

**REPORT TO:** Planning Committee

**MEETING DATE:** Tuesday 5 February 2013

**BY:** Executive Director (Services for Communities)

**SUBJECT:** Application for Planning Permission for Consideration

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*Note: this application was called off the Scheme of Delegation List by Councillor Berry for the following reasons: these are for two wind turbines that will be prominently visible from nearby tourist routes and Tantallon Castle. Because of the controversy still raging about permission being given to one adjacent to Dirleton Castle the full Planning Committee should consider it.*

Application No.     **12/00934/P**

Proposal             Erection of 2 wind turbines

Location            **Blackdykes  
Tantallon  
North Berwick  
East Lothian  
EH39 5PQ**

Applicant           Mr & Mrs Hew & Janey Dalrymple

Per                   Mint Energy (Scotland) Ltd

Ward                 5

RECOMMENDATION     Consent Granted

#### PLANNING ASSESSMENT

Planning permission is sought for the erection of two wind turbines on a small part of the agricultural land of Blackdykes Farm that is in the countryside to the southeast of North Berwick.

The proposed two wind turbines would, on a roughly north-south axis be positioned within a field to the west and northwest of the agricultural buildings of Blackdykes Farm, respectively. In their positions one of the turbines would be some 55 metres away from the agricultural buildings and the other would be some 100 metres away from them.

Within the group of agricultural buildings of Blackdykes Farm are the buildings of Blackdykes Farm Steading that are listed as being of special architectural or historic interest (Category B).

There is a mature tree belt (comprising the Blackdykes Strip and Halfland Strip) on an east-west axis to the north and northeast of where the proposed two wind turbines would

be positioned. The proposed wind turbines would be to the south of the Blackdykes Strip component of the tree belt. One of the turbines would be some 305 metres away from the Blackdykes Strip and the other would be some 420 metres away from it.

Leuchie House, a Category A listed building is located some 850 metres to the west of where the proposed two wind turbines would be positioned.

The gardens surrounding Leuchie House, land to the north of them and the tree belt of the Blackdykes and Halfland Strips comprise the designated Leuchie Designed landscape. This early 19th century informal landscape of parkland, woodland, lawns and walled garden together form an attractive setting for the Category A Leuchie House.

Each of the proposed two wind turbines would consist of a supporting column measuring 15.4 metres in height from the ground to the centre of the rotor hub. The triple blades of the rotors would each have a length of 6.5 metres. The wind turbines would therefore have a height of 21.9 metres from ground level to blade tip. The diameter of their rotating blades would be 13 metres.

Under the provisions of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 the proposed development falls within the category of a Schedule 2 Development, being one that may require the submission of an Environmental Impact Assessment (EIA). Schedule 3 of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 sets out the selection criteria for screening whether a Schedule 2 development requires an EIA. On 8 January 2013 the Council gave a formal screening opinion. The screening opinion concludes that the proposed development is unlikely to have significant effects on the environment to the extent that expert and detailed study through EIA would be necessary to properly assess any effect. Therefore, there is no requirement for the proposed wind turbines to be the subject of an EIA.

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

The development plan is the approved Edinburgh and the Lothians Structure Plan 2015 and the adopted East Lothian Local Plan 2008.

Policies ENV1C (International and National Historic or Built Environment Designations), ENV3 (Development in the Countryside), ENV6 (Renewable Energy) and of the approved Edinburgh and the Lothians Structure Plan 2015 and Policies DC1 (Development in the Countryside and Undeveloped Coast), DP13 (Biodiversity and Development Sites), NRG3 (Wind Turbines), ENV3 (Listed Buildings), ENV7 (Scheduled Monuments and Archaeological Sites), ENV8 (Gardens and Designed Landscapes) and T2 (General Transport Impact) of the adopted East Lothian Local Plan 2008 are relevant to the determination of the application.

Material to the determination of the application are:

1. The Scottish Government's policy on renewable energy given in Scottish Planning Policy: February 2010;
2. The Scottish Government web based renewables advice entitled "Onshore Wind Turbines", which has replaced Planning Advice Note 45: Renewable Energy Technologies;

3. The East Lothian Supplementary Landscape Capacity Study for Smaller Wind Turbines (December 2011);

4. The Council's Planning Guidance for the Location and Design of Wind Turbines in the Lowland Areas of East Lothian: December 2010;

5. Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the Scottish Government's policy on development affecting a listed building or its setting given in Scottish Planning Policy: February 2010.

Scottish Planning Policy on renewable energy states that the commitment to increase the amount of electricity generated from renewable sources is a vital part of the response to climate change. In this, there is potential for communities and small businesses in urban and rural areas to invest in ownership of renewable energy projects or to develop their own projects for local benefit. Planning authorities should support the development of a diverse range of renewable energy technologies whilst guiding development to appropriate locations. Factors relevant to the consideration of applications for planning permission will depend on the scale of the development and its relationship with the surrounding area, but are likely to include impact on the landscape, historic environment, natural heritage and water environment, amenity and communities, and any cumulative impacts that are likely to arise. When granting planning permission planning authorities should include conditions for the decommissioning of renewable energy developments including, where applicable ancillary infrastructure and site restoration.

The advice entitled "Onshore Wind Turbines" forms one section of the web based renewables advice that the Scottish Government have introduced to replace Planning Advice Note 45: Renewable energy technologies. It provides advice on, amongst other things, matters relating to landscape impact, wildlife and habitat, ecosystems and biodiversity, shadow flicker, noise, road traffic impacts, aviation, and cumulative effects. In relation to landscape impact, the advice is that wind turbines can impact upon the landscape by virtue of their number, size or layout, how they impact on the skyline, their design and colour, any land form change, access tracks and ancillary components anemometers, substations and power lines. The ability of the landscape to absorb development often depends largely on features of landscape character such as landform, ridges, hills, valleys, and vegetation. Selecting an appropriate route for access, considering landform change, surfacing and vegetation can also influence to what extent proposals are integrated into the landscape setting. In relation to landscape impact, a cautious approach is necessary in relation to particular landscapes which are rare or valued. In assessing cumulative landscape and visual impacts, the scale and pattern of the turbines plus the tracks, power lines and ancillary development will be relevant considerations. It will also be necessary to consider the significance of the landscape and views, proximity and inter-visibility and the sensitivity of visual receptors. Planning authorities are more frequently having to consider turbines within lower-lying more populated areas, where design elements and cumulative impacts need to be managed.

Policy ENV6 of the approved Edinburgh and the Lothians Structure Plan 2015 states that the development of renewable energy resources will be supported where this can be achieved in an environmentally acceptable manner. Local Plans should set out the specific criteria against which renewable energy developments will be assessed including cumulative impact.

It is stated in paragraph 9.6 of the adopted East Lothian Local Plan 2008 that the Council is supportive of Government policy to secure greater energy generation from renewable sources. The benefits will be weighed against the impact on the local environment and features of interest. With regard to wind turbines it is stated in paragraph 9.7 that because

of the need for turbines to catch the wind it is not possible to hide them. The visual and landscape impact, both of the turbines themselves and associated infrastructure, is usually the main concern. In paragraph 9.8 it is stated that the Council wishes to protect valued landscape features, including North Berwick Law.

Policy NRG3 of the adopted East Lothian Local Plan 2008 states that subject to consistency with other plan policies, proposals for individual turbines or wind farms and associated access tracks and transmission lines will be supported where (i) they would not change the existing landscape character in an unacceptable way; (ii) they would not have an unacceptable visual impact on landscape or townscape including the impact on distinctive public views, landmark buildings or natural features, or routes; (iii) they would not have an unacceptable impact from noise at any noise sensitive property including the gardens of such properties however large; (iv) there would be no demonstrable nuisance from a shadow flicker effect; (v) they would have no unacceptable adverse impacts on hydrogeology or hydrology; (vi) alternative, better, sites are not available; and (vii) there are no unacceptable cumulative impacts. Policy NRG3 also requires that in assessing all proposals the Council will have regard to the findings and recommendations of the Landscape Capacity Study for Wind Turbine Development in East Lothian (May 2005).

The Council's Planning Guidance for the Location and Design of Wind Turbines in the Lowland Areas of East Lothian: December 2010 is relevant to the determination of this application. In setting out the policy framework and key considerations for wind turbine development the purpose of this supplementary planning guidance is (i) to provide potential applicants for planning permission for smaller and medium sized turbines with guidance on the range of issue which they should consider when preparing wind turbine proposals, and (ii) to indicate the matters which will be considered by the Council when assessing these applications. It is focused primarily on turbines with a height to blade tip ranging from between 20 to 120 metres but is also applicable to single and small groups of turbines in excess of 120 metres to blade tip where the same design and policy issues would be relevant.

The Council's East Lothian Supplementary Landscape Capacity Study for Smaller Wind Turbines (December 2011) is also relevant to the determination of this application. This Supplementary Landscape Capacity Study determines the capacity of the East Lothian lowland landscapes and the Lammermuir fringe to accommodate various scales of wind turbine development smaller than those considered in the Landscape Capacity Study for Wind Turbine Development in East Lothian (May 2005). In this regard four principal development typologies are considered in the study, namely, (i) Typology A: wind turbines between 65m and 120m high, (ii) Typology B: Single wind turbines between >42m and <65m high, (iii) typology C: wind turbines between 20m and up to and including 42m high, and (iv) typology D: wind turbines between 12m and <20m high, with all wind turbine heights being from ground level to blade tip.

Only one letter of objection to the application has been received. It is from The Architectural Heritage Society of Scotland. The grounds of objection are that the proposed wind turbines would harm the setting of the listed buildings of Blackdykes Farm Steading and Leuchie House, and would harm the setting of the Leuchie Designed Landscape.

The Landscape Capacity Study for Wind Turbine Development in East Lothian (May 2005) is not material to the determination of this application as its findings are not based on an assessment of the affect on the landscape of East Lothian of a wind turbine(s) lower than 42 metres high.

The National Air Traffic Services (NATS), the Civil Aviation Authority (CAA) and the Ministry of Defence (MOD) have been consulted on the application and all raise no objection to the proposed wind turbines on grounds of aircraft safety.

It is stated in Part 1(a) of Policy DC1 of the adopted East Lothian Local Plan 2008 that infrastructure type development will be acceptable in principle in the countryside of East Lothian provided it has a clear operational requirement for a countryside location that cannot reasonably be accommodated within an existing urban or allocated area. Policy ENV3 of the approved Edinburgh and the Lothians Structure Plan 2015 states that development in the countryside will be allowed where it has an operational requirement for such a location that cannot be met on a site within an urban area or land allocated for that purpose.

With its purpose to generate and supply electricity a wind turbine can reasonably be defined as being an infrastructure type development. A countryside location where wind power can be harnessed to generate electricity is a basis upon which the requirement to operate a wind turbine infrastructure type development in the countryside can in principle be justified.

The application site is in a countryside location where wind power can be harnessed to generate electricity and thus by their siting and operation in relation to the business use of Blackdykes Farm the proposed wind turbines can as a form of new build infrastructure development in the countryside of East Lothian be justified. The proposed wind turbines are capable of providing the farm with a renewable energy source. On these considerations the proposed wind turbines are consistent with Policy DC1 of the adopted East Lothian Local Plan 2008 and Policy ENV3 of the approved Edinburgh and the Lothians Structure Plan 2015.

Moreover, in their countryside location the proposed wind turbines would not involve any permanent development and furthermore would not preclude the reversal of the use of the land of the application site to agricultural use. On this consideration too the principle of the proposed development is consistent with Policy DC1 of the Local Plan and Policy ENV3 of the Structure Plan.

Policy NRG3 of the adopted East Lothian Local Plan 2008 stipulates that a proposed wind turbine(s) should not have an unacceptable impact from noise at any noise sensitive property and Part 5 of Policy DC1 requires there to be no significant adverse impact on nearby uses.

Paragraph 5.20 of Planning Guidance for the Location and Design of Wind Turbines in the Lowland Areas of East Lothian: December 2010 states that the proximity of noise sensitive receptors (e.g. residential properties) will be a significant factor in the requirement for an assessment of the affect of noise from the turbine on such noise sensitive receptors. Paragraph 5.22 states that for single turbines in low noise environments the day time level measured as LA(), 10min should be 35 DB at nearest noise sensitive dwellings, up to wind speeds of 10m/s at 10 metres in height.

In this regard the Council's Senior Environmental & Consumer Services Manager is satisfied that the external free-field noise levels associated with the operation of the proposed wind turbines would not exceed 35dBLA90 10min at any wind speed up to 10m/s at any nearby residential property. Subject to such control the proposed wind turbines would not have a harmful noise impact on the nearest residential properties.

Policy NRG3 of the adopted East Lothian Local Plan 2008 stipulates that a proposed wind turbine(s) should not demonstrably give rise to nuisance from a shadow flicker effect and Part 5 of Policy DC1 requires there to be no significant adverse impact on nearby uses.

The Scottish Government web based renewables advice entitled “Onshore Wind Turbines” advises that as a general rule the shadow flicker effect of an operating turbine should not be a problem where the distance between the turbine and a dwellinghouse exceeds 10 times the diameter of the rotor blades of the turbine.

In the case of each of the proposed two wind turbines 10 times the diameter of its rotor blades would be 130 metres. The nearest dwellings, being those of Blackdykes Cottages to the east, are some 230 metres away from where the proposed wind turbines would be sited. Thus, the proposed wind turbines pass the Scottish Government’s general rule of shadow flicker effect.

Due to their height and distance from the nearest residential properties the proposed wind turbines would not be physically overbearing on any of them or in the outlook from them. On this count the proposed wind turbines would not harm the amenity of those residential properties.

Policy NRG3 of the adopted East Lothian Local Plan 2008 stipulates that a proposed wind turbine(s) should not have an unacceptable adverse impact on hydrogeology or hydrology.

There is no evidence on which to say that the proposed wind turbines would have an unacceptable adverse impact on the hydrogeology or hydrology of the area.

On these tests of noise and shadow flicker effect and considerations of dominance, outlook and impact on hydrology the proposed wind turbines are consistent with, where applicable, Policies NRG3 and DC1 (Part 5) of the adopted East Lothian Local Plan 2008, Policy ENV6 of the approved Edinburgh and the Lothians Structure Plan 2015, The Scottish Government web based renewables advice entitled “Onshore Wind Turbines” and Planning Guidance for the Location and Design of Wind Turbines in the Lowland Areas of East Lothian: December 2010.

On the matter of safety, paragraph 5.15 of Planning Guidance for the Location and Design of Wind Turbines in the Lowland Areas of East Lothian: December 2010 states that although wind turbines erected in accordance with best engineering practice should be stable structures, it is desirable to achieve a set back from roads, railways and public footpaths. The Scottish Government web based renewables advice entitled “Onshore Wind Turbines” gives advice on the siting of wind turbines in proximity to roads and railways and states that it may be advisable to achieve a set back from roads and railways of at least the height of the turbine proposed.

Each of the proposed two wind turbines would achieve such a set back distance in its relationship with the public road to the south. The Council’s Transportation service has been consulted on the application and raises no objection to the proposed wind turbines, being satisfied that due to their distance away from the public road they would have no significant adverse consequences for road safety.

On this consideration the proposed wind turbines are consistent with Policy T2 of the adopted East Lothian Local Plan 2008, The Scottish Government web based renewables advice entitled “Onshore Wind Turbines” and Planning Guidance for the Location and Design of Wind Turbines in the Lowland Areas of East Lothian: December 2010.

Policy DP13 of the adopted East Lothian Local Plan 2008 generally presumes against new development that would have an unacceptable impact on the biodiversity of an area. One of the key considerations set out in Planning Guidance for the Location and Design of Wind Turbines in the Lowland Areas of East Lothian: December 2010 is that sites or species designated or protected for their biodiversity or nature conservation interest will be protected in accordance with development plan policy. Proposals for wind turbines must have regard to both their site specific and wider impacts.

The Council's Biodiversity Officer is satisfied that the proposed wind turbines would not have any adverse biodiversity impacts.

Accordingly, the proposed wind turbines are not contrary to Policy DP13 of the adopted East Lothian Local Plan 2008 or Planning Guidance for the Location and Design of Wind Turbines in the Lowland Areas of East Lothian: December 2010.

It is stated in Scottish Planning Policy that archaeological sites and monuments are an important finite and non-renewable resource and should be protected and preserved in situ wherever feasible. The presence and potential presence of archaeological assets should be considered by planning authorities when making decisions on planning applications. Where preservation in situ is not possible planning authorities should through the use of conditions or a legal agreement ensure that developers undertake appropriate excavation, recording, analysis, publication and archiving before and/or during development. If archaeological discoveries are made during any development, a professional archaeologist should be given access to inspect and record them. Planning Advice Note 2/2011: Planning and Archaeology similarly advises.

As stipulated in Policy ENV7 of the adopted East Lothian Local Plan 2008, new development that would harm a site of archaeological interest or its setting will not be permitted. One of the key considerations set out in Planning Guidance for the Location and Design of Wind Turbines in the Lowland Areas of East Lothian: December 2010 is that wind turbine development that would harm an archaeological site or its setting, will not normally be permitted.

The Council's Archaeology Officer advises that the proposed wind turbines would be situated in an area known to contain a number of remains dating from the prehistoric period through to the 19th century. Because of this the Archaeology Officer recommends that a programme of archaeological works be carried out prior to the commencement of development. This could be secured through a condition attached to a grant of planning permission for the proposed wind turbines. This approach is consistent with Scottish Planning Policy: February 2010 and Planning Advice Note 2/2011: Planning and Archaeology.

On this consideration the proposed two wind turbines are not contrary to Policy ENV7 of the adopted East Lothian Local Plan 2008 or Planning Guidance for the Location and Design of Wind Turbines in the Lowland Areas of East Lothian: December 2010.

As stipulated in Policy ENV1C of the approved Edinburgh and the Lothians Structure Plan 2015 and Policy ENV3 of the adopted East Lothian Local Plan 2008, new development that harms the setting of a listed building will not be permitted. One of the key considerations set out in Planning Guidance for the Location and Design of Wind Turbines in the Lowland Areas of East Lothian: December 2010 is that any proposal for wind turbine development near or within the curtilage of a listed building must ensure that the listed building remains the focus of its setting and is not harmed by the presence of the proposed turbine(s).

The proposed two wind turbines would be sited some 130 and 160 metres, respectively to the west of the listed buildings of Blackdykes Farm Steading. However, between those listed buildings and the proposed two wind turbines would be the existing modern agricultural buildings of Blackdykes Farm that are already a prominent feature within the immediate setting of the listed steading buildings. The proposed two wind turbines would as much be seen in relation to them as they would in relation to the listed steading buildings. The presence of the existing modern agricultural buildings would prevent a direct visual relationship between the proposed two wind turbines and the listed steading buildings. In such circumstance and due to the relatively low height and limited massing of them, the proposed two wind turbines would not have a harmfully prominent or imposing visual relationship with and would not harmfully impose themselves on the setting of the listed Blackdykes Farm Steading.

The listed building of Leuchie House is located some 850 metres to the west of where the proposed wind turbines would be sited. Moreover, that Category A listed building is visually well contained in its immediate setting of landscaped grounds that are part of the designated Leuchie Designed Landscape and which provide tree cover to all sides of the listed building. Consequently, Leuchie House is not obvious in its setting and, because if this, the proposed two wind turbines would not be seen to harmfully impose themselves on its setting.

Accordingly, the proposed two wind turbines are not contrary to Policy ENV1C of the approved Edinburgh and the Lothians Structure Plan 2015, Policy ENV3 of the adopted East Lothian Local Plan 2008, Scottish Planning Policy: February 2010 or Planning Guidance for the Location and Design of Wind Turbines in the Lowland Areas of East Lothian: December 2010.

Policy ENV1C of the approved Edinburgh and the Lothians Structure Plan 2015 also stipulates that development which would harm the character, appearance and setting of a Designed Landscape should be resisted.

Policy ENV8 of the adopted East Lothian Local Plan 2008 stipulates that development that harms the conservation objectives of Designed Landscapes will not be permitted.

The proposed two wind turbines would not be positioned on any part of the lands of the designated Leuchie Designed Landscape and, therefore, they would not change the character and appearance of the Designed Landscape and would not be harmful to the conservation objectives of it.

On this consideration the proposed two wind turbines do not conflict with Policy ENV1C of the approved Edinburgh and the Lothians Structure Plan 2015 or Policy ENV8 of the adopted East Lothian Local Plan 2008

On the matter of landscape impact, an important material consideration in the determination of this planning application is the Council approved East Lothian Supplementary Landscape Capacity Study for Smaller Wind Turbines (December 2011) which determines the capacity of the East Lothian lowland landscapes to accommodate various scales of wind turbine development.

The land of the application site is within the 'Agricultural Plain – Sub Area 1, East' landscape character area of the Supplementary Landscape Capacity Study for Smaller Wind Turbines (December 2011). The Study classifies this landscape character area as being a rolling landform with pronounced ridges and occasional landmark features, with a relatively high proportion of woodland which increases containment and reduces scale. The Study further classifies this landscape character area as being of high sensitivity to



Typology of wind turbine A and B, of medium-high sensitivity to Typology of wind turbine C and low sensitivity for Typology D.

The Study states that within the 'Agricultural Plain – Sub Area 1, East' landscape character area: (i) there are no opportunities to locate wind turbines of Typology A (between 65 metres and 120 metres high) or of Typology B (single wind turbines between more than 42 metres and less than 65 metres high); (ii) there are very limited opportunities to accommodate wind turbines of Typology C, being wind turbines between 20 metres high and up to and including 42 metres high (subject to impact on key views) and that any such wind turbines should be towards the lower height band of Typology C, being below 30 metres high from ground level to blade tip in order to attain a better scale relationship to small buildings in this well settled area and minimise effects on views of landmark features; (iii) there are opportunities to locate wind turbines of Typology D, being wind turbines between 12 metres and less than 20 metres high, if visually associated with farms and buildings.

Although the Study advises that within the 'Agricultural Plain – Sub Area 1, East' landscape character area there are some opportunities to accommodate Typology C wind turbines, it particularly states that the part of the Agricultural Plain – Sub Area 1, East' landscape character area in which the site of the proposed two wind turbines is located cannot accommodate any Typology C wind turbines.

In that each of the proposed two wind turbines would be of a height of 21.9 metres from ground level to blade tip and thus of Typology C they would be only marginally higher than a Typology D wind turbine, being one between 12 metres and 20 metres high which the Study states can generally be accommodated within this landscape character area.

In light of this it is necessary to determine, through a specific landscape appraisal of their likely impact, whether or not the proposed two wind turbines, notwithstanding being of Typology C yet only of a height of 21.9 metres from ground level to blade tip, would be acceptable to their place. In this due regard has to be paid to the terms of Structure Plan Policy ENV3, Local Plan Policies DC1 and NRG3 and Planning Guidance for the Location and Design of Wind Turbines in the Lowland Areas of East Lothian: December 2010.

Policy ENV3 states that local plans should require that development in the countryside is well integrated into the rural landscape and reflects its character and quality of place.

Part 5 of Policy DC1 of the adopted East Lothian Local Plan 2008 stipulates that new development must be sited so as to minimise visual intrusion and landscape impact within the open countryside. With regard to its nature and scale new development must be integrated into the landscape, reflect its character and quality of place, and be compatible with its surroundings.

As stipulated in Policy NRG3 of the adopted East Lothian Local Plan 2008 a proposed wind turbine(s) should not change the existing landscape character in an unacceptable way and should not have an unacceptable visual impact on landscape or townscape including the impact on distinctive public views, landmark buildings or natural features.

On the key considerations of landscape impact and impact on public views to and from landmark features Planning Guidance for the Location and Design of Wind Turbines in the Lowland Areas of East Lothian: December 2010 states:

(i) wind turbine development will only be supported where the overall integrity and setting of key public views to and from landmark features, both natural and man-made, will not be

compromised. Developments which would harm the character, appearance and setting of significant natural landscape features, landmark buildings and structures will be resisted;

(ii) wind turbines must be sited and designed so that they relate to their setting; that any adverse effects on visual amenity and landscape are minimised and that areas which are valued for their landscapes and scenery are protected;

(iii) wind turbines must be acceptable in terms of scale and character for their proposed location and must be well integrated into the landscape, reflect its character and quality of place and be compatible with its surroundings;

(iv) wind turbines must not appear incongruous or dominate the local landscape when viewed from a range of public places. They must be capable of being accommodated within an open landscape without detriment to landscape character. They must not result in a change of landscape character from a predominantly agricultural landscape to one that is a landscape dominated by wind turbines: cumulative impact will be a particular issue here;

(v) a wind turbine development that would harm the character, appearance and setting of a designed landscape will be resisted.

In relation to cumulative impact paragraph 4.34 of Planning Guidance for the Location and Design of Wind Turbines in the Lowland Areas of East Lothian: December 2010 states that individual wind turbine proposals must not be looked at in isolation. Cumulative visual impact, viz. the impact of the proposed turbine/s when viewed in association with other turbines already erected or in the planning process needs to be taken into account. A balance must be retained, so that wind turbines are integrated into their landscape setting and do not merge with other turbines to change the character of the landscape into a predominantly wind farm landscape where other significant landscape characteristics of an area become visually subservient to wind turbines.

There are no existing wind turbines in the vicinity of the application site and thus there would be no resultant harmful cumulative visual impact from the proposed two wind turbines.

The specific landscape appraisal undertaken by Policy & Projects finds that:

\* In views towards them from the public road to the south the proposed two wind turbines would have as a backdrop to them the Blackdykes Strip component of the existing tree belt to the north. The proposed two wind turbines would not be out of scale with that tree belt that, consequently would effectively serve to mitigate the visual impact of them on the landscape of the area. Moreover when viewed from the road to the south the proposed two wind turbines would be seen in relation to the nearby buildings of Blackdykes Farm. The two wind turbines would not be out of scale with those existing farm buildings and, because of their nearby presence those buildings by their height and massing would in a visual relationship with the two wind turbines mitigate the visual impact of the turbines.

\* In views towards them from the public road to the northeast the proposed two wind turbines would again be viewed in the context of the farm buildings of Blackdykes Farm and in those views too the two wind turbines would not be seen to be out of scale with those existing farm buildings and, because of their nearby presence those buildings by their height and massing would in a visual relationship with the two wind turbines mitigate the visual impact of the turbines.

\* In south-westwards views from the north the proposed wind turbines would also benefit from a backdrop of mature trees which would serve to further mitigate their landscape impact.

\* The proposed two wind turbines would be visible in longer distance views from the east and west, but due to the visual containment afforded to them by their positioning near to the existing buildings of Blackdykes Farm and their positional relationship to the tree belt to the north and northeast and the tress of the landscaped grounds of Leuchie House to the southwest, they would not appear harmfully prominent, intrusive or incongruous in their landscape setting.

In overall conclusion, the proposed two wind turbines due to their positioning, form, height and scale would not appear as prominently intrusive features in their particular landscape setting, would not change the existing landscape character of the area in a harmful way. They would not have a harmful visual impact on any key views of valued landscape, historic or natural heritage features, including the setting of the Leuchie Designed Landscape.

From these specific findings of the particular landscape assessment of their likely visual impacts it is demonstrated that the proposed two wind turbines can successfully be accommodated in this particular location within the 'Agricultural Plain – Sub Area 1, East' landscape character area, consistent with Policies DC1 (Part 5), NRG3 and ENV8 of the adopted East Lothian Local Plan 2008, Scottish Planning Policy: February 2010 and the key considerations of landscape impact and impact on public views to and from landmark features of Planning Guidance for the Location and Design of Wind Turbines in the Lowland Areas of East Lothian: December 2010.

These specific findings outweigh the statement in the East Lothian Supplementary Landscape Capacity Study for Smaller Wind Turbines (December 2011) that the part of the Agricultural Plain – Sub Area 1, East' landscape character area in which the site of the proposed two wind turbines is located cannot accommodate any Typology C wind turbines.

With regard to Scottish Planning Policy it is appropriate to impose a condition on the grant of planning permission requiring removal of the wind turbine and restoration of the site should the wind turbine become operationally redundant.

#### CONDITIONS:

- 1 The external free-field noise levels associated with the operation of the wind turbines hereby approved shall not exceed 35dBLA90 10min at any wind speed up to 10m/s at any residential property.

Reason:

In the interests of the residential amenity of the wider locality and to protect noise sensitive properties.

- 2 No symbols, logos or any other markings shall be displayed on any part of the wind turbine hereby approved without the written consent of the Planning Authority, except for over-riding reasons of health and safety.

Reason:

In the interests of the visual amenity of the area.

- 3 No development shall take place until the applicant has, through the employ of an archaeologist or archaeological organisation, secured the implementation of a programme of archaeological work (Archive Assessment and Monitored Strip) on the site of the proposed development in accordance with a written scheme of investigation which the applicant will submit to and have approved in advance by the Planning Authority.

Reason:

To facilitate an acceptable archaeological investigation of the site.

- 4 In the event that any wind turbine installed on the application site fails to produce electricity for a continuous period of 6 months, then, unless otherwise approved in writing by the Planning Authority, it shall be deemed to have ceased to be required. If it is deemed to have ceased to be required the wind turbine shall be dismantled and removed from the site by the operator by no later than the date occurring 6 months after the end of the said continuous 6 months period, and the ground fully reinstated to the specification and approval of the Planning Authority.

Reason:

To prevent a redundant turbine remaining on the application site, in the interests of the landscape amenity of the area.