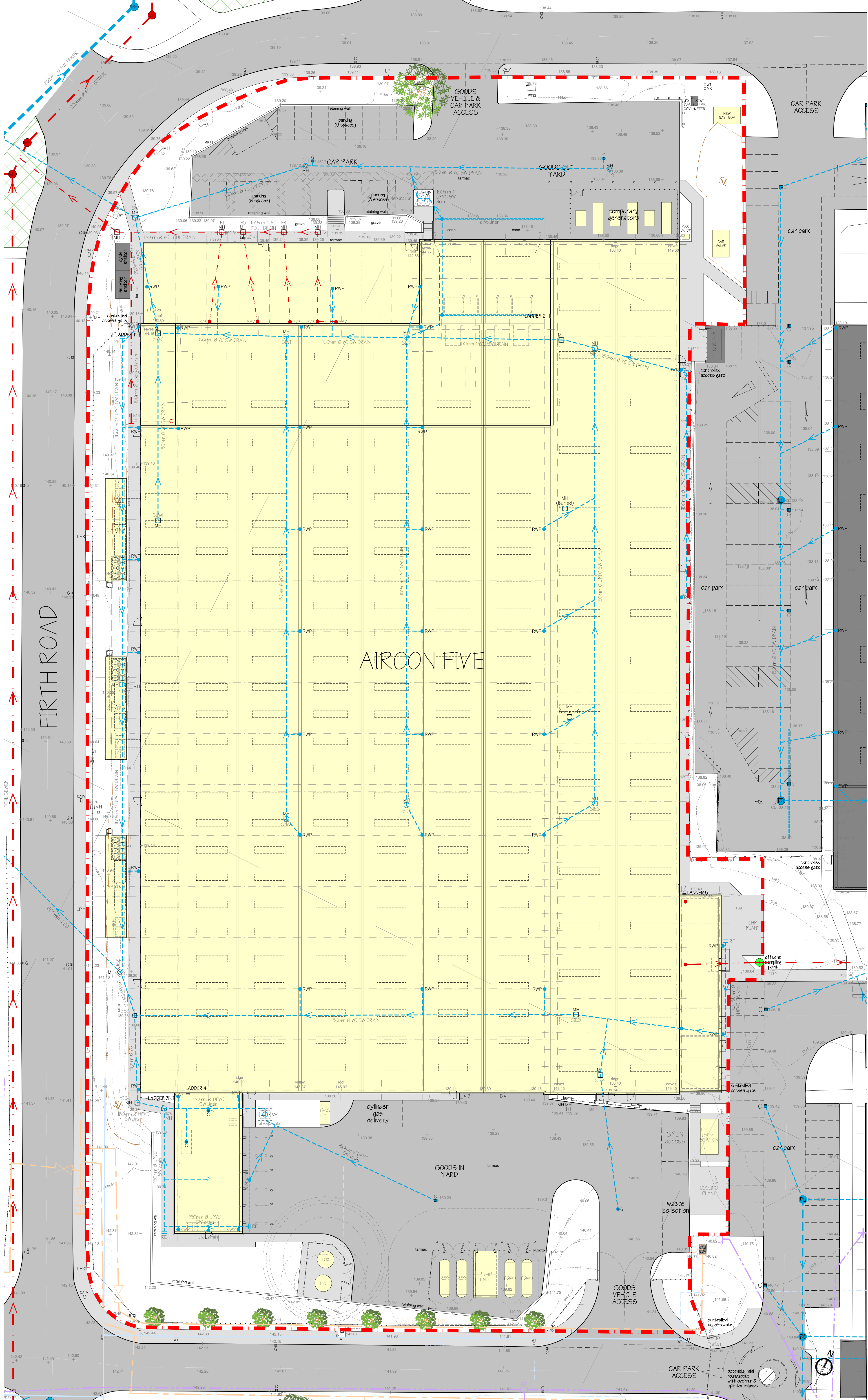


- LEGEND
- SITE BOUNDARY
 - OWNERSHIP BOUNDARY
 - SURFACE WATER DRAINAGE
 - FOUL DRAINAGE
 - LOW PRESSURE GAS MAIN
 - MEDIUM PRESSURE GAS MAIN
 - WATER DISTRIBUTION MAIN
 - WATER SUPPLY PIPE
 - TELECOM (BT)
 - TELECOM DUCT (BT)
 - DATA (VIRGIN MEDIA)
 - ELECTRIC LV CABLE
 - ELECTRIC HV (11kV) CABLE



LOCATION PLAN
1:1000

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- LEGEND
- 1 SITE BOUNDARY
 - 2 SURFACE WATER DRAINAGE
 - 3 FOUL DRAINAGE
 - 4 LOW PRESSURE GAS MAIN
 - 5 MEDIUM PRESSURE GAS MAIN
 - 6 WATER DISTRIBUTION MAIN
 - 7 WATER SUPPLY PIPE
 - 8 TELECOM (BT)
 - 9 TELECOM DUCT (BT)
 - 10 DATA (VIRGIN MEDIA)
 - 11 ELECTRIC LV CABLE
 - 12 ELECTRIC HV (11KV) CABLE

DRAWING CREATED FROM 2003 (SK) 01B. 05.06.21

rev 1 description date

andrew meikle
chartered architectural technology

42 Woodlands, Cobbinshaw, By West Calder EH55 8LH
0845 345 3194 andy@ameikle.com

client

MITSUBISHI ELECTRIC
FIRTH ROAD
LIVINGSTON EH54 5DJ

project title

AC5 ALTERATIONS
18 FIRTH ROAD, LIVINGSTON

drawing title

PROPOSED SITE PLAN

original scale original size date drawn

1:250 A1 05.06.21 AM

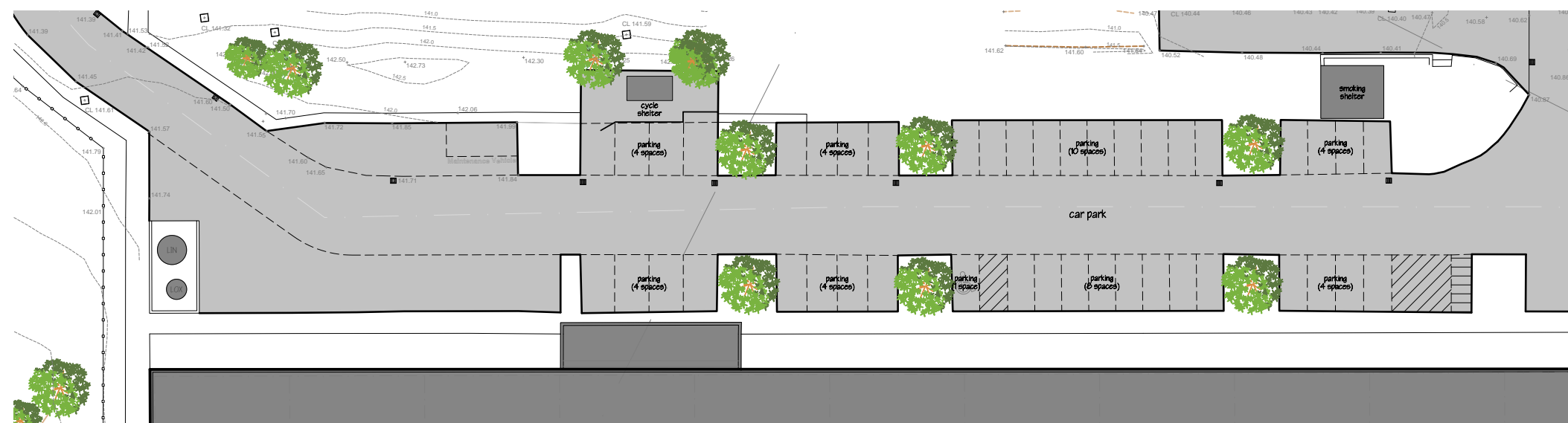
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STATUTORY APPROVAL

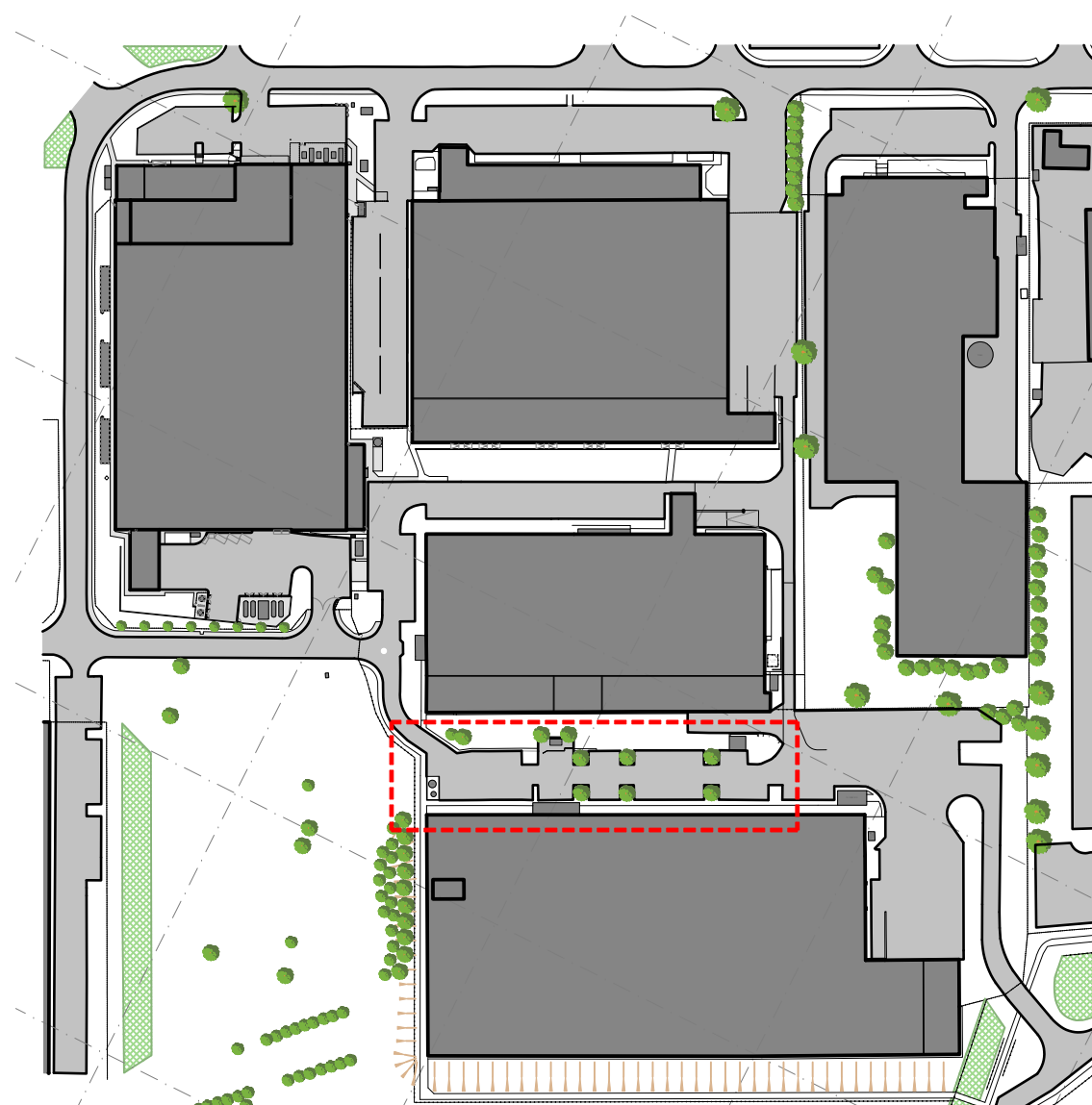
project number drawing number revision

2003 (--) 006 -

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CAR PARKING PLAN - AC2
1:500



LOCATION PLAN
1:2500

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rev	description	date
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42 Woolfords, Cobbinshaw, By West Calder EH55 8LH
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client

mitsubishi electric
FIRTH ROAD
LIVINGSTON EH54 5DJ

project title

AC5 ALTERATIONS
18 FIRTH ROAD, LIVINGSTON

drawing title

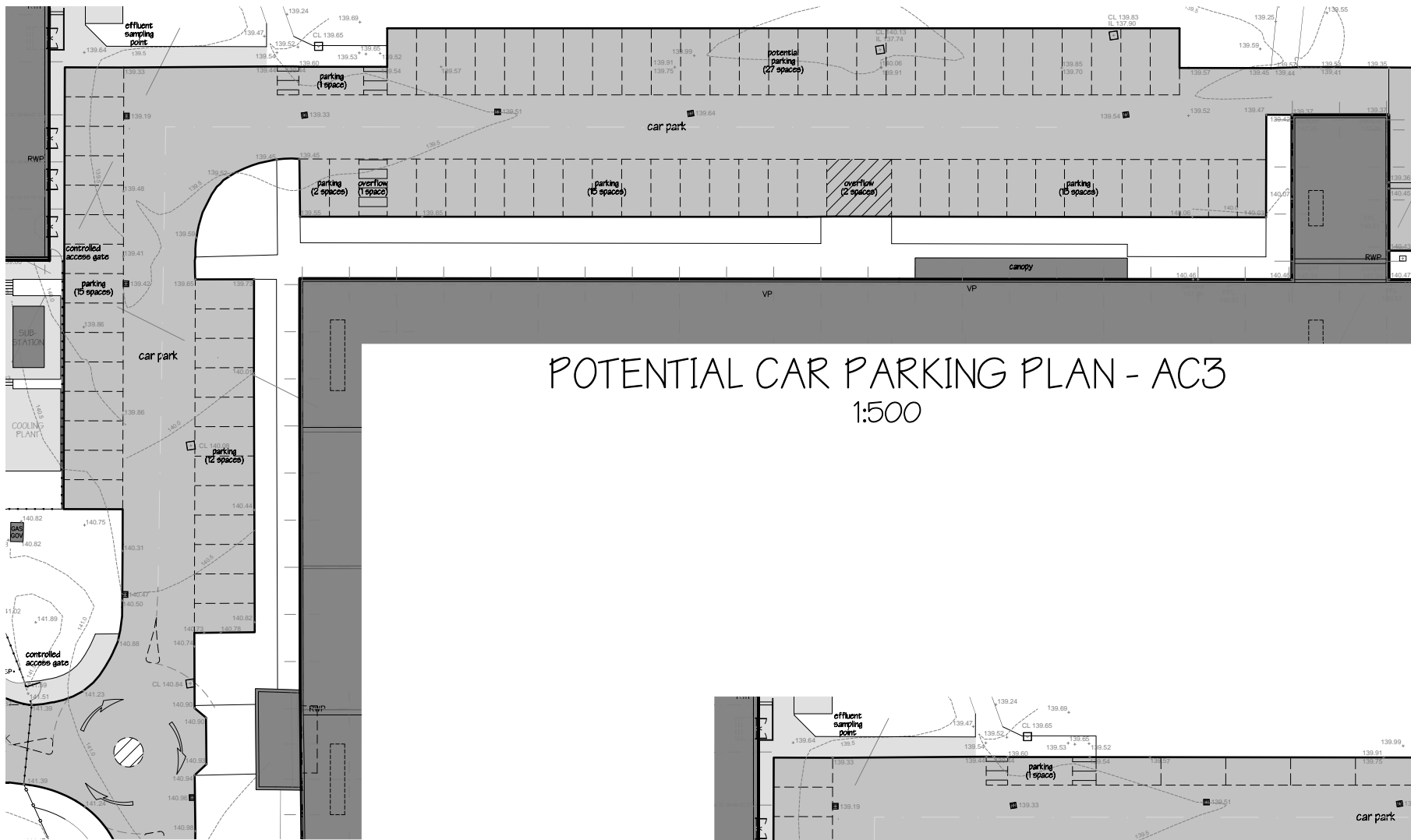
SITE PLAN:
PARKING PROVISION - AC2

original scale	original size	date	drawn
varies	A3	28.08.21	AM

drawing status

STATUTORY APPROVAL

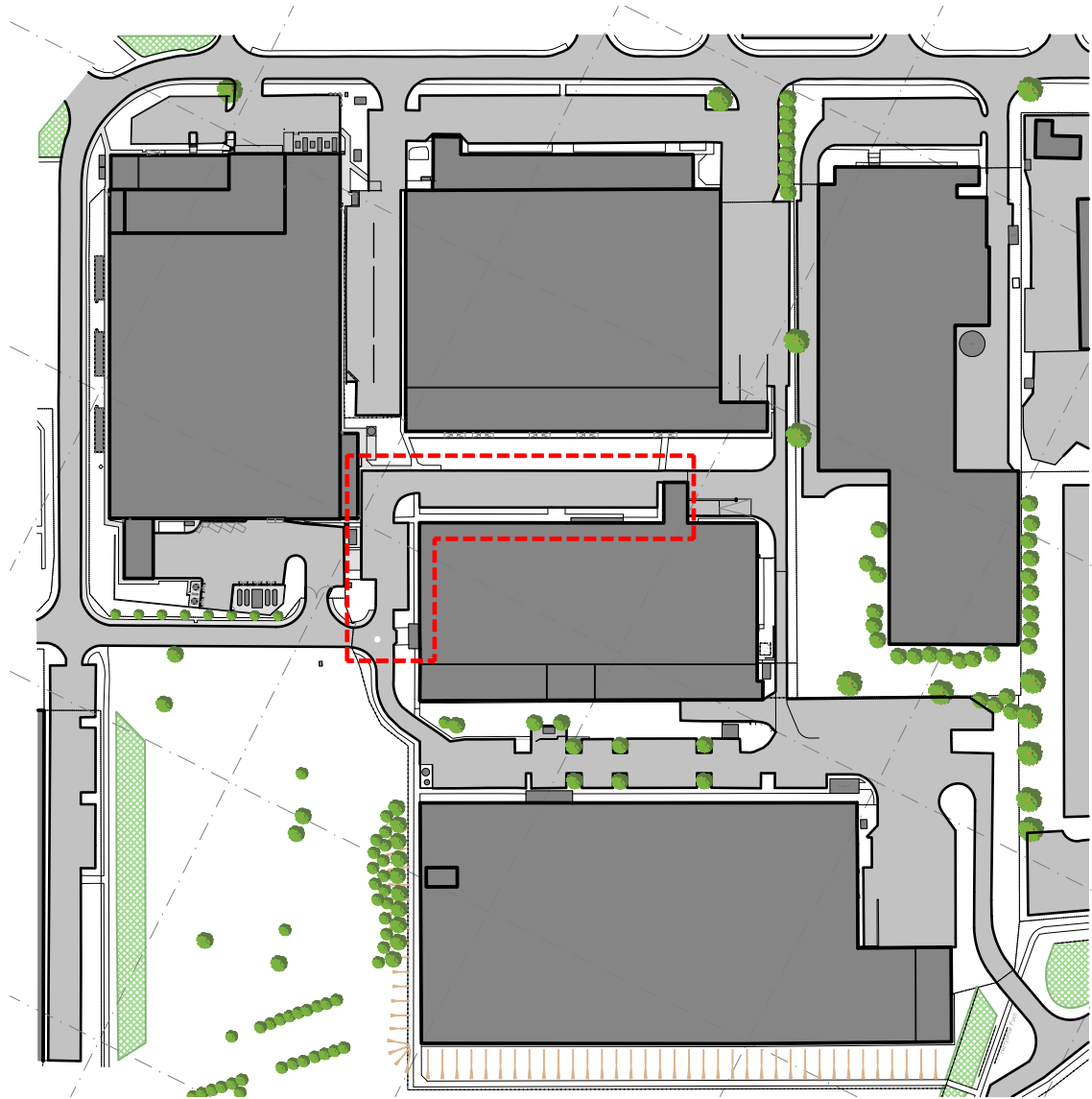
project number	drawing number	revision
2003 (9-) 003		-



POTENTIAL CAR PARKING PLAN - AC3
1:500



EXISTING CAR PARKING PLAN - AC3
1:500



LOCATION PLAN
1:2500

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rev | description | date

andrew meikle
chartered architectural technologist

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client

MITSUBISHI ELECTRIC
FIRTH ROAD
LIVINGSTON EH54 5DJ

project title

AC5 ALTERATIONS
18 FIRTH ROAD, LIVINGSTON

drawing title

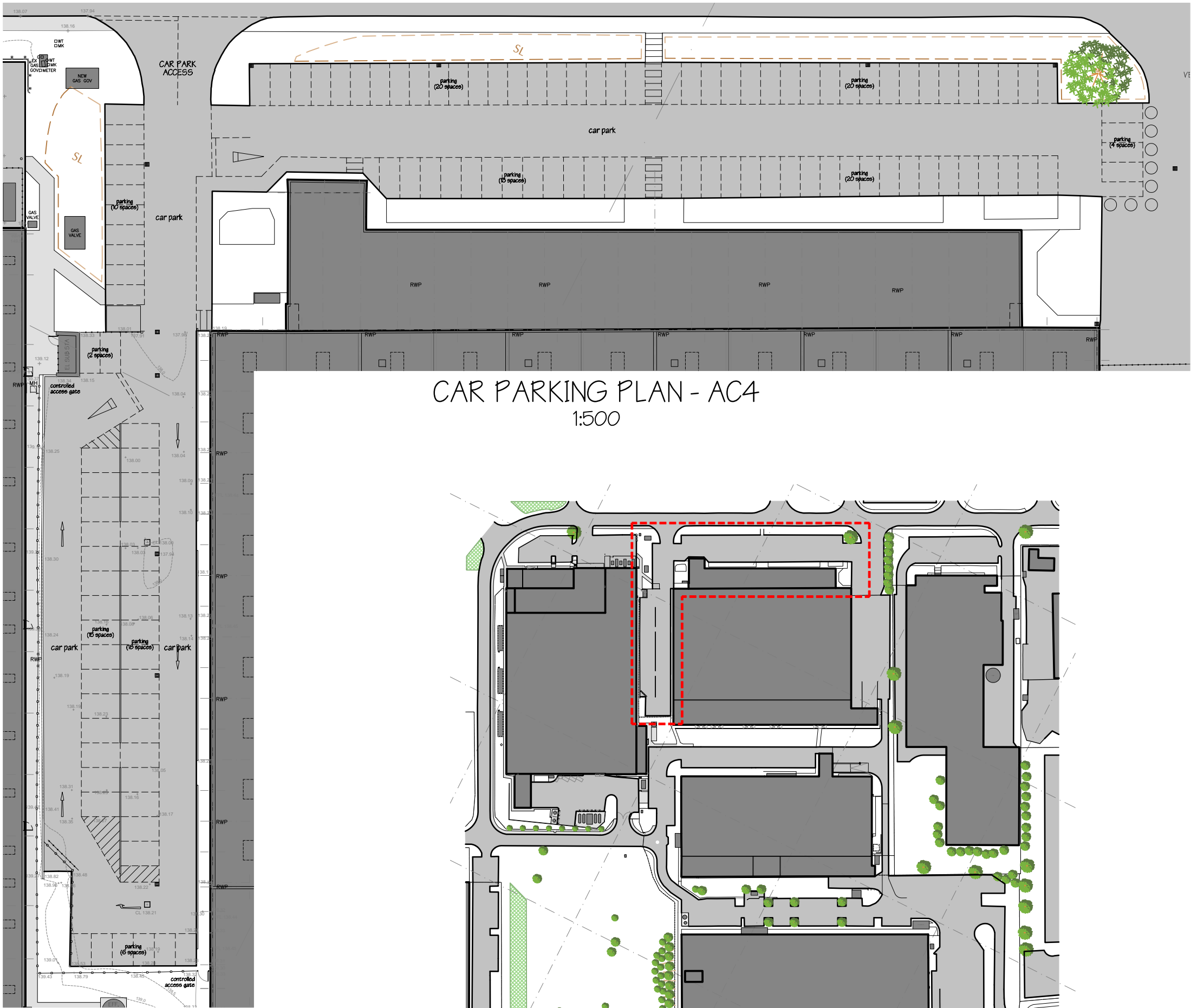
SITE PLAN:
PARKING PROVISION - AC3

original scale	original size	date	drawn
varies	A2	28.08.21	AM

drawing status

STATUTORY APPROVAL

project number	drawing number	revision
2003 (9-)	004	-



CAR PARKING PLAN - AC4
1:500

LOCATION PLAN
1:2500

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rev	description	date
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client

MITSUBISHI ELECTRIC
FIRTH ROAD
LIVINGSTON EH54 5DJ

project title

AC5 ALTERATIONS
18 FIRTH ROAD, LIVINGSTON

drawing title

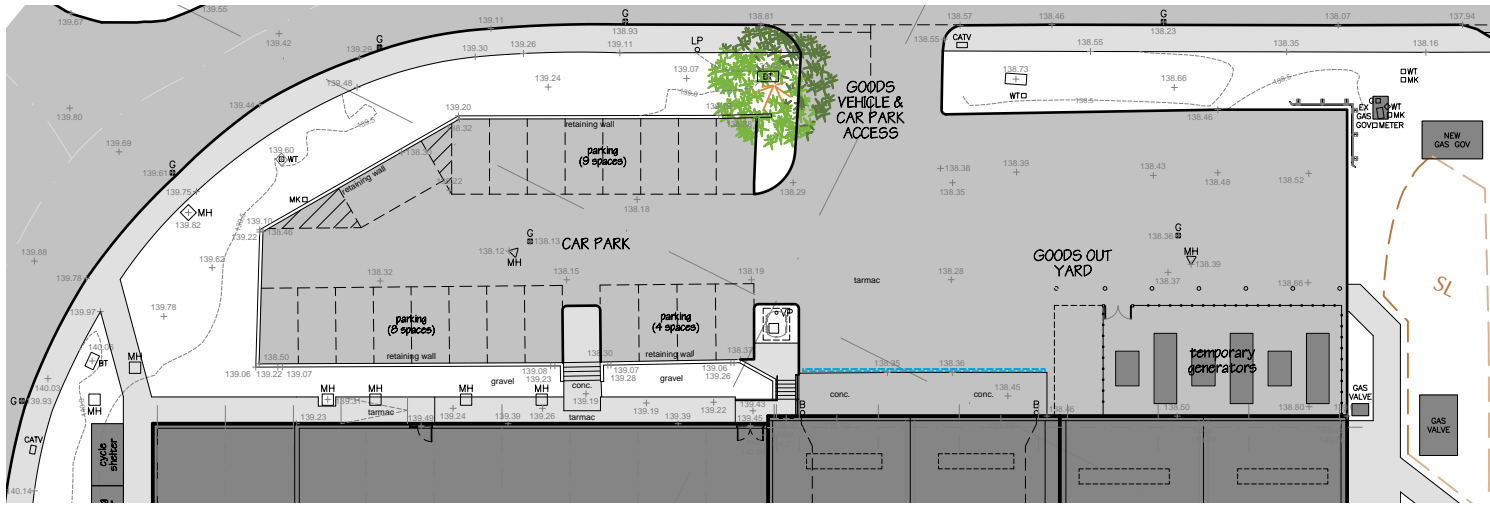
SITE PLAN:
PARKING PROVISION - AC4

original scale	original size	date	drawn
varies	A3	28.08.21	AM

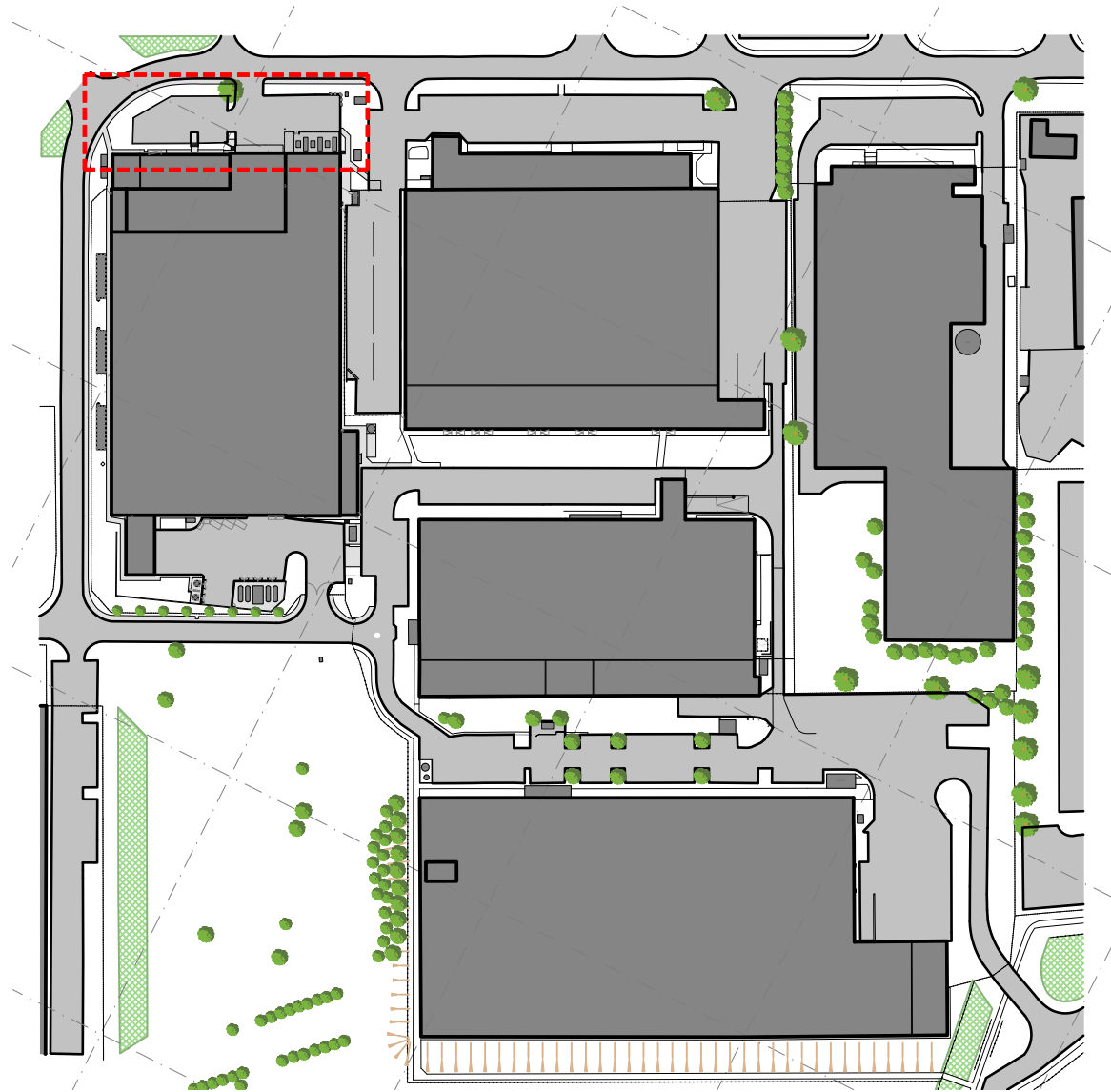
drawing status

STATUTORY APPROVAL

project number	drawing number	revision
2003 (9-)	005	-



CAR PARKING PLAN - AC5
1:500



LOCATION PLAN
1:2500

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42 Woolfords, Cobbinshaw, By West Calder EH55 8LH
0845 345 3194 andy@ameikle.com

client
MITSUBISHI ELECTRIC
FIRTH ROAD
LIVINGSTON EH54 5DJ

project title
AC5 ALTERATIONS
18 FIRTH ROAD, LIVINGSTON

drawing title
SITE PLAN:
PARKING PROVISION - AC5

original scale	original size	date	drawn
varies	A3	28.08.21	AM

drawing status
STATUTORY APPROVAL

project number drawing number revision
2003 (9-) 006 -



DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

DESCRIPTION

Formation of 2 footpath connections, St John's Hospital, Howden, Livingston.

DETAILS

Reference no.	0734/FUL/21	Owners of site	Edinburgh and Lothians Health Foundation
Applicant	Edinburgh and Lothians Health Foundation	Ward & local Members	Livingston South Councillor Peter Heggie Councillor Lawrence Fitzpatrick Councillor Maria MacAulay Councillor Moira Shemilt
Case officer	Steven McLaren	Contact details	01506 282404 steve.mclaren@westlothian.gov.uk

Reason for referral to Development Management Committee: The application has been called to committee by Councillor Fitzpatrick.

RECOMMENDATION

Grant unconditional planning permission.

4 DETAILS OF THE PROPOSALS AND BACKGROUND

- 4.1 Two footpath connections have been constructed at St John's Hospital as permitted development works in response to the Covid -19 pandemic. The first footpath connection is of tarmac construction and ties in with Hospital Path which lies between St John's and Howden Park Centre. This connection provides a ramped access to the hospital grounds adjacent to an existing flight of steps.
- 4.2 The second footpath connection lies on the southern periphery of the hospital grounds and ties into the public footpath which runs between the hospital grounds and Columbia Avenue. This footpath is of a whin dust construction, is located towards the west side of Columbia Avenue close to a pedestrian underpass and leads across an area of maintained grass within the hospital grounds towards a staff car park and internal footpath connections.

- 4.3 The footpaths have been funded through the Spaces for People initiative as a result of the Covid-19 pandemic and provides improved pedestrian/cyclist connectivity to the southern and eastern peripheries of the hospital.
- 4.4 As a result of the global pandemic, additional permitted development rights were afforded to local authorities and health service bodies under the Town and Country Planning (General Permitted Development) (Coronavirus) (Scotland) Amendment Order 2021. These are set out in Part 25C of The Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (as amended); Development by Local Authorities and Health Service Bodies.
- 4.5 The carrying out of works for the purposes of preventing an emergency; reducing, controlling or mitigation the effects of an emergency, or taking other action in connection with an emergency are sets out in Class 72C of the above Order. These special measures allow for works to be carried out on the condition that any use of land for the purpose of Class 72C ceases on or before 31 December 2021 and that the land is reinstated within 6 months of that date.
- 4.6 Both paths in respect of Part 25C, Class 72C of the permitted development order are permitted development under these special circumstances, subject to their removal and land reinstatement by 30 June 2022 at the latest.
- 4.7 Planning permission was granted under application 0323/FUL/19 on 30 March 2019 for the construction of a new footpath connection with Hospital Path at the south east corner of the hospital grounds and linking with an improved internal footpath connection. This work has not been carried out.

5 REPRESENTATIONS

- 5.1 There have been nine representations made on this application. A summary of the comments is provided in the table below:

Comments	Response
<ul style="list-style-type: none"> Encourages St Johns staff and hospital visitors to park in Columbia avenue. Legitimises Columbia Avenue as an NHS staff parking area. Impact on availability of visitor parking within Columbia Avenue. Inappropriate and irresponsible parking by hospital staff resulting in obstructions within Columbia Avenue. Hospital staff have access to a park and ride. Parking issues, obstructions and staff attitude previously reported to St Johns. Columbia Avenue used as a parking area for visitors to the Civic Centre also. 	<ul style="list-style-type: none"> Matters raised relate to a long-standing situation where Columbia Avenue is used by NHS staff and others as a close by parking area. The parking situation at Columbia Avenue is not as a result of the installed footpaths and is unlikely to exacerbate the situation.

CONSULTATIONS

- 6.1 A summary of consultations received is provided in the table below. The full documents are contained in the application file:

Consultee	Objection	Comments	Planning Response
Transportation	No	Acceptable without conditions	Noted.

7 ASSESSMENT

- 7.1 Section 25 of The Town and Country Planning (Scotland) Act 1997 (as amended) requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 7.2 The Development Plan comprises the Strategic Development Plan for South East Scotland (SESPlan) and the West Lothian Local Development Plan,
- 7.3 The relevant Development Plan policy is listed below:

Policy	Policy Summary	Assessment	Conform
West Lothian Local Development Plan, 2018 DES1 (design principles)	All development proposals will require to take account of and be integrated within the local context and built form. Amongst other criteria there should be no significant adverse impact on landscape character and development proposals must also accord with other relevant policies in the development plan	The footpath connections are acceptable and do not impact adversely on the character of the area.	Yes

- 7.4 The determining issues in relation to this application are set out below:

Parking within Columbia Avenue

- 7.5 Residents have raised concerns over the installation of the footpath on the southern periphery of the hospital grounds and adjacent to Columbia Avenue. No concerns have been raised over the footpath connection on the east side of the hospital adjacent to Howden Park Centre.
- 7.6 The matters raised by residents relate to the long-term parking, primarily by St John's Hospital staff, within Columbia Avenue and the impact this has on residents and visitor parking. It has been set out by residents that parking within the street can be inappropriate and irresponsible, resulting in blocked driveways and poor access for residents over long staff shift periods.
- 7.7 The matter of parking within Columbia Avenue by hospital staff and others is not a planning matter and a long-standing issue which pre-dates the installation of this footpath link. It is accepted that during the pandemic, the reduction in clinics at St John's has resulted in an easing of parking in the area and that whilst residents may have concerns about the parking situation returning to previous levels as restrictions ease further, it is unlikely that this footpath link will result in additional parking within the streets.
- 7.8 Both of the paths provide improved pedestrian and cyclist connectivity with the hospital and any issue relating to the causing of obstructions, by hospital staff or other visitors to the street, where access is blocked or any antisocial behaviour is involved is a matter for the NHS/St John's Hospital and/or the police to resolve.

Pandemic regulations

- 7.9 As set out in section 4 above, special procedures were put in place to allow for temporary works to be carried out as a result of the Covid pandemic. The footpath connection on the eastern side of the hospital has been labelled as a permanent path on the submitted drawings and no concerns have been raised regarding this path. This path will therefore be retained after the expiration of the permitted development period and its retention is acceptable.
- 7.10 The southern path is identified as being a temporary measure as part of the NHS Lothian's Covid-19 response. The applicant has confirmed that active travel for staff, patients and visitors has been increasingly important during this time and this temporary measure sits alongside improvements to cycle parking and signage.
- 7.11 The applicant will be reviewing the impact of these measures in March 2022 at which point it is expected that the temporary path will be removed as other infrastructure improvements onsite would mean it is no longer necessary, and subject to the conditions set out in the permitted development order, is currently permitted. The ground would however need to be reinstated by 30 June 2022.

8 CONCLUSIONS AND RECOMMENDATIONS

- 8.1 The eastern footpath has raised no objections and is acceptable. The southern footpath has raised objections based on historic parking issues within Columbia Avenue.
- 8.2 There are no parking restrictions within Columbia Avenue and it is the responsibility of St John's Hospital and the police to tackle any issues raised as a result of inappropriate actions by staff or other members of the public. The southern footpath has not resulted in the issues raised by residents and is unlikely to result in an exacerbation of the situation.
- 8.3 The applicant has intimated that a review will be carried out in March 2022 and it is expected that this path will be removed. The southern footpath link however provides improved connectivity from the public footpath network to St John's Hospital and is also acceptable as a permanent installation, should the hospital wish to retain it beyond the expiration of the permitted development period.
- 8.4 Recommendation is therefore to grant planning permission unconditionally for both footpath connections.

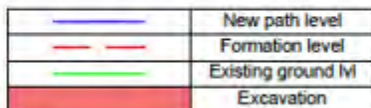
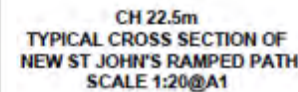
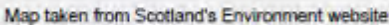
9 BACKGROUND REFERENCES AND ATTACHMENTS

- Location plan
- Footpath A
- Footpath B
- Letters of representation
- Local Member referral form

Craig McCorriston
Head of Planning, Economic Development & Regeneration

Date: 22 September 2021





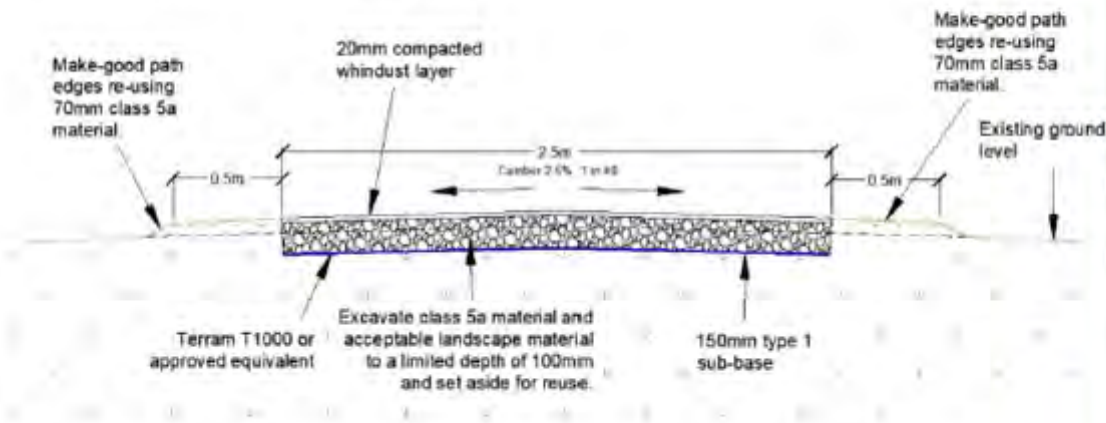
Path to be no steeper than 1 in 12

TP&E

Issue 10/01/2018	Issue BY 10/01/2018	Checked BY 10/01/2018	Approved BY 10/01/2018	Delivery to 781_TPE_NHSD_009_VQ.0	to B
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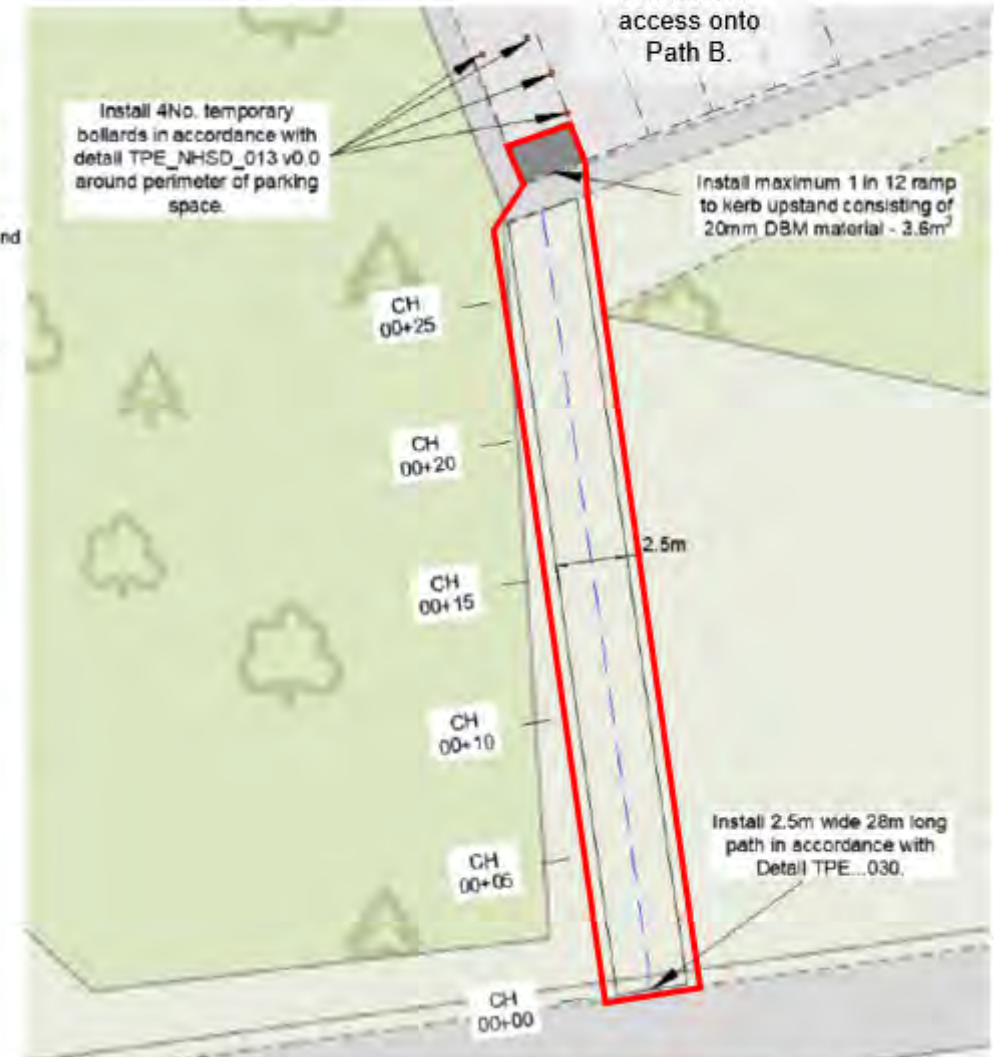
Temporary footpath Installation

TYPICAL CROSS SECTION OF TEMPORARY WHINDUST FOOTPATH



Notes:

- Any excess site won material to be lost onsite at locations agreed with onsite Engineer.
- Path to tie in with levels of existing footpaths at north and south terminus.



Indicative alignment shown on AutoCAD using Scotland's Environment base map

 Transport Planning & Engineering	Transport Planning & Engineering Ltd 160 West George Street Glasgow G2 2HG Tel: 0141 229 5350	TITLE: Detail S: Temporary footpath Installation	DATE	26/01/21
			SCALE	NTS
			DRAWN BY	ST
			DRG No.:	TPE_NHSD_030 v0.0

Comments for Planning Application 0734/FUL/21

Application Summary

Application Number: 0734/FUL/21

Address: St Johns Hospital Howden West Road Howden Livingston West Lothian EH54 6PP

Proposal: Formation of paths and ramp (in retrospect)

Case Officer: Steven McLaren

Customer Details

Name: Ms Sairah Haq

Address: 67 Columbia Avenue Livingston Eh54 6pr

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I live directly where the path will be facing. At the moment we have staff and patients park in our street. If they don't find a space in a dedicated parking spot then they park on the road causing obstructions to people's driveways and passing traffic. This is before you build your centre and have a clear path to our street. I can only see the situation getting worse for the residents.

Comments for Planning Application 0734/FUL/21

Application Summary

Application Number: 0734/FUL/21

Address: St Johns Hospital Howden West Road Howden Livingston West Lothian EH54 6PP

Proposal: Formation of 2 footpath connections (in retrospect)

Case Officer: Steven McLaren

Customer Details

Name: Mr Malachy Heatherill

Address: 45 Columbia Avenue Livingston EH546PR

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to this planning of a pathway with access through Columbia Avenue.

Columbia Avenue is already full of cars parking which Hospital staff and visitor's use on a daily basis using it as a car park , by allowing this pathway access to be granted would only add to the parking chaos already present in Columbia avenue , and is currently causing concerns with irresponsible parking and has been for some years now which has been documented with west Lothian council , my concerns that if parking in the area increases there would be major safety issues relating to children that live in the area not being able to use the pathways for safe walking to school, in addition there are a few disabled drivers and visitors who can not park whilst visiting the area. I do ask that this council refuses this application, and look for alternative arrangements for staff and visitors to St Johns Hospital .

Comments for Planning Application 0734/FUL/21

Application Summary

Application Number: 0734/FUL/21

Address: St Johns Hospital Howden West Road Howden Livingston West Lothian EH54 6PP

Proposal: Formation of paths and ramp (in retrospect)

Case Officer: Steven McLaren

Customer Details

Name: Ms Marjory Howarth

Address: Columbia Avenue 31 Howden Livingston EH54 6PR

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear Planning Department,

We wish to object to planning application 0734/FUL/21 in relation to parking provision.

The path provides a short-cut from Columbia Avenue to the hospital. Which appears to be a validation, of the use of Columbia Avenue, as an over spill car park, by NHS Lothian. This encourages staff to park here, making the already challenging situation around parking provision, much more difficult.

Kind regards

Marjory Howarth and Alex McGrogan

Address:

Comments for Planning Application 0734/FUL/21

Application Summary

Application Number: 0734/FUL/21

Address: St Johns Hospital Howden West Road Howden Livingston West Lothian EH54 6PP

Proposal: Formation of paths and ramp (in retrospect)

Case Officer: Steven McLaren

Customer Details

Name: Miss Jennifer King

Address: 59 Columbia Avenue Livingston EH54 6PR

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Path B into the hospital car park is going to encourage NHS staff to park in Columbia Avenue as it provides a clean/clear walking route to the hospital. There is limited car parking available within Columbia Avenue and this should be prioritised for residents and their visitors.

I understand that parking for hospital staff has been provided at the park and ride, with a free NHS shuttle bus to transport staff to the hospital. The installation of path B does not encourage staff to make use of the free off-site parking.

With clinics re-opening and parking spaces prioritised for patients, I believe that parking provisions for the hospital need to be reconsidered.

Comments for Planning Application 0734/FUL/21

Application Summary

Application Number: 0734/FUL/21

Address: St Johns Hospital Howden West Road Howden Livingston West Lothian EH54 6PP

Proposal: Formation of paths and ramp (in retrospect)

Case Officer: Steven McLaren

Customer Details

Name: Ms Margaret McDowall

Address: 1 Columbia Avenue Livingston Eh546pr

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to the plan as you say it encourages hospital staff and visitors to park within Columbia Avenue.where there is limited space already& this may cause disruption near current parking areas. There was already a problem with people parking at the beginning of the street and this will only make things worse.

From: John Murphy

Sent: 16 August 2021 13:13

To: Planning <Planning@westlothian.gov.uk>

Subject: 0734/FUL/21 | Formation of 2 footpath connections (in retrospect) | St Johns Hospital
Howden West Road Howden Livingston West Lothian EH54 6PP

Meeting Date - 22 Sept 2021
Item No.8

<https://planning.westlothian.gov.uk/publicaccess/applicationDetails.do?activeTab=makeComment&keyVal=QVTUZKRJM4E00>

Dear Sir/Madam

I refer to the above application. I am a resident in Columbia Avenue. I used to work in the stores department at St John's and found no difficulty walking to and from work using a pathway to the rear of flats at 37 Columbia Avenue close to the walkway through Howden Park which has long afforded paved and street lit access to the hospital and surgery.

Columbia Avenue is used routinely for parking by those attending football matches or having business at St Margaret's Academy, West Lothian Civic Centre and courts as well as staff and visitors to St John's Hospital.

I attach a photograph of a car parked by a High Court reporter obstructing my driveway on a day a furniture delivery was due. Human nature being as it is people will park at the place they identify as most convenient for them. We have a self centred me generation which pays little regard to the highway code and adverse effect on residents. I understand a new pathway has been created to encourage hospital staff to park in Columbia Avenue. It appears the high regard NHS staff were held in at the height of the pandemic is not shared by employers who will not facilitate safe and secure parking for employees.

I object to the provision of these new paths and the ridiculous idea of prohibiting staff parking at their place of work while encouraging them to park in adjacent RESIDENTIAL areas.

Regards

John Murphy
100 Columbia Avenue
Livingston
EH54 6PT



Comments for Planning Application 0734/FUL/21

Application Summary

Application Number: 0734/FUL/21

Address: St Johns Hospital Howden West Road Howden Livingston West Lothian EH54 6PP

Proposal: Formation of paths and ramp (in retrospect)

Case Officer: Steven McLaren

Customer Details

Name: Mr Steve Rice

Address: 74 Columbia Avenue Livingston EH54 6PR

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The position of this path encourages NHS staff to park in Columbia Avenue by providing a clear walking route to the hospital over what was previously and often a wet grassed area.

Due to other works taking place and moving the hospital car park to the front of the hospital the net effect is a reduction in car parking provision. This new path does not encourage staff to make use of free offsite parking, it just encourages staff to use Columbia Avenue as a parking alternative.

Car parking at St'Johns needs to be reconsidered.

From: kyym.taylor

Sent: 01 August 2021 17:12

To: Planning <Planning@westlothian.gov.uk>

Subject: 0734/FUL/21 & 0531/PAC/19

Formation of Paths and Ramp (in retrospect)at St John's Hospital, Livingston

Dear Sir/Madam,

We are emailing in regard to the above linked planning applications, we would like to lodge our objection to the already installed path, the position of the path encourages NHS staff to park in Columbia Avenue (where we reside) the Avenue is unfairly and inconsiderately used for parking by NHS staff (and WLC Civic Centre staff, St Margaret's Academy parents/staff) this has been an ongoing issue for a good few years, increase in traffic, loss of privacy, road safety, driveways blocked, parking on pavements, this is a residential street, more consideration, should be given to the residents, it appears that we are penalised for being situated where we are, there is a choice of large multi storey car parks at the shopping centre 10/15mins walk away that are not used to their full potential, more thought should be given to the plans for future parking, with the removal of the existing car park for the elective centre build. NHS Staff should be encouraged to use the shuttle bus, the current strategy on car parking does not serve the staff, patients or the residents of Columbia Avenue. Please acknowledge receipt of our email, thank you.

Kind Regards

M&Y Taylor

Comments for Planning Application 0734/FUL/21

Application Summary

Application Number: 0734/FUL/21

Address: St Johns Hospital Howden West Road Howden Livingston West Lothian EH54 6PP

Proposal: Formation of paths and ramp (in retrospect)

Case Officer: Steven McLaren

Customer Details

Name: Mr David Tod

Address: 46 Columbia Avenue Kings Meadow Livingston EH54 6PR

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I wish to object to the above application. The formation of this path leading to St Johns Hospital is from a residential estate which already suffers from an abundance of cars belonging to staff from St Johns. The designed off street parking is filled from early morning for up to 13hrs. Areas of signage which is clearly marked "private parking" is totally ignored by St Johns staff. The cost of maintenance of these areas are borne by the residents.

Vehicles are also parked on the access roads around the estate close to the hospital grounds.

Previous complaints have gone unheeded. Parking with a shuttle bus is provided for staff by the hospital. In conclusion any additional access will only augment the situation.

PROPOSED DELEGATED PLANNING DECISIONS

☒ LOCAL MEMBER REFERRAL REQUEST ☒

In accordance with standing orders members wishing a planning application to be heard at the Development Management Committee have to either represent the ward in which the application site is located or be chair of Development Management Committee and complete and return this form to Development Management within 7 days and by 12 Noon.

The planning application details are available for inspection within the Planning & Building Standards web site by clicking on the link below.

<https://planning.westlothian.gov.uk/publicaccess/>

<u>Application Details</u>	<u>Reason For Referral Request</u> (please tick ✓)
Application Reference Number 0734/FUL/21	Applicant Request <input type="checkbox"/>
Site Address St John's Hospital	Constituent Request ✓
Livingston	Other (please specify) <input type="checkbox"/>
Title of Application Formation of 2 footpath connections (in retrospect)	
Member's Name Cllr ...Lawrence Fitzpatrick.....	
Date 17th August 2021	

Development Management Committee

22 September 2021

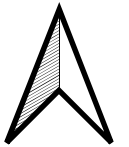
Item 8 - Application : 0734/FUL/21

Formation of 2 footpath connections

St John's Hospital - Howden - Livingston - EH54 6PP



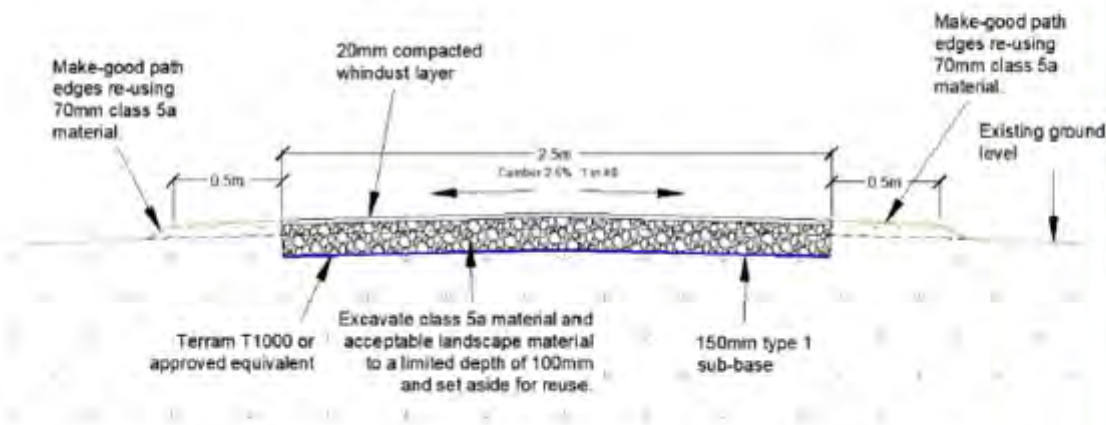






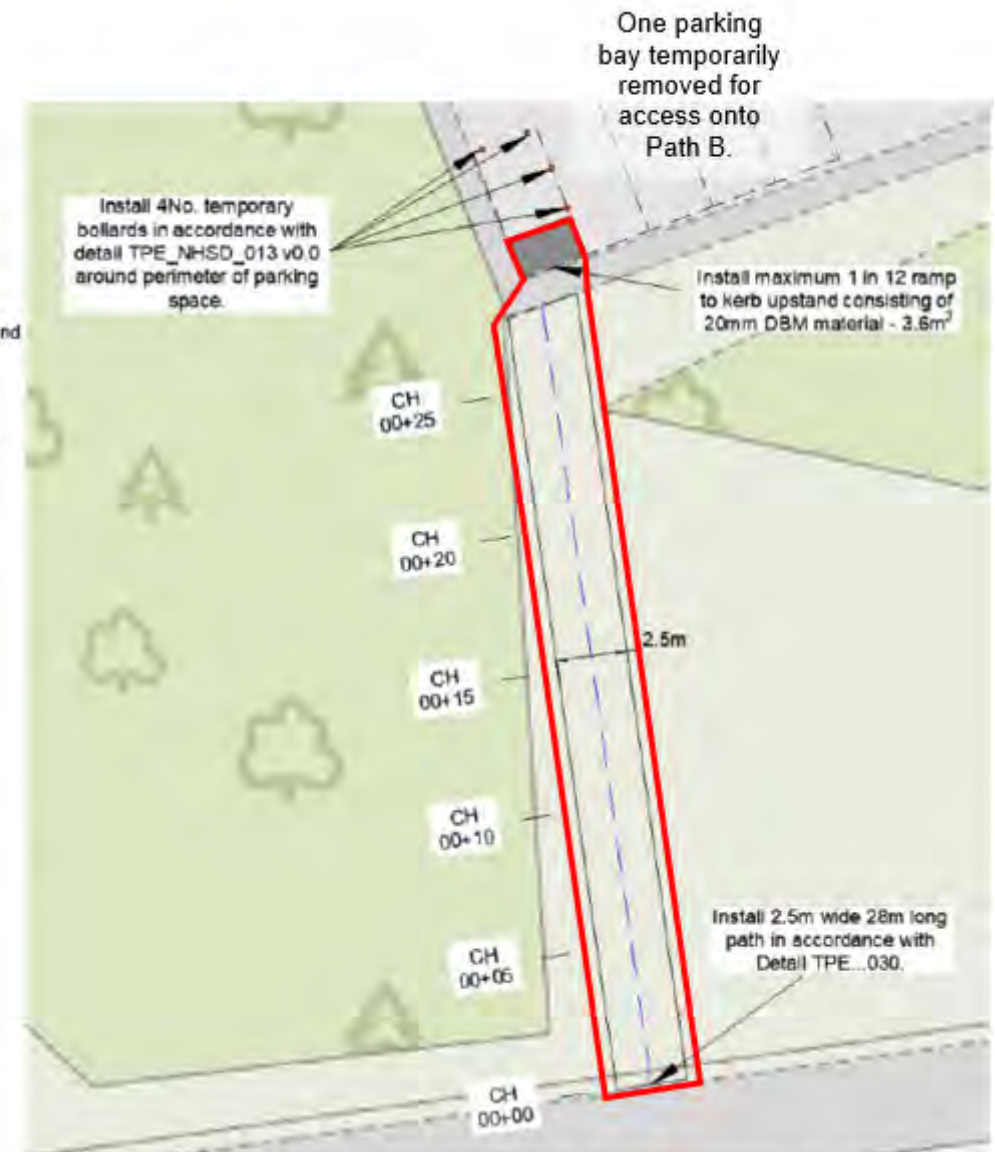
Temporary footpath Installation

TYPICAL CROSS SECTION OF TEMPORARY WHINDUST FOOTPATH



Notes:

- Any excess site won material to be lost onsite at locations agreed with onsite Engineer.
- Path to tie in with levels of existing footpaths at north and south terminus.



Indicative alignment shown on AutoCAD using Scotland's Environment base map

 <p>Transport Planning & Engineering</p>	<p>Transport Planning & Engineering Ltd</p> <p>160 West George Street Glasgow G2 2HG Tel: 0141 229 5350</p>	<p>TITLE: Detail S: Temporary footpath Installation</p>	DATE	26/01/21
			SCALE	NTS
			DRAWN BY	ST
			DRG No.:	TPE_NHSD_030 v0.0









DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1. DESCRIPTION

Roof extension to form first floor accommodation at 5 Deanburn Road, Linlithgow.

2. DETAILS

Reference no.	0750/H/21	Owner of site	Mr & Mrs Nick and Shona Smith
Applicant	Mr & Mrs Nick and Shona Smith 5 Deanburn Road, Linlithgow, EH49 6EY.	Ward & local members	Linlithgow Councillor Tom Conn Councillor Tom Kerr Councillor David Tait
Case officer	Rachael Lyall	Contact details	01506 281110 Rachael.Lyall@westlothian.gov.uk

Reason for referral to Development Management Committee: Referred by Councillor Kerr.

3. RECOMMENDATION

3.1 Refuse Planning Permission

4. DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 This planning application proposes to raise the roof of the main north-south section of the existing property and convert the extended attic space to form first floor accommodation at the property located at 5 Deanburn Road, Linlithgow.
- 4.2 The proposed works look to raise the existing ridgeline of this section of the property from 4.9m to measure 6.8m in overall height from the finished ground floor level. This will result in the proposed ridgeline sitting 1.9m above the ridgeline of the remainder of the existing property.
- 4.3 The works propose to install flat roof box dormers on both the east and west elevations of the raised roof. The proposed dormer for the east elevation will measure 6.7m in length, 5.6m in overall height from ground level to the eaves of the proposed dormer and will consist of four window openings. The proposed dormer for the west elevation will measure 3.2m in length, 5.6m in overall height from ground level to the eaves of the proposed dormer and will consist of one long vertical window opening. The works also propose to install a Juliette balcony on each gable end of the raised roof.

- 4.4 The gable ends and proposed dormers are to be externally finished with a Siberian larch timber cladding. The proposed gable pitch roof is to consist of grey concrete roof tiles and the proposed window and door openings are to be
- 4.5 The site sits on a higher ground level in comparison to the surrounding neighbouring properties and the site appears elevated and prominent within the street scene.
- 4.6 A previous application (0146/H/21) was submitted for the same proposal however was withdrawn following a recommendation for refusal. The application has not been amended or revised since it was withdrawn.

History

- 4.7 0146/H/21 - Roof extension to form first floor accommodation – Withdrawn – 17/06/2021
- 4.8 LIVE/0401/H/11 - Formation of raised decking and timber screen – Granted Conditional Permission – 09/08/2011

5. REPRESENTATIONS

- 5.1 No representation comments have been received.

6. CONSULTATIONS

- 6.1 No consultations were required to be undertaken.

7. ASSESSMENT

- 7.1 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.
- 7.2 The development plan comprises the Strategic Development Plan for South East Scotland (SESplan) and the West Lothian Local Development Plan
- 7.3 The relevant development plan policies are listed below:

Plan and Policy	Policy Summary	Assessment	Conform?
West Lothian Local Development Plan (LDP) (2018) Design Principles (DES1) Policy	This policy states that development proposals are required to integrate with the local context. Development proposals should have no significant adverse impact on adjacent buildings. Where appropriate proposals should include measures to enhance the environment and be of high quality in their design.	The proposed works are of a scale and design which will significantly impact upon the appearance and visual amenity of both the existing property and the surrounding local context. The proposed works will appear dominant within the site and as a result, will have an adverse impact upon the streetscape.	No

7.4 This proposal also relates to the council's House Extension and Alteration Design Guidelines, 2020.

7.5 The determining issues of the application are listed below:

Visual Amenity

7.6 The proposed increase in height of the existing ridgeline means that the works will not appear subservient to the existing property and instead the development will appear dominant within the site and will be out of context and character with the existing property and street scene. This is contrary to guidance given in West Lothian Council's House Extension and Alteration Design Guidelines, which states that developments are required to integrate with and appear subsidiary to the existing property and surrounding local context and that the ridge line of an extension should be lower than the ridge of the roof of the main house.

7.7 Additionally, the dormer windows proposed for both the east and west elevations do not propose materials which will match with the existing roof or integrate with the existing property. The proposed dormers and openings do not relate to the windows of the existing property in terms of character, proportion and alignment. In addition, the proposed dormer extension will sit higher than the ridgeline of the existing property and will therefore not appear subservient. This is contrary to the guidance given in the House Extension and Alteration Design Guidelines with regards to dormer extensions.

8. CONCLUSION AND RECOMMENDATION

8.1 The proposed works are of a scale which will impact upon the visual amenity of the area and will dominate the existing property, appear prominent within the street scene and will not integrate with the surrounding built form and context.

8.2 This proposal is therefore contrary to West Lothian Local Development Plan Policy DES1 (Design Principles) and the guidance given in the House Extension and Alteration Design Guidelines, 2020.

8.3 It is recommended that the application is refused planning permission.

9. BACKGROUND REFERENCES & ATTACHMENTS

- Location Plan
- Draft Reason for Refusal

Craig McCorriston

Head of Planning, Economic Development and Regeneration Date: 22nd September 2021



Development Management
West Lothian Civic Centre
Howden South Road
Howden
Livingston
EH54 6FF

Our Ref: 0750/H/21
Direct Dial No: 01506 281110
Email: rachael.lyall@westlothian.gov.uk
8 September 2021
Tel: 01506 280000

Draft Reasons for Refusal:

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

(1) The proposed works are considered to be of scale which will dominate the existing property and the proposed works will significantly impact upon the appearance of the existing property and the street scene. This proposal is therefore, contrary to West Lothian Council's Local Development Plan's Design Principles (DES1) Policy and the guidance given in the House Extension and Alteration Design Guidelines, 2020. It is recommended that the application is refused planning permission.



Development Management

WEEKLY LIST OF APPLICATIONS RECEIVED

☒ LOCAL MEMBER REQUEST FORM ☒

Weekly List for the week commencing

12th July 2021

Members wishing further information on any of the applications in the attached Weekly List of Planning Applications or wishing any application to be referred for determination to the Development Management Committee are asked to complete and return this form to Wendy McCorriston, Development Management Manager, as soon as possible and no later than:


2nd August 2021

PLEASE NOTE:

In accordance with standing orders any request for an application to be referred to Development Management Committee has to be from a member of the ward in which the application site is located or Chair of the Development Management Committee.

The planning application details are available for inspection within the Planning & Building Standards web site by clicking on the link below.

<https://planning.westlothian.gov.uk/publicaccess/>

Action Required (please tick ✓)	Application Number
<input type="checkbox"/> Contact me to discuss these proposals0750/H/21.....
<input checked="" type="checkbox"/> Refer this application to the Development Management Committee	Member
<input type="checkbox"/> Other (please specify)Provost Tom Kerr.....
	Signed
	
	Dated
20 th July 2021.....

My reasons for this action are: **Constituent Request**



Development Management

Development Management Committee

22 September 2021

Item 9- Application : 0750/H/21

Roof extension to form first floor accommodation

5 Deanburn Road - Linlithgow - EH49 6EY



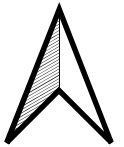


0750/H/21 - 5 Deanburn Road - Linlithgow EH49 6EY

Development Management - West Lothian Civic Centre - EH54 6FF

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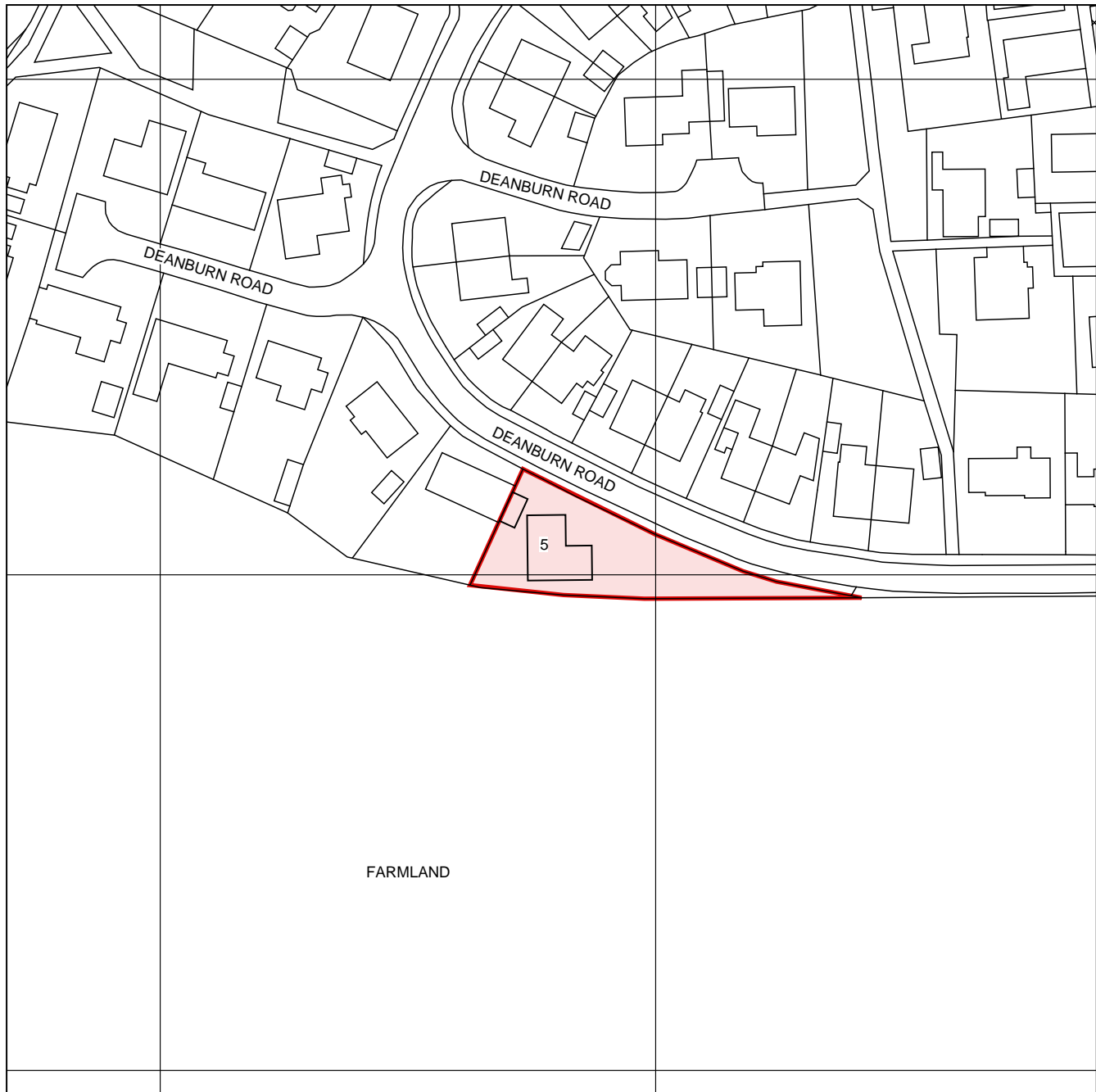


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All dimensions are to be checked on site: notify the Architect immediately of any discrepancies from dimensions noted on the drawings.

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SITE LOCATION PLAN

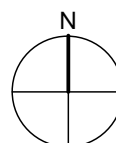
rev	note	date
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beecherarchitect |

melford house 3 walker street edinburgh eh3 7jy
www.beecherarchitect.com mail@beecherarchitect.com
 tel: 0131 6034844

Smith House
 5 Deanburn Road Linlithgow EH49 6EY

Site Location Plan



50 METRES

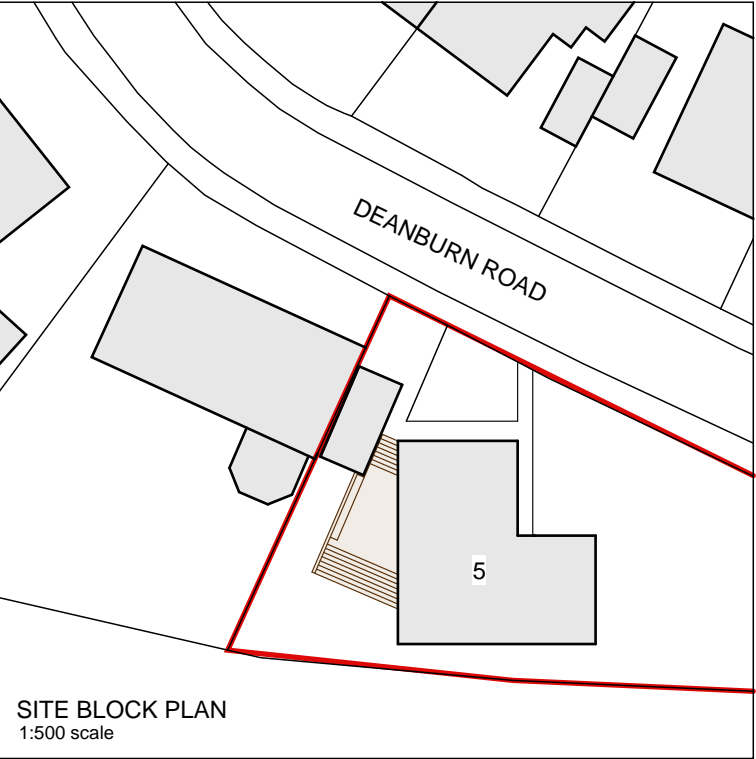
job no	197	dwg no	P 01	rev	--
scale	1:1250@A4	date	Dec 2020	status	PLANNING

This drawing is to be read in conjunction with all Structural and Services Engineers drawings and with reference to Architects and Engineers specifications.

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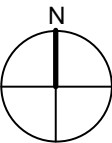
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KEY TO LINE TYPES

- dwtakings
- property boundary



5 METRES

rev	note	date

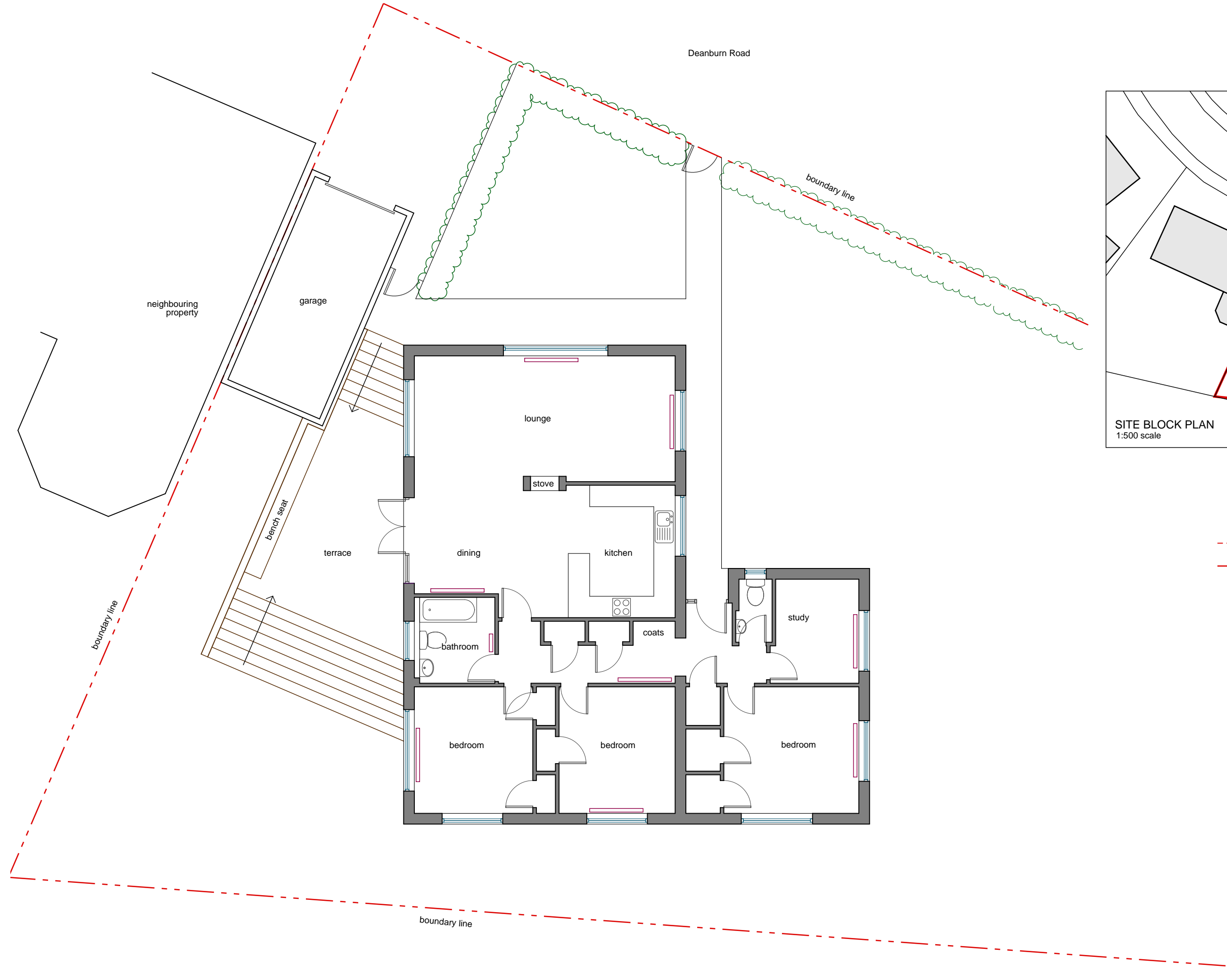
beecheearchitect |

melford house 3 walker street edinburgh eh3 7jy
www.beecheearchitect.com mail@beecheearchitect.com
tel: 0131 6034844

Smith House
5 Deanburn Road Linlithgow EH49 6EY

Existing Ground Floor Plan

job no	197	dwg no	P 02	rev	-
scale	1:100@A3	date	Dec 2020	status	PLANNING



This drawing is to be read in conjunction with all Structural and Services Engineers drawings and with reference to Architects and Engineers specifications.

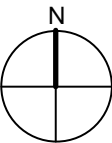
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KEY TO LINE TYPES

- - - - - duntakings
- - property boundary



5 METRES

rev	note	date

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www.beecherarchitect.com mail@beecherarchitect.com
tel: 0131 6034844

Smith House
5 Deanburn Road Linlithgow EH49 6EY

Existing First Floor Plan

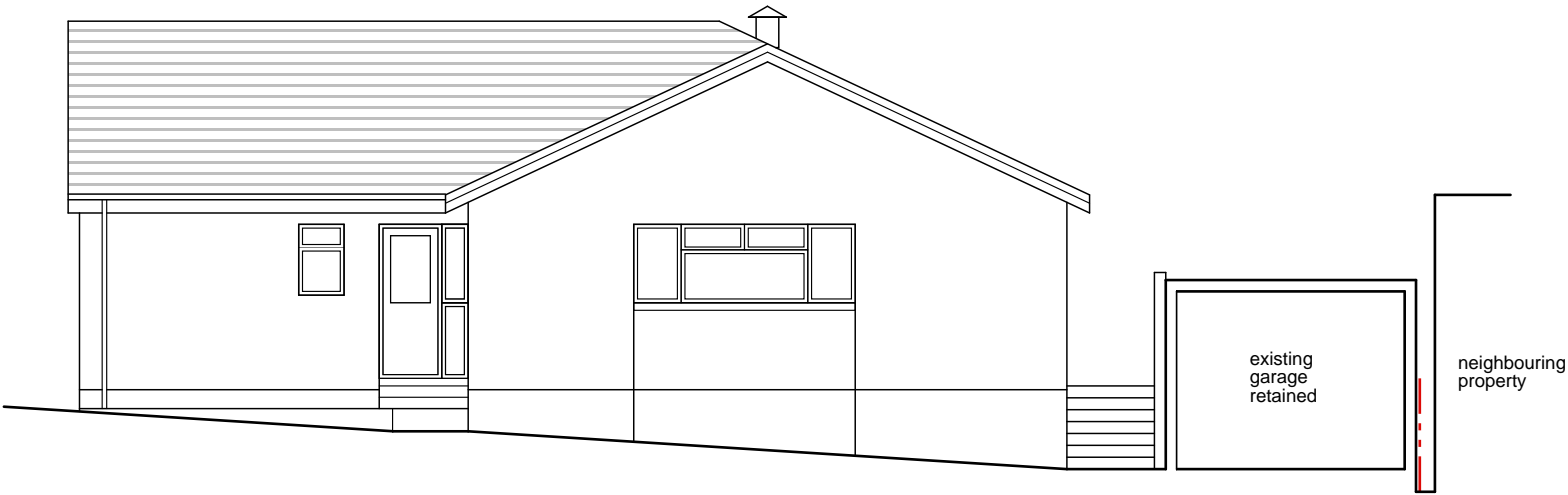
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scale	1:100@A3	date	Dec 2020	status	PLANNING

This drawing is to be read in conjunction with all Structural and Services Engineers drawings and with reference to Architects and Engineers specifications.

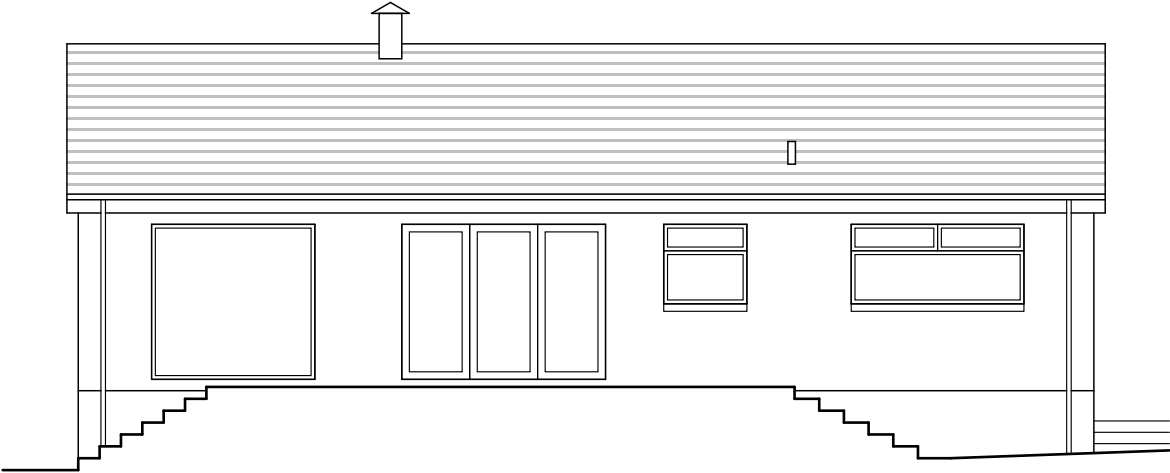
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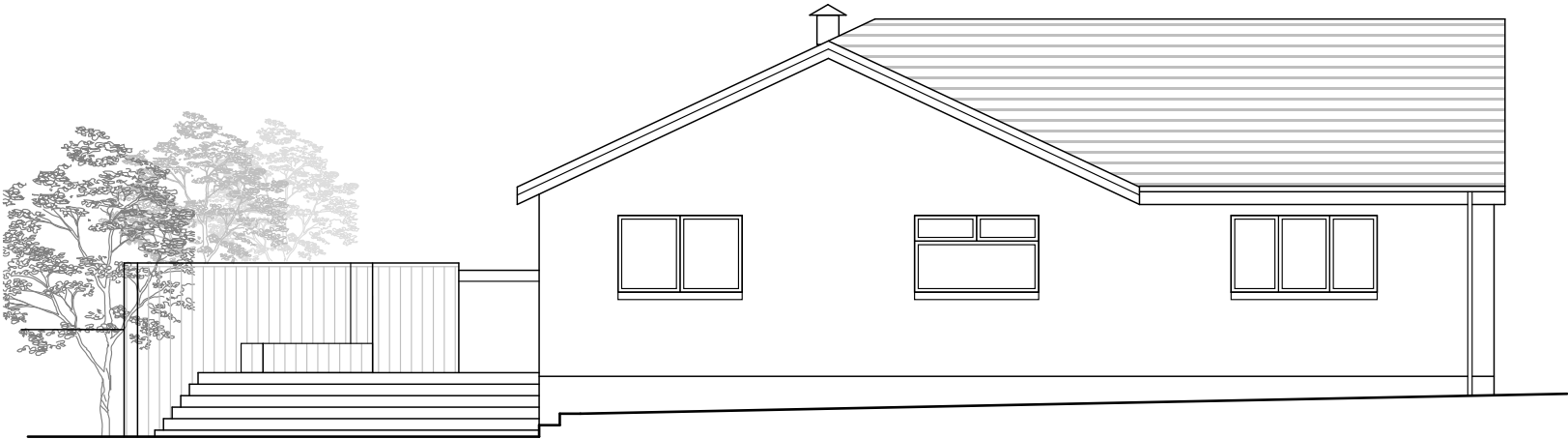
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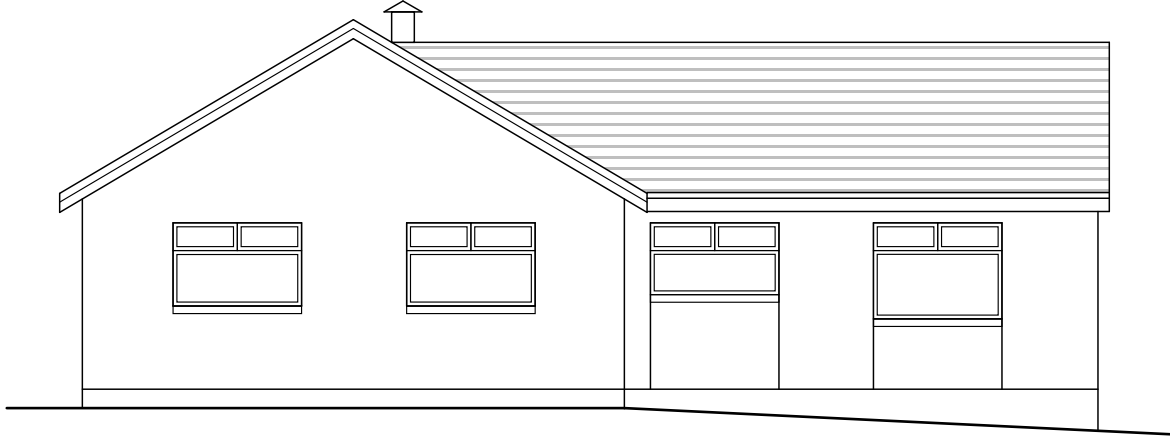
NORTH ELEVATION



WEST ELEVATION



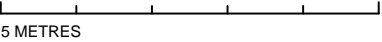
SOUTH ELEVATION



EAST ELEVATION

KEY TO LINE TYPES

- dntakings
- property boundary



rev	note	date

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Smith House
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Existing Elevations

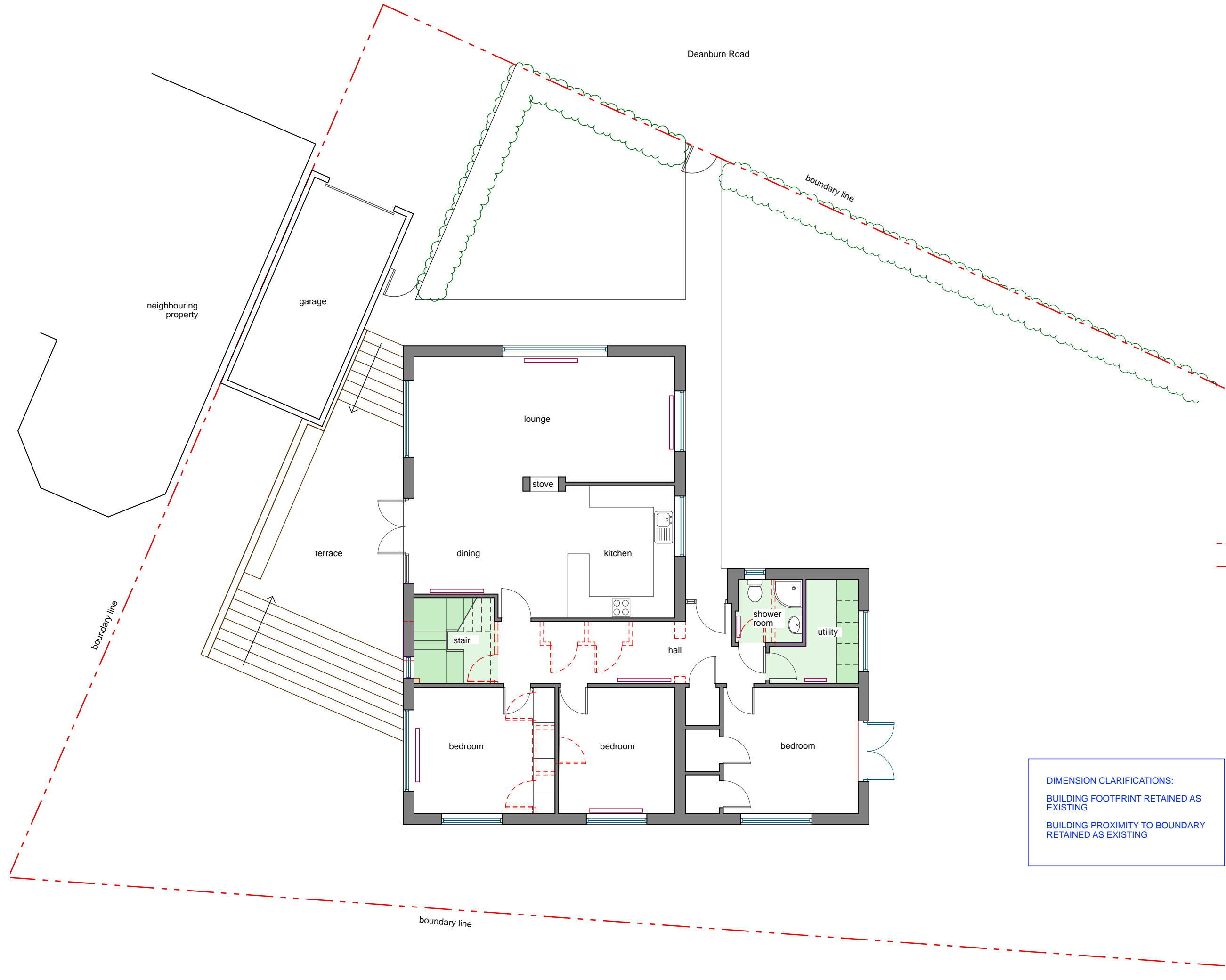
job no	197	dwg no	P 04	rev	-
scale	1:100@A3	date	Dec 2020	status	PLANNING

This drawing is to be read in conjunction with all Structural and Services Engineers drawings and with reference to Architects and Engineers specifications.

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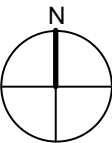
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KEY TO LINE TYPES

- dwtakings
- property boundary



5 METRES

A		Dimension clarification added	16.02.21
rev	note	date	

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Smith House
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Proposed Ground Floor Plan

job no	197	dwg no	P 05	rev	A
scale	1:100@A3		date	Dec 2020	
status	PLANNING				

DIMENSION CLARIFICATIONS:
BUILDING FOOTPRINT RETAINED AS EXISTING
BUILDING PROXIMITY TO BOUNDARY RETAINED AS EXISTING

This drawing is to be read in conjunction with all Structural and Services Engineers drawings and with reference to Architects and Engineers specifications.

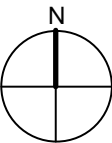
All dimensions are to be checked on site: notify the Architect immediately of any discrepancies from dimensions noted on the drawings.

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KEY TO LINE TYPES

- - - - - dwtakings
- . - . - property boundary



5 METRES

A Dimension clarification added 16.02.21

rev	note	date
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Smith House
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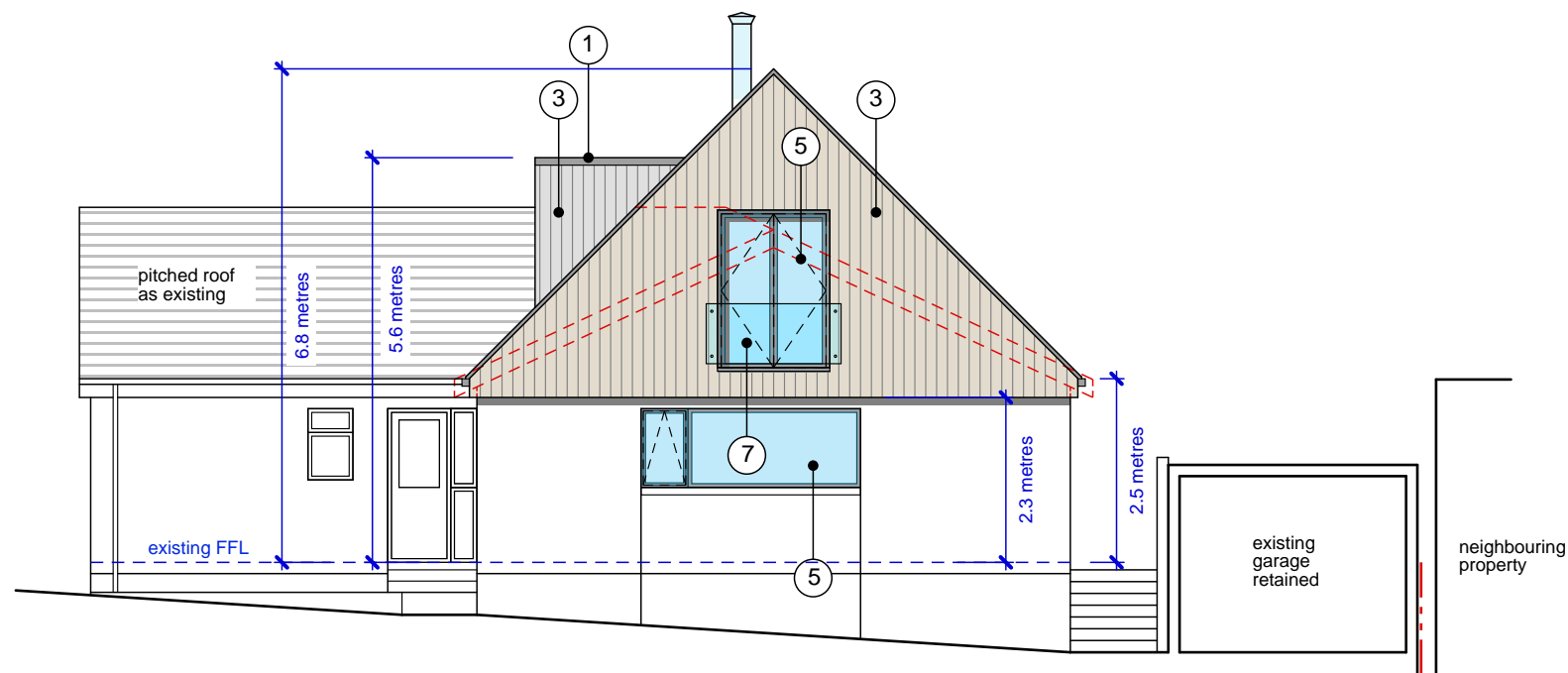
Proposed First Floor Plan

job no	197	dwg no	P 06	rev	A
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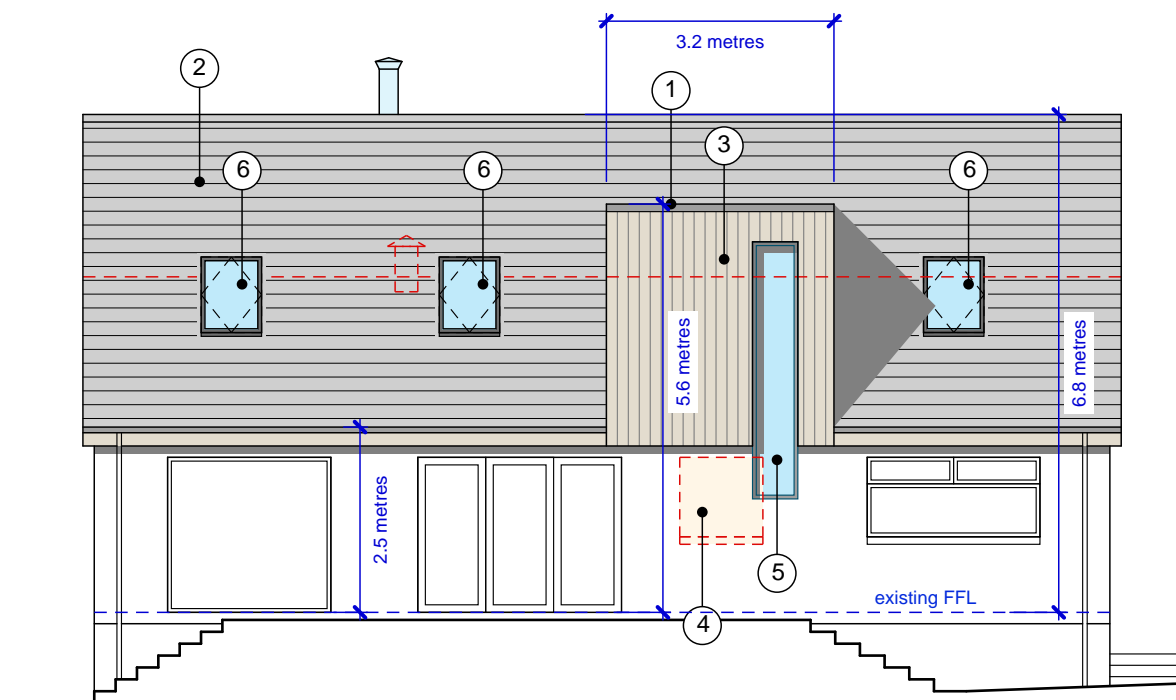
scale 1:100@A3 date Dec 2020

status PLANNING

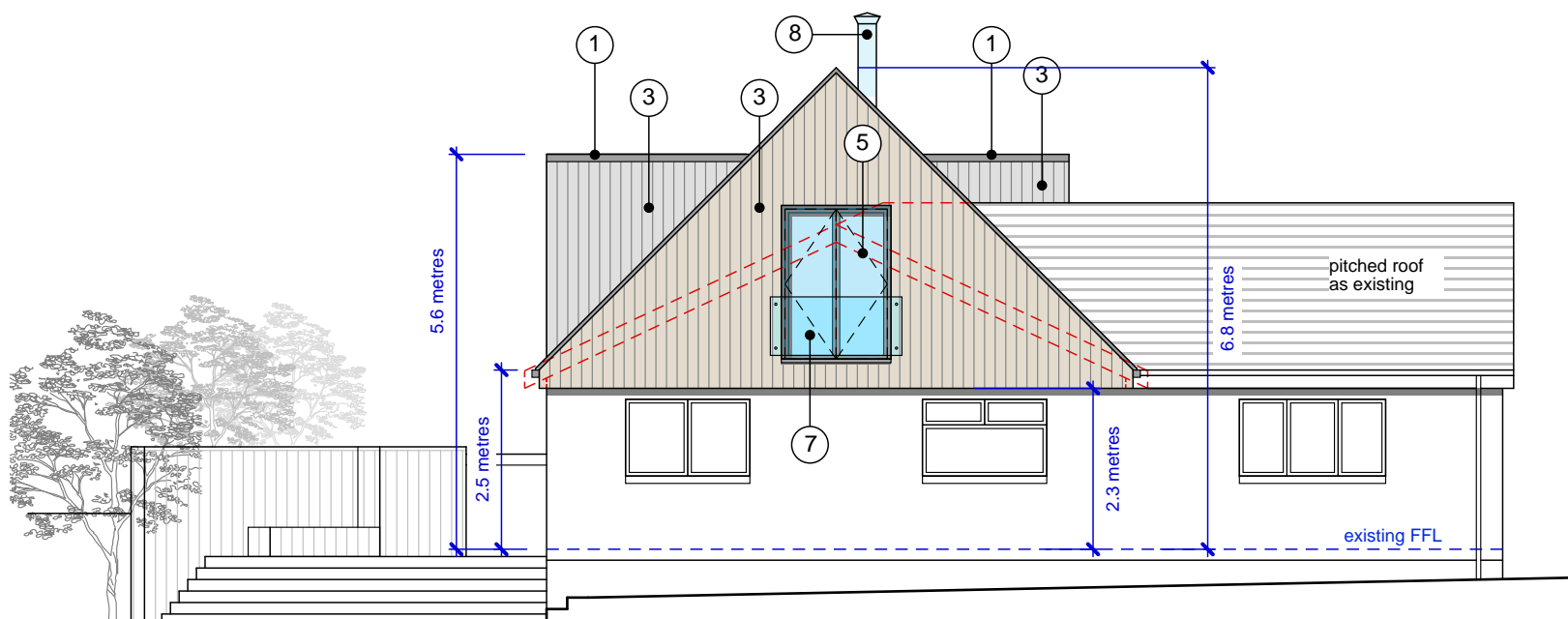
DIMENSION CLARIFICATIONS:
BUILDING FOOTPRINT RETAINED AS EXISTING
BUILDING PROXIMITY TO BOUNDARY RETAINED AS EXISTING



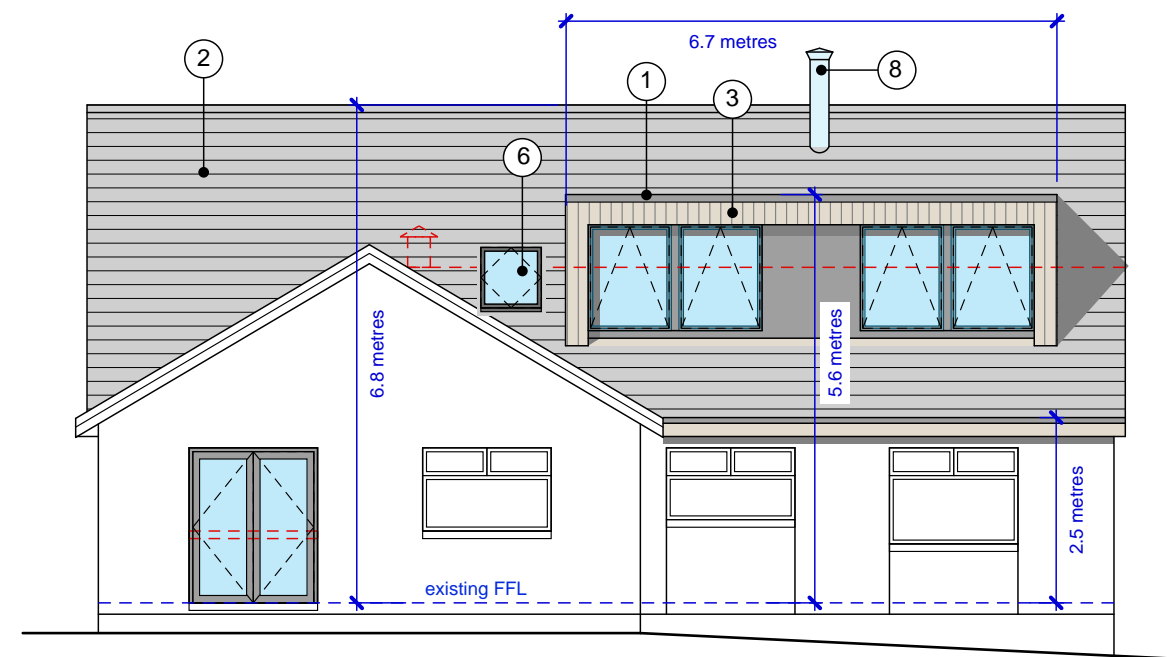
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

DIMENSION CLARIFICATIONS:
BUILDING FOOTPRINT RETAINED AS EXISTING
BUILDING PROXIMITY TO BOUNDARY RETAINED AS EXISTING

KEY TO MATERIALS

- ① grey flat roof
- ② grey roof tiles
- ③ timber cladding (stained larch)
- ④ dry dash to match existing
- ⑤ grey framed windows / glazed doors
- ⑥ grey framed rooflight
- ⑦ glass balustrade
- ⑧ stove flue (existing relocated)

KEY TO LINE TYPES

- dunktakings
- - - property boundary

5 METRES

This drawing is to be read in conjunction with all Structural and Services Engineers drawings and with reference to Architects and Engineers specifications.

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A Dimension clarification added 16.02.21

rev note date

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Smith House
5 Deanburn Road Linlithgow EH49 6EY

Proposed Elevations

job no 197 dwg no P 07 rev A

scale 1:100@A3 date Dec 2020

status **PLANNING**

















Development Management

List of Delegated Decisions - 13th August 2021

DATA LABEL: OFFICIAL

The following decisions will be issued under delegated powers unless any Member representing the ward in which the application is located requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to planning@westlothian.gov.uk no later than 12 Noon, 7 days from the date of this list.

Ref. No.:	0633/LBC/21	Recommendation:	Grant Listed Building Consent
Proposal:	Listed building consent for installation of bathroom extractor fan vents and waste pipe		
Address:	3 Hermand House, West Calder, West Lothian, EH55 8QZ, (Grid Ref: 302808,663326)		
Applicant:	Mr Douglas McGown	Type:	Other
Ward:	Fauldhouse & The Breich Valley	Case Officer:	Rachael Lyall

Summary of Representations

One objection comment -

- Excessive placement of vents on rear elevation,
- No requirement for a dryer vent.

Planning response -

- The number of proposed vents has been reduced,
- The dryer vent has been removed from the proposed plans.

Officers report

The applicant seeks listed building consent for the installation of three vents and the installation of pipework at 3 Hermand House, West Calder.

The property is a category B listed building.

The initial submission demonstrated the installation of four vents however, the proposal has been revised and the number of vents has been reduced from four to three as the tumble-drying vent was not considered essential and the additional vent would add to the impact on the appearance of the listed building.

The proposed vents are small in scale and are proposed on the rear elevation of the property.

A condition shall be attached to ensure that the vents are a suitable finishing material and colour with regards to the existing historic building, which

would not harm the existing stonework nor detract from the integrity of the property.

The proposed pipework is to be constructed in cast iron, which is considerate to the listed building, and coloured black to match the existing downpipe.

This proposal adheres to West Lothian Council's Local Development Plan's DES 1 (Design Principles) and ENV28 (Listed Buildings) Policies and follows the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted listed building consent.

Ref. No.:	0661/H/21	Recommendation:	Refuse Permission
Proposal:	Erection of a pigeon loft (in retrospect)		
Address:	55 Parkhead Crescent, West Calder, West Lothian, EH55 8AX, (Grid Ref: 302271,663044)		
Applicant:	Mr Robert Stokes S&M Homes Ltd	Type:	Local Application
Ward:	Fauldhouse & The Breich Valley	Case Officer:	Rachael Lyall
<p><u>Summary of Representations</u></p> <p>11 objections recieved -</p> <ul style="list-style-type: none"> - Overall size of works, - Impact on overshadowing, - Smell and noise from pigeons, - Risk of disease and infection, - Impact on visual amenity, - Number of pigeons kept in loft, - Overall safety of erected structure. 			
<p><u>Officers report</u></p> <p>This planning application seeks retrospective permission for the erection of a pigeon loft at 55 Parkhead Crescent, West Calder.</p> <p>The 'L' shaped pigeon loft measure 8.5m in length on both the eastern and southern boundaries and measures 2.9m in overall height. The works have been constructed from timber and features doors, pigeon entry points and mesh areas on the front elevations.</p> <p>The erected works are considered to appear out of context with the surrounding area and are of a scale and design which will significantly impact upon the visual amenity of the surrounding area. In addition, the size of the loft allows for a number of pigeon to be kept which will have a significant impact upon the residential amenity in terms of noise.</p> <p>Should a pigeon loft of a smaller scale and of a more high quality design be applied for, this would be considered much more acceptable than the current erected pigeon loft.</p> <p>This proposal is therefore contrary to West Lothian Council's Local Development Plan's Design Principles (DES1) and the guidance given in the House Extension and Alteration Design Guidelines, 2020. It is recommended that the application is refused planning permission.</p>			

Ref. No.:	0668/FUL/21	Recommendation:	Grant Planning Permission
Proposal:	Siting of hot food takeaway unit (retrospective)		
Address:	Unit 3, Inchcross, Standhill Road, Bathgate, West Lothian (Grid Ref: 296656,667164)		
Applicant:	Mr Ashley Duncan J4 Storage	Type:	Local Application
Ward:	Bathgate	Case Officer:	Kirsty Hope
<p><u>Summary of Representations</u></p> <p>Two objections were received -</p> <ul style="list-style-type: none"> - Vermin likely to increase - Parking and road safety concerns 			
<p><u>Officers report</u></p> <p>This application proposes the siting of hot food takeaway unit in retrospect. The unit is not presently located in its proposed location as shown on the submitted drawings but is to be relocated.</p> <p>The proposed unit measures 3.5m by 7.3m by 2.5m in height. The submitted plans also indicates that 6 parking spaces shall be provided. A condition to ensure these are provided shall be attached, if consented.</p> <p>Roads and Transportation have raised no objection in terms of parking or road safety.</p> <p>The proposal adheres to West Lothian Local Development Plan Policy DES 1 (Design Principles) and Policy EMP 2 (Employment Development within Settlement Boundaries) as well as the appropriate planning guidance on Mobile Snack Bars, May 2020. It is recommended that this application is granted temporary planning permission.</p>			

Ref. No.:	0734/FUL/21	Recommendation:	Grant Planning Permission Item No.10
Proposal:	Formation of 2 footpath connections (in retrospect)		
Address:	St Johns Hospital, Howden West Road, Howden, Livingston, West Lothian (Grid Ref: 304843,667577)		
Applicant:	Mr Ian MacKenzie Edinburgh and Lothians Health Foundation	Type:	Local Application
Ward:	Livingston South	Case Officer:	Steven McLaren
<u>Summary of Representations</u> <p>There have been 8 objections to the application:</p> <ul style="list-style-type: none"> - Encourages hospital staff to park in Columbia Avenue - Impact on resident and visitor parking within the street - Will exacerbate an ongoing problem with parking 			
<u>Officers report</u> <p>Retrospective planning permission is sought for the formation of two footpath connections at St. John's Hospital. The first connection is on the east side adjacent to Howden Park Centre and provides a tarmac ramped access to the hospital next to existing steps. The second footpath is of a whin construction and connects the parking area at the rear of the hospital to the public footpath on the north side of Columbia Avenue, adjacent to flats 9-28 on the west side of the estate and around 35m from a pedestrian underpass at Howden South Road. Objections have been received from Columbia Avenue residents stating that the inclusion of this whin path validates the parking of NHS staff within Columbia Avenue and results in parking problems for residents. The footpaths installed provide improved pedestrian connectivity with the hospital and are acceptable in planning terms. NHS staff and visitors to the hospital can park within Columbia Avenue in any case and access the hospital via the existing footpath connections. Parking issues raised by residents is an historical matter and not as a result of the installation of the whin path. There are no parking restrictions within Columbia Avenue and if parking problems are being caused by inappropriate parking by NHS staff, or other visitors to the street, then that is a matter for the hospital to address and for the police to take appropriate action.</p> <p>Recommendation is to grant retrospective planning permission.</p>			

Ref. No.	Owner/ Developer	Location & Alleged Breach of Planning Control	Ward	Proposed action	Reasons for decision and summary steps to comply if applicable
ENF/0271/21	Michelle Strachan	14 Calder House Road Mid Calder Livingston West Lothian EH53 0JZ Erection of decking	East Livingston & East Calder	Take no action	<p>An officer visited the site and found at the highest point from ground level the decking is 0.62m high. The ground level increases slightly as you move away from the property and as such the decking reduces in height to 0.4m. It has been confirmed that this is a minor breach in planning control as at its highest point, closest to the property it is 12cm above the limit set in permitted development rights</p> <p>The team consider that asking the owners to reduce the decking's height by such a small difference only at the closest point to the property would not material change the development or ease the concerns of the complainant. As such we recommend using our discretion to take no action on this minor breach as it would be considered as unreasonable.</p>



Development Management

List of Delegated Decisions - 20th August 2021

DATA LABEL: OFFICIAL

The following decisions will be issued under delegated powers unless any Member representing the ward in which the application is located requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to planning@westlothian.gov.uk no later than 12 Noon, 7 days from the date of this list.

Ref. No.:	0562/FUL/21	Recommendation:	Refuse Permission
Proposal:	Change of use of paddock to dog day care (in retrospect), erection of a 150sqm shed and alterations and change of use of stable hayloft to form residential accommodation		
Address:	Shiel Mill Farm, Nethershiel Road, Calderwood, East Calder, West Lothian (Grid Ref: 309479,669525)		
Applicant:	Ms Susan Smith	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Claire Johnston

Summary of Representations

8 objections have been received and the material issues can be summarised as follows:

- o Noise issues relating to business
- o Increased vehicle movements
- o Private access road
- o Impact on country park
- o Impact on existing animals on site
- o Potential smells
- o Privacy concerns
- o Removal of trees
- o Disposal of waste
- o Overdevelopment
- o Sets a precedent

Officers report

The proposal is for the change of use of a paddock to dog day care business with the erection of a 150sqm shed and alterations and change of use of a stable hayloft to form residential accommodation. The proposal is part in retrospect as the applicants have been utilising part this land for their existing dog walking business for over a year.

The site is located within the Almond & Linhouse Valleys Special Landscape Area and is out with the settlement envelope as defined by the Development Plan. The proposal is assessed against Policy ENV 2 (Housing Development in the Countryside) of the West Lothian Local Development Plan, which carries a presumption against housing in the countryside, unless it can be justified against a number of exceptions.

The applicants have failed to provide sufficient justification for further onsite accommodation, there is an existing 4-bedroom house on the site and the stable block on site remains in use without the need for additional accommodation.

With regard to the proposed business use of dog day care with the erection of a 150sqm shed. Environmental Health has raised no concerns with regards to noise nuisance and has advised that having a building on site would further minimise noise. The use is considered appropriate in a countryside setting.

It is therefore recommended that planning permission is refused as the proposal for the part conversion of the stable block is contrary to LDP policies ENV2 (Housing Development in the Countryside), ENV1 (Special Landscape Areas) and the council's SG on Development in the Countryside.

Ref. No.:	0672/H/21	Recommendation:	Refuse Permission
Proposal:	Erection of deck above existing garage (in retrospect)		
Address:	5 Priorscroft, Torphichen, West Lothian, EH48 4NG, (Grid Ref: 296559,672597)		
Applicant:	Mrs Eilidh McMillan	Type:	Local Application
Ward:	Armadale & Blackridge	Case Officer:	Rachael Lyall
<u>Summary of Representations</u>			
N/A			
<u>Officers report</u>			
<p>This application seeks retrospective planning permission for the erection of decking above an existing garage at 5 Priorscroft, Torphichen.</p> <p>The property is located within a conservation area.</p> <p>The decking has been erected above an existing flat roof garage, measuring 3.220m x 5.940m, and is located to the north of the property. The decking currently features a timber balustrade. A set of stairs is proposed to be constructed to the rear of the garage leading from the decking to ground level.</p> <p>The works have a significant impact upon the visual amenity of the street scene and conservation area. No other properties within this street have an attached garage and decking, therefore the constructed decking appears out of context with the surrounding area and does not integrate with the existing or neighbouring properties.</p> <p>This proposal is therefore contrary to West Lothian Local Development Plan's DES1 (Design Principles) and ENV24 (Conservation Areas) Policies and the guidance given in the House Extension and Alteration Design Guidelines, 2020. It is recommended that the application is refused planning permission.</p>			

Ref. No.:	0703/H/21	Recommendation:	Refuse Permission
Proposal:	Installation of three replacement windows and door		
Address:	47 Main Street, Kirknewton, West Lothian, EH27 8AH, (Grid Ref: 311290,666930)		
Applicant:	Mrs J Batson	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Rachael Lyall
<p><u>Summary of Representations</u></p> <p>One objection - - Proposed Upvc windows will not enhance nor maintain the character of the conservation area.</p>			
<p><u>Officers report</u></p> <p>This planning application proposes the installation of three replacement windows and a door at 47 Main Street, Kirknewton.</p> <p>The existing windows are currently white painted timber panel windows and the proposal looks to replace these with white Upvc windows. Upvc is typically advised against as a replacement material within conservation areas. It is to be noted that there are many examples of differing window design within this street and surrounding area, however these pre-date the designation as a conservation area. The works do not preserve or enhance the appearance of the existing property and conservation area and are considered to have a further impact on the visual amenity of the surrounding area.</p> <p>As a result, this proposal is therefore contrary to West Lothian Local Development Plan's DES1 (Design Principles) and ENV24 (Conservation Areas) Policies and the guidance given in the House Extension and Alteration Design Guidelines, 2020. It is recommended that the application is refused planning permission.</p>			



Development Management

List of Delegated Decisions - 27th August 2021

DATA LABEL: OFFICIAL

The following decisions will be issued under delegated powers unless any Member representing the ward in which the application is located requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to planning@westlothian.gov.uk no later than 12 Noon, 7 days from the date of this list.

Ref. No.:	0114/FUL/21	Recommendation:	Grant Planning Permission
Proposal:	Change of use from public house to 3 units for shops (class 1), financial, professional and other services (class 2), food and drink (class 3) and hot food takeaway use with associated alterations to building		
Address:	The Clachan Bar, 68 West Main Street, Whitburn, EH47 0QU, (Grid Ref: 294417,664970)		
Applicant:	Mr John Wallace	Type:	Local Application
Ward:	Whitburn & Blackburn	Case Officer:	Kirsty Hope

Summary of Representations

Two representations were received:-

- Clarification on access to unit 3 from the rear boundary
- Land ownership clarification
- Boundary fence to be removed is on land that is shared ownership
- No customer access to and from the side communal lane
- Would prefer hotfood takeaway or food shops to be on the opposite side of the unit for residential amenity reasons

Officers report

The application is for the change of use from the former public house to shops (class 1), financial, professional and other services (class 2), food and drink (class 3) and hot food takeaway use with associated alterations to building.

The applicant has advised that the hot food takeaway (sui generis) or food and drink (class 3) would not be located within unit 3 - closest to the residential property.

The use classes proposed are appropriate for the town centre location.

No objections received from Roads & Transportation or Environmental Health. Conditions to ensure the flue and extraction of odours are provided prior to the occupation of a hot food takeaway (sui generis) or food and drink (class 3) use shall be conditioned.

The proposal complies with policies DES1 (Design Principles), policy TCR 2 (Town Centres First Sequential Approach) and policy TCR 3 (Commercial Entertainment and Hot Food Premises) of the LDP.

It is therefore recommended that this application is granted planning permission.

Ref. No.:	0576/LBC/21	Recommendation:	Refuse Listed Building Consent Item No.10
Proposal:	Listed building consent for cleaning, repairs to stonework and repointing of front elevation		
Address:	100 High Street, Linlithgow, West Lothian, EH49 7AQ, (Grid Ref: 300273,677178)		
Applicant:	Mr Kenneth Wilson	Type:	Other
Ward:	Linlithgow	Case Officer:	Alexander Calderwood

Summary of Representations

1 representation was received for this application from the Architectural Heritage Society of Scotland. The nature of their objection is as follows:

- Lithomex and similar products do not match the stone exactly in colour variation and texture and create an artificial even texture unsuited to large areas of application. They are best limited to very small areas of erosion or wear. Where more substantial repair is necessary, as on much of the façade here, extensive use of lithomex does not create a satisfactory finish, and stone indenting is the recognised heritage technique to maintain a realistic stone texture.
- Concerned also that high pressure water was being proposed to clean the façade. Even in low volumes, this will cause further erosion and drive water within the stonework. Low-pressure steam-based systems appear to be the least problematic way of cleaning stonework without causing longer-lasting problems.

Officers report

Overview

This application seeks listed building consent for the cleaning, repairs to stonework and repointing of the front elevation of 100 High Street, Linlithgow. The proposal relates to a Category C Listed building which falls within the Linlithgow Palace & High Street Conservation Area.

Assessment

'Policy DES 1 Design Principles' of the West Lothian Local Development Plan 2018 states that all development proposals will require to take account of and be integrated with the local context and built form. It also states that it should have no significant adverse impact on built heritage. 'ENV 24 Conservation Areas (Demolitions)' states that proposals must have regard to the desirability of preserving or enhancing the character and appearance of the Conservation Area. 'ENV 28 Listed Buildings' states that the council will protect listed buildings and will have particular regard for their special architectural, historic features and, where appropriate, archaeological interest.

Historic Environment Scotland's guidance document entitled 'Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings' states that decisions about listed buildings should always focus on the qualities that make them important - their special interest - and that the key factor when considering changes is the impact on its overall historic character. It also states that for a building to stay in use over the long term, change will be necessary.

The Architectural Heritage Society of Scotland commented on the proposals and advised that the applicant should use the stone indenting method of

repair, which is a recognised heritage technique, rather than the extensive use of lithomex which does not create a satisfactory finish as a method of repair. The AHSS also requested that a low-pressure steam based approach to cleaning the facade would be preferred over the proposed use of high pressure water. Upon consultation, Historic Environment Scotland also agreed with this.

The applicant agreed to the use of the low-pressure steam based approach to cleaning the facade but not to the use of the stone indenting method of repair, due to the associated cost implications. Therefore the proposal does not comply with the advice received from AHSS and HES, and in turn is not compliant with policy built heritage. The proposal does not comply with Policy DES 1, Policy ENV 24 and Policy ENV 28 of the West Lothian Local Development Plan 2018.

Ref. No.:	0577/FUL/21	Recommendation:	Refuse Permission
Proposal:	Cleaning, repairs to stonework and repointing of front elevation		
Address:	100 High Street, Linlithgow, West Lothian, EH49 7AQ, (Grid Ref: 300273,677178)		
Applicant:	Mr Kenneth Wilson	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Alexander Calderwood

Summary of Representations

No representations were received for this application. However, an objection was received for the associated listed building consent application (0576/LBC/21) from the Architectural Heritage Society of Scotland concerning the proposed method of cleaning and repair.

Officers report

Overview

This application seeks full planning permission for cleaning, repairs to stonework and repointing of the front elevation of 100 High Street, Linlithgow. The proposal relates to a Category C Listed building which falls within the Linlithgow Palace & High Street Conservation Area.

Assessment

'Policy DES 1 Design Principles' of the West Lothian Local Development Plan 2018 states that all development proposals will require to take account of and be integrated with the local context and built form. It also states that it should have no significant adverse impact on built heritage. 'ENV 24 Conservation Areas (Demolitions)' states that proposals must have regard to the desirability of preserving or enhancing the character and appearance of the Conservation Area. 'ENV 28 Listed Buildings' states that the council will protect listed buildings and will have particular regard for their special architectural, historic features and, where appropriate, archaeological interest.

Historic Environment Scotland's guidance document entitled 'Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings' states that decisions about listed buildings should always focus on the qualities that make them important - their special interest - and that the key factor when considering changes is the impact on its overall historic character. It also states that for a building to stay in use over the long term, change will be necessary.

The Architectural Heritage Society of Scotland commented on the proposals and advised that the applicant should use the stone indenting method of repair, which is a recognised heritage technique, rather than the extensive use of lithomex which does not create a satisfactory finish as a method of repair. The AHSS also requested that a low-pressure steam based approach to cleaning the facade would be preferred over the proposed use of high pressure water. Upon consultation, Historic Environment Scotland also agreed with this.

The applicant agreed to the use of the low-pressure steam based approach to cleaning the facade but not to the use of the stone indenting method of repair, due to the associated cost implications. Therefore the proposal does not comply with the advice received from AHSS and HES, and in turn is not

compliant with policy built heritage. The proposal does not comply with Policy DES 1, Policy ENV 24 and Policy ENV 28 of the West Lothian Local Development Plan 2018.

Meeting Date - 22 Sept 2021
Item No.10

Ref. No.:	0658/H/21	Recommendation:	Refuse Permission
Proposal:	Front extension to house		
Address:	20 Hillend Road,Winchburgh, West Lothian, EH52 6WD, (Grid Ref: 307930,675008)		
Applicant:	Mr Kenny Neish	Type:	Local Application
Ward:	Broxburn, Uphall & Winchburgh	Case Officer:	Rachael Lyall
<u>Summary of Representations</u>			
N/A			
<u>Officers report</u>			
<p>This planning application proposes the erection of a front extension onto the property located at 20 Hillend Road, Winchburgh.</p> <p>The proposed extension is to measure 3.030m in length on the side elevation and 5.268m in width on the principal elevation. The proposed works are to be 2.951m in height from ground level to the eaves of the proposed flat roof and the roof space is to feature a roof lantern. The materials proposed for the works are to match those of the existing property.</p> <p>The proposed works are of a proportion and scale which do not integrate with the existing property and will significantly impact upon the appearance and visual amenity of both the existing property and streetscene. No other neighbouring properties within this development consist of any front extension of a similar design therefore the proposed works will appear out of context.</p> <p>This proposal is therefore contrary to West Lothian Council's Local Development Plan's Design Principles (DES1) and the guidance given in the House Extension and Alteration Design Guidelines, 2020. It is recommended that the application is refused planning permission.</p>			

Ref. No.:	0712/H/21	Recommendation:	Grant Planning Permission Item No.10
Proposal:	Extension and alterations to house and erection of 2.4m high gate feature		
Address:	12 Fulmar Brae, Eliburn, Livingston, West Lothian, EH54 6UY (Grid Ref: 304305,668655)		
Applicant:	Mr Kevin Newby	Type:	Local Application
Ward:	Livingston North	Case Officer:	Rachael Lyall

Summary of Representations

One objection -

- Impact on overlooking from loft window.

Planning response -

- This window can be installed without planning permission and it should be noted that there is approximately 40m between the proposed window and the rear elevation of the neighbouring property located on the opposite side of the tree belt. This adheres to guidance given in West Lothian Council Planning Guidance on House Extension and Alteration Design Guidelines with regards to recommended distances between windows.

Officers report

This planning application proposes a rear extension and the erection of 2.4m high gate feature at 12 Fulmar Brae, Eliburn.

The proposed rear extension will measure 4.050m x 6.965m and is to be 5.298m in overall height from ground level to the ridgeline of the proposed gable pitch. The rear extension will feature sliding patio doors on the north elevation and patio doors and a window on the rear elevation. The proposed openings will overlook and open out into the applicants rear garden area and will not directly overlook into any neighbouring property or garden. The materials proposed for the works are to match those of the existing property.

The works also look to form pillars and a gate to the front of the property which is to replace an existing fence and is to measure 2.400m in overall height. The pillars are to be constructed in brickwork which is to match the brickwork of the existing property.

The proposed rear extension will not be significantly visible from the main street and will therefore not significantly impact upon the visual amenity of the streetscene or existing property. The rear extension will also appear subservient to the existing property and will still allow for sufficient usable garden ground. In addition, the proposed gate feature will not significantly impact upon the visual amenity any more than what is caused by the existing. The proposed works will neither significantly impact upon either the visual or residential amenity.

This proposal adheres to West Lothian Council's Local Development Plan's DES 1 (Design Principles) and follows the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted planning permission.

Ref. No.:	0723/H/21	Recommendation:	Refuse Permission
Proposal:	Two storey extension and alterations to house		
Address:	12 Nettlehill Drive, Uphall Station, West Lothian, EH54 5PS, (Grid Ref: 306045,670219)		
Applicant:	Mr Stuart Lyons	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Rachael Lyall
<u>Summary of Representations</u>			
N/A			
<u>Officers report</u>			
<p>This planning application proposes the erection of a two storey rear extension onto the property located at 12 Nettlehill Drive, Uphall Station.</p> <p>The proposed works are to measure 5.450m x 3.200m (internally) on the ground floor and 3.360m x 3.200m (internally) on the first floor. The works are to be 7.700m in overall height from the lowest ground level at the rear to the ridgeline of the proposed hipped roof. The extension will feature windows on both floors of the rear elevation.</p> <p>The proposed works will appear as overbearing from the neighbouring properties on each side and will result in additional overshadowing which will have a detrimental impact upon the residential amenity. This proposal is therefore contrary to West Lothian Council's Local Development Plan's Design Principles (DES1) and the guidance given in the House Extension and Alteration Design Guidelines, 2020. It is recommended that the application is refused planning permission.</p>			



Development Management

List of Delegated Decisions - 3rd September 2021

DATA LABEL: OFFICIAL

The following decisions will be issued under delegated powers unless any Member representing the ward in which the application is located requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to planning@westlothian.gov.uk no later than 12 Noon, 7 days from the date of this list.

Ref. No.:	0109/FUL/19	Recommendation:	Refuse Permission
Proposal:	Erection of 13 houses with associated works		
Address:	Land At Quarry Park, East Calder, West Lothian, (Grid Ref: 309396,668145)		
Applicant:	Mr Calum Stewart HRH (East Calder) Limited	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Matthew Watson
<u>Summary of Representations</u>			
No representations received.			
<u>Officers report</u>			
<p>The application seeks planning permission for the erection of 13 houses with associated works at land at Quarry Park, East Calder.</p> <p>The applicant has failed to provide a satisfactory solution in terms of foul drainage for the development. SEPA has objected to the proposal and it is therefore contrary to Policy EMG 3 (Sustainable Drainage) of the LDP and the Supplementary Guidance on Flooding and Drainage.</p> <p>The applicant has failed to submit satisfactory information in relation to contaminated land. In the absence of this information, the proposal is contrary to Policy EMG 6 (Vacant, Derelict and Contaminated Land) of the LDP.</p> <p>Overall, and in view of the above, it is recommended that planning permission is refused.</p>			

Ref. No.:	0631/FUL/21	Recommendation:	Refuse Permission
Proposal:	Change of use from public open space to private garden ground and erection of a fence (in retrospect)		
Address:	8 Lyefield Place, Eliburn, Livingston, West Lothian, EH54 6TL (Grid Ref: 303495,667653)		
Applicant:	Mr Alasdair MacColl	Type:	Local Application
Ward:	Livingston North	Case Officer:	Alexander Calderwood

Summary of Representations

1 objection has been received from Eliburn Community Council. The nature of the objection is as follows:

- Public open space in Eliburn is under great threat by unapproved developments
- The loss of public open space is unacceptable and it should be retained.

Officers report

This application seeks full planning permission for the change of use of an area of land from public open space to private garden ground and for the erection of a fence. This application is retrospective. The applicant resides at 8 Lyefield Place, Eliburn and has extended their private garden ground to the rear of the property by approximately 330m².

West Lothian Local Development Plan 2018 (Relevant Policies)

Policy DES 1 Design Principles states that all new development proposals must have no significant adverse impact on adjacent buildings in terms of layout, scale, design, external materials or amenity. Policy ENV 21 Protection of Formal and Informal Open Space, seeks retention of open space unless its loss is justified. This policy also states that proposals which will result in the loss of open space will not be supported unless it can be demonstrated that the area is not of significant ecological value and disturbance and loss of trees, woodlands and wildlife habitats or green corridors is minimised.

The area of land in question is substantial (approx. 330m²) and, combined with the original garden ground provision, is atypical of the scale of garden ground areas associated with dwellings in the surrounding area. No reasoning has been provided to justify the loss of open space in this area. Additionally, the development has led to the diminishment of a green corridor which runs from north to south, and links in with another which runs from east to west. These corridors are to the rear of the residential properties on Lyefield Place, Butlers Place and Cornfield Place.

A recent application for a garden extension at the property immediately to the north was granted by committee in May 2021, taking in to account the applicant's personal circumstances and the need for a ramp to access the house. However, no locational justification has been

provided for the current application.

The corridor, as with many in Livingston, was designed into developments to provide green corridors and enhance the environmental amenity of the areas. The ownership and maintenance of such sites is a separate matter but by allowing garden ground to be extended into these areas, this could set an undesirable precedent where it then becomes more difficult to resist further changes of use in inappropriate locations. There is no community or other wider benefit to allowing this change of use and as such the development is contrary to policy ENV21 (protection of formal and informal open space). The proposal also does not comply with Policy DES 1 (design principles) of the West Lothian Local Development Plan 2018.

Refusal is therefore recommended.

Ref. No.:	0688/FUL/21	Recommendation:	Grant Planning Permission
Proposal:	Change of use from offices to dance studio (class 11)		
Address:	2-4 Hopetoun Lane, Bathgate, West Lothian, EH48 1PP (Grid Ref: 297575,668916)		
Applicant:	JD Holdings	Type:	Local Application
Ward:	Bathgate	Case Officer:	Kirsty Hope
<u>Summary of Representations</u> One representation: - - Noise concerns - Parking			
<u>Officers report</u> The application is for the change of use from offices to a dance studio (Class 11) on the first-floor level of the existing property. There is a taxi /car hire business on the ground floor. The site is located within the town centre within the settlement boundary of Bathgate. The proposed studio is appropriate for the town centre location and complies with Policy DES 1 (Design Principles) and Policy TCR1 (Town Centres), TCR2 (Town Centres First Sequential Approach) with the local development plan. WLC Roads and Transportation as well as WLC Environmental Health have no objections, subject to conditions. It is therefore recommended that planning permission is granted.			

Ref. No.:	0756/LBC/21	Recommendation:	Grant Listed Building Consent
Proposal:	Listed building consent for the installation of 3 roof lights and internal alterations		
Address:	134 St Magdalenes, Linlithgow, West Lothian, EH49 6AQ, (Grid Ref: 300757,677093)		
Applicant:	Mrs and Ms Rafael and Dayana Facuri and Fontoura	Type:	Other
Ward:	Linlithgow	Case Officer:	Rachael Lyall
<p><u>Summary of Representations</u></p> <p>One objection - - Proposed works will disturb the roof space and will detract from the character of this listed building.</p> <p>Planning response - - See officer's report.</p>			
<p><u>Officers report</u></p> <p>This planning application proposes the installation of 3 rooflight onto the property located at 134 St Magdalenes, Linlithgow.</p> <p>The proposed roof lights are to be installed within the east, south and west elevation. The proposed rooflights will be of a conservation fit which are to sit flush with the roof of the existing property. If the rooflights are ever to be removed in future, it is proposed that the materials then used to repair the roof will match the roof of the existing house. The finishing colour of the proposed rooflights is to be a dark grey in order to match the window colour of the existing property.</p> <p>Pre-application advice (0867/PRE/20) was sought for the proposed works and the advice given has been considered. This advice stated that the works should be of a conservation style fit and should not consist of Upvc.</p> <p>The proposed works are of an acceptable scale which will not significantly impact upon the appearance or character of the listed building. The rooflights are to be symmetrically placed in order to retain the existing roof geometry and the proposed rooflights are of a considerate fit and scale which match with the scale of the existing windows below.</p> <p>This proposal adheres to West Lothian Local Development Plan's DES 1 (Design Principles), ENV 24 (Conservation Areas) and ENV28 (Listed Buildings) Policies and follows the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted listed building consent.</p>			

Ref. No.:	0757/H/21	Recommendation:	Grant Planning Permission
Proposal:	Installation of 3 roof lights		
Address:	134 St Magdalenes, Linlithgow, West Lothian, EH49 6AQ, (Grid Ref: 300757,677093)		
Applicant:	Mrs and Ms Rafael and Dayana Facuri and Fontoura	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Rachael Lyall
<p><u>Summary of Representations</u></p> <p>2 objection comments and 1 comment in support -</p> <ul style="list-style-type: none"> - Impact on listed building and conservation area, - Design, appearance and materials impacting on history of building, - Works out of character, - Relocation of waste pipes from moving bathroom/en-suite, - General impact construction works (noise, parking, storage of materials etc), - Requirement for new beams, - Impact on swifts & sparrow nest in & around the existing roof. <p>Planning response -</p> <ul style="list-style-type: none"> - See officer's report, - See officer's report, - See officer's report, - The internal works will not significantly impact upon the appearance or character of the listed building, - See condition attached, - Not a material planning consideration, - Developer must comply with the relevant legislation in terms of wildlife 			
<p><u>Officers report</u></p> <p>This planning application proposes the installation of 3 rooflight onto the property located at 134 St Magdalenes, Linlithgow.</p> <p>The proposed roof lights are to be installed within the east, south and west elevation. The proposed rooflights will be of a conservation fit which are to sit flush with the roof of the existing property. If the rooflights are ever to be removed in future, it is proposed that the materials then used to repair the roof will match the roof of the existing house. The finishing colour of the proposed rooflights is to be a dark grey in</p>			

order to match the window colour of the existing property.

Pre-application advice (0867/PRE/20) was sought for the proposed works and the advice given has been considered. This advice stated that the works should be of a conservation style fit and should not consist of Upvc.

The proposed works are of an acceptable scale which will not significantly impact upon the appearance or character of the listed building. The rooflights are to be symmetrically placed in order to retain the existing roof geometry and the proposed rooflights are of a considerate fit and scale which match with the scale of the existing windows below.

This proposal adheres to West Lothian Local Development Plan's DES 1 (Design Principles), ENV 24 (Conservation Areas) and ENV28 (Listed Buildings) Policies and follows the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020.

It is recommended that this application is granted planning permission.

Ref. No.:	0769/P/21	Recommendation:	Refuse Permission
Proposal:	Planning permission in principle for the erection of two semi-detached houses		
Address:	Land To The Rear Of Belvedere Cottage, Pumpherston Road, Uphall Station, West Lothian (Grid Ref: 305997,670478)		
Applicant:	Mr Chris Weatherup	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Alexander Calderwood
<u>Summary of Representations</u>			
<u>Officers report</u>			
<p>This application seeks planning permission in principle for the erection of two semi-detached, one bedroom houses in land to the rear of Belvedere Cottage, Pumpherston Road, Uphall Station.</p> <p>West Lothian Local Development Plan 2018 (Relevant Policies)</p> <p>Policy DES 1 Design Principles states that all development proposals will require to take account of and be integrated with the local context and built form. It also states that it should have no significant adverse impact on adjacent buildings or streetscape in terms of layout, scale, massing, design, external materials or amenity. It goes on to note that the proposed development should be accessible for all, provide suitable access and parking, encourage active travel and have no adverse implications for public safety;</p> <p>Policy HOU 3 Infill/Windfall Housing Development within Settlements states that new housing development will also be supported on sites within settlement boundaries provided:</p> <ul style="list-style-type: none"> - The development will be in keeping with the character of the settlement and local area; - The proposed housing use is compatible with nearby uses, there is no adverse effect on the character of the local area and a satisfactory residential environment can be achieved; - Existing physical infrastructure, including roads, drainage, sewage, and education have the capacity to accommodate the proposed development; <p>The proposed site is deemed an infill site within a settlement (Uphall Station). It is approximately 270m² and is bound by residential properties to the north, east and south. West Lothian Council's statutory Supplementary Guidance, entitled 'Residential Development Guide', states that whilst high density development may be supported, it must not be at the expense of amenity and the quality of the environment, resulting in a reduction of space in and around dwellings and giving rise to town cramming.</p>			

The current proposal is a prime example of town cramming. It provides limited private garden ground, no parking provision and the size of the site is such that it will likely have adverse implications for neighbouring privacy, and the privacy of the occupants of the proposed dwellings. Additionally, the proposed dwellings do not fit in with the surrounding residential area, they do not front a road and instead are sited to the rear and side of existing dwellings. The site is an atypical location for residential development.

No parking provision has been provided as part of the proposal. Transportation objects to the proposal because one bed units still require space for a private car and that this can either be on site or in the surrounding area. They also noted that the parking area adjacent to the proposed front of the property is private and that the development will likely put pressure on on-street parking because of its proximity to the rail station. Environmental Health stated that whilst they do not object, they require conditions to be attached to the decision notice should the application be granted.

Ultimately, the proposals do not comply with Policy DES 1 and HOU 3 of the local development plan. Additionally, it has been confirmed that it does not meet Transportation's standards. The proposal is recommended for refusal.

Ref. No.:	0801/FUL/21	Recommendation:	Refuse Permission
Proposal:	Change of use from open space to private garden ground and erection of fence and decking over watercourse (in retrospect)		
Address:	13 Ballencrieff Mill, Bathgate, West Lothian, EH48 4LL (Grid Ref: 296447,669615)		
Applicant:	Mr M Alexander	Type:	Local Application
Ward:	Bathgate	Case Officer:	Kirsty Hope
<u>Summary of Representations</u>			
<p>One representation was received -</p> <ul style="list-style-type: none"> - Landowner has not given permission for any structure to encroach onto adjacent farmland - Description of proposal as open space however this is agricultural land in private ownership 			
<u>Officers report</u>			
<p>The proposal involves the change of use from open space to private garden ground and erection of decking across watercourse (in retrospect) at 13 Ballencrief Mill, Bathgate</p> <p>The scale and location of the proposed decking would impact on the visual amenity of the surrounding areas, which in turn would set a precedent for other residents to follow suit. The proposal fails to comply with policy DES 1 (Design Principles).</p> <p>Policy ENV 11 (Protection of the Water Environment / Coastline and Riparian Corridors) advises that development proposals adjacent to a waterbody should comply with the Scottish Environment Protection Agency (SEPA) Guidance on buffer strips adjacent to water bodies. The proposal is contrary to this guidance that recommends a minimum distance of 6m of undeveloped buffer strip is provided to all watercourses and this proposal is erected on the embankment of the watercourse.</p> <p>Policy ENV 11 (Protection of the Water Environment / Coastline and Riparian Corridors) also states that there will be a general presumption against any unnecessary engineering works in the water environment including bridges, bank modifications. This proposal, while for the enjoyment of the resident, is not necessary works. Development within riparian corridors which impacts on the ecological and landscape integrity will not be permitted unless a specific need for the development can be demonstrated, no justification has been provided. The area is of significant ecological value and would erode the embankment as well as have the potential to cause blockages within the watercourse.</p> <p>The applicant has not provided a specific locational justification for the development which outweighs the need to retain the open space. contrary to ENV 21 (Protection of Formal and Informal Open Space).</p>			

The applicant has not satisfactorily demonstrated that the site is not at risk of flooding by failing to provide a high-level flood risk assessment. The proposal is therefore contrary to Policy EMG2 (Flooding) and the Supplementary Guidance on Flooding and Drainage, 2019 of the West Lothian Local Development Plan 2018.

The proposal is overall contrary to the policies noted above within the local development plan and it is therefore recommended that planning permission is refused.

Ref. No.	Owner/ Developer	Location & Alleged Breach of Planning Control	Ward	Proposed action	Reasons for decision and summary steps to comply if applicable
ENF/0252/21	Mrs Silvia Van Eck	28 Albyn Drive Murieston Livingston West Lothian EH54 9JN Erection of a wooden trellis arch, two sheds, one summer house and front facing fence higher than 1m in height.	Livingston West	Take No Action	<p>Following an assessment of the available information, it has been concluded that any potential breach of planning control is not substantial enough to require remedial action.</p> <p>Based on the evidence gathered, it was determined that the wooden trellis arch, two sheds and one BBQ /summerhouse located in the rear curtilage are all in line with permitted development rights set out in planning legislation and that there has not been a planning breach in respect of these structures.</p> <p>The front fence erected is 1 meter high up to the section where it meets with the neighbouring property. Thereafter, the fence exceeds the permitted height, however, it has been mounted onto a neighbouring property's fence of a similar height and specification, thus not causing any visual detriment.</p> <p>No action is therefore proposed on this occasion.</p>



Development Management

List of Delegated Decisions - 10th September 2021

DATA LABEL: OFFICIAL

The following decisions will be issued under delegated powers unless any Member representing the ward in which the application is located requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to planning@westlothian.gov.uk no later than 12 Noon, 7 days from the date of this list.

Ref. No.:	0651/FUL/21	Recommendation:	Refuse Permission
Proposal:	Change of use from public open space to private garden ground and erection of decking and boundary fence		
Address:	1 Station Court, Addiewell, West Lothian, EH55 8QD (Grid Ref: 299324,662657)		
Applicant:	Mr Mark Simpson	Type:	Local Application
Ward:	Fauldhouse & The Breich Valley	Case Officer:	Kirsty Hope
<u>Summary of Representations</u>			
No representations received.			
<u>Officers report</u>			
<p>This application seeks planning permission for the change of use from public open space to private garden ground and the erection of decking and a boundary fence.</p> <p>The land concerned lies outwith the settlement boundary as defined in the West Lothian Local Development Plan, 2018 (LDP) and forms part of the countryside. The land currently has shrubs/woodland edge planting and further back, mature trees. The site forms part of a large woodland area planted as part of restoration works.</p> <p>The proposal would result in an unjustified intrusion into the countryside and woodland edge, bringing the garden in close proximity to large trees. The proposal would harm this established green network.</p> <p>The proposal is contrary to the policies DES 1 (Design Principles), ENV3 (Other Development in the Countryside) and ENV9 (Woodland, Forestry, Trees and Hedgerows) of the LDP. It is thus recommended that planning permission is refused.</p>			

Ref. No.:	0658/H/21	Recommendation:	Grant Planning Permission
Proposal:	Front extension to house		
Address:	20 Hillend Road, Winchburgh, West Lothian, EH52 6WD, (Grid Ref: 307930,675008)		
Applicant:	Mr Kenny Neish	Type:	Local Application
Ward:	Broxburn, Uphall & Winchburgh	Case Officer:	Rachael Lyall
<u>Summary of Representations</u>			
N/A			
<u>Officers report</u>			
<p>This planning application proposes the erection of a front extension onto the property located at 20 Hillend Road, Winchburgh.</p> <p>The proposal previously proposed a front extension which was considered to be out of scale and would have significantly impacted upon the visual amenity of the existing house and street scene. The application was added to the delegated list on 27.08.2021 with a recommendation for refusal. The application has since been revised significantly and is now of a scale which is acceptable.</p> <p>The revised proposal now looks to convert the existing garage and bring forward the front elevation of the garage in line with the principal elevation of the main house. The works will measure 1.710m x 2.562m and the proposed flat roof is to sit level with the existing eaves height. The materials proposed for the works are to match those of the existing property.</p> <p>The proposed works will now no longer sit forward of the principal elevation and will appear more subservient to the existing property without significantly impacting upon the appearance or visual amenity of the existing property on the principal elevation. The proposed works will not impact upon the residential amenity in terms of overshadowing or overlooking.</p> <p>This proposal adheres to West Lothian Local Development Plan's DES 1 (Design Principles) Policy and follows the appropriate planning guidance given in the House Extension and Alteration Design Guide, 2020. It is recommended that this application is granted planning permission.</p>			

Ref. No.:	0700/FUL/21	Recommendation:	Refuse Permission
Proposal:	Change of use, subdivision and alterations to former health centre to form 8 units for use as shops (Class 1), financial, professional & other services (Class 2), food & drink (Class 3), hot food takeaway, business (Class 4), non-residential institutions (Class 10) and assembly & leisure (Class 11) with associated parking		
Address:	2A Ash Grove, Blackburn, West Lothian, EH47 7LJ, (Grid Ref: 298544,665715)		
Applicant:	Mr Zulkernan Ahmed ZA Properties Ltd	Type:	Local Application
Ward:	Whitburn & Blackburn	Case Officer:	Kirsty Hope
<u>Summary of Representations</u>			
No representations received.			
<u>Officers report</u>			
<p>The application seeks planning permission for the change of use including subdivision of the former Health Centre building to form 8 separate units into retail (Class 1), Financial, professional & other services (Class 2), food & drink (Class 3), hot food takeaway, business (Class 4), non-residential institutions (Class 10) and or assembly & leisure (Class 11) with parking for 6 vehicles.</p> <p>WLC Roads & Transportation has objected to the plans as the parking is not sufficient for the proposal.</p> <p>The proposal is therefore contrary to policy DES 1 (Design Principles), EMP 2 (Employment Development within Settlement Boundaries), TCR 2 (Town Centres First Sequential Approach) within the West Lothian Local Development Plan (LDP).</p> <p>It is therefore recommended that planning permission be refused.</p>			

Ref. No.:	0785/H/21	Recommendation:	Grant Planning Permission
Proposal:	Extension and alterations to house		
Address:	31 Clarendon Crescent, Linlithgow, West Lothian, EH49 6AW, (Grid Ref: 300571,676902)		
Applicant:	Mr & Mrs Paul Smith	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Rachael Lyall
<p><u>Summary of Representations</u></p> <p>One objection -</p> <ul style="list-style-type: none"> - Overall height of structure, - Impact on overshadowing. 			
<p><u>Officers report</u></p> <p>This planning application proposes a single storey side extension onto the property located at 31 Clarendon Crescent, Linlithgow.</p> <p>A previous application (0341/H/21) was submitted for a side extension of a larger footprint and overall height. This was refused planning permission due to the overshadowing caused and due to the works appearing overbearing from the neighbouring property. The works have since been reduced 0.4m in overall height on the front elevation to reduce the visual impact on the street scene. The works have also been reduced by 1.496m in height to the rear. The works also now proposes a boundary fence on the neighbouring boundary in order to screen the works slightly and reduce the overbearing factor where possible.</p> <p>The proposed works cannot be reduced any further in height due to building regulations.</p> <p>The proposed works will feature a window on the front elevation which will overlook the main street, windows and patios doors on the rear elevation which will overlook the applicants rear garden area and will open out onto a small raised terrace, and glazed doors on the side (south) elevation which will also open out onto the proposed terrace. The proposed openings will not overlook any neighbouring property to a detrimental extent.</p> <p>The external materials proposed for the works are to be a buff brick, to match the existing, and a timber cladding.</p> <p>Although the works are still of a significant length, the reduced proposed works will no longer significantly impact upon the visual amenity of the street scene. The works will still result in additional overshadowing in the AM, however the works adhere to BRE recommendations</p>			

which state that at least half of the neighbouring garden or open space receives at least two hours of sunlight. In addition, the proposed fence will provide some screening from the works which sit on a higher level and will reduce the overbearing impact from the neighbouring property.

This proposal adheres to West Lothian Council's Local Development Plan's DES 1 (Design Principles) and ENV 24 (Conservation Areas) Policies and follows the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted planning permission.

Ref. No.:	0803/FUL/21	Recommendation:	Grant Planning Permission
Proposal:	Change of use from public house (sui-generis) to financial, professional & other services (class 2) and creche / day nursery (class 10)		
Address:	The Crown Inn, 24 East Main Street, Blackburn, West Lothian, EH47 7QU (Grid Ref: 298636,665387)		
Applicant:	Mr Franco Cortellessa F & M Cortellessa	Type:	Local Application
Ward:	Whitburn & Blackburn	Case Officer:	Kirsty Hope
<u>Summary of Representations</u> One representation was received - - Parking and road safety concerns - Can road markings be painted on entrance? - Noise associated with nursery use - Has screening or sound barrier been considered?			
<u>Officers report</u> The application proposes the change of use from a former public house (sui-generis) to Financial, professional & other services (class 2), and non-residential institutions (Class 10). The proposed use classes are appropriate and there will be no significant adverse impact on the amenity of residential properties. Whilst the property is not located within the local centre as defined in the LDP, the site is located on East Main Street where there are adjacent commercial uses. The proposal complies with DES1 (Design Principles) and TCR 2 (Town Centres First Sequential Approach) within the West Lothian Local Development Plan LDP. WLC Roads & Transportation has raised no road safety or parking concerns. It is therefore recommended that planning permission be granted.			