

## Appendix A

### Internal Responses East Lothian Council

#### *ELC Access officer*

“Jean ,

Neil Clark has forwarded to me your request for comments on the above Request for Scoping Opinion, as I am the Outdoor Access Officer who covers this area.

I have the following comments to make on the Scoping Report in relation to outdoor access, core paths and the John Muir Way:

1.) The Scoping Report does cover the main likely impacts on public outdoor access and core paths. However, it is important to stress that public access is not just confined to the designated core paths in this area, but that public recreation is popular in the open space areas adjacent to this site, particularly the ‘green hills’ area immediately to the west of the site, and the impacts on this wider recreational access should be fully addressed.

2.) The proposed Mitigation during construction for the core paths and John Muir Way (section 4.4.2 of Scoping Report) is acceptable and I note that the applicant would liaise with ELC’s Outdoor Access Officer prior to any proposed alternative routes being required.

3.) Paragraph 311 of Scoping Report: the terminology in this paragraph is incorrect. “Core paths” are designated under the Land Reform (Scotland) Act 2003 (East Lothian’s core paths are listed in East Lothian’s Core Paths Plan, which was adopted by East Lothian Council in 2010). “Rights of way” are designated under the Countryside (Scotland) Act 1967, and are a separate designation to “core path” designation. It is essential that both core paths and rights of way are taken into consideration during the Scoping study, as both are located in this area. I can provide further details if required.

4.) Paragraph 321 of Scoping Report: In addition to the documents listed, consideration should also be given to

- Designated Rights of Way (“Public Access Including Rights of Way” document, East Lothian Council, 1994)
- National Cycle Routes (details on Sustrans website)
- East Lothian Council Active Travel Improvement Plan (currently in preparation)

Please let me know if you require any further details

Thank you and regards

Jennifer Lothian | Outdoor Access Officer | East Lothian Council

John Muir House | Haddington | East Lothian | EH41 3HA

Tel: 01620 827419 | Email: [jlothian@eastlothian.gov.uk](mailto:jlothian@eastlothian.gov.uk)

***ELC Economic Development:***

**From:** Smith, Susan  
**Sent:** 21 July 2017 09:09  
**To:** Squires, Jean; xx; xx; xx  
**Subject:** RE: Inch Cape Onshore Transmission Works: Request for Scoping Opinion

Jean – I note consideration of tourism impacts. Although only 2 visitor attractions in vicinity, impact of coast road access for visitors to North Berwick and key visitor attractions has been mentioned as a consideration. Also, may need to refer to strategic economic and tourism documents – I can provide references.

Susan”

**From:** Squires, Jean  
**Sent:** 24 July 2017 20:10  
**To:** Smith, Susan  
**Subject:** RE: Inch Cape Onshore Transmission Works: Request for Scoping Opinion

Thank you, please can you provide references as noted below [above]. Also, are you happy with what they say they will do to examine tourism impacts?

Jean

**From:** Smith, Susan  
**Sent:** Tue 25/07/2017 08:22  
**To:** Squires, Jean;  
**Subject:** RE: Inch Cape Onshore Transmission Works: Request for Scoping Opinion

“Jean

East Lothian tourism -

[http://www.eastlothian.gov.uk/info/200193/tourism and hospitality/1353/tourism and hospitalit  
y businesses](http://www.eastlothian.gov.uk/info/200193/tourism_and_hospitality/1353/tourism_and_hospitality_businesses)

National strategy –

<http://scottishtourismalliance.co.uk/page/national-strategy/>

Yes, no further comment.

Susan

## *ELC Environmental Health and Protection*

"Jean

I have perused the Scoping Report and would comment as follows.

### **1. Noise**

The report identifies the relevant Policy and Guidance documents that the noise impact assessment should take cognisance of. However, I would make the following comments:

- a) Sensitive receptors at Hawthornbank located on the B1348 Edinburgh Road should be considered for any assessment of impacts;
- b) Demolition works currently being undertaken on the proposed site shall not be included in any assessment of baseline noise climate;
- c) Peak noise levels,  $L_{Amax}$ , should also be considered in any assessment of noise associated with demolition and operational phases.
- d) The assessment should predict internal day-time and night-time noise levels within residential properties of sensitive receptors associated with both construction and operational phases.

### **2. Vibration**

I am satisfied with the proposed methodology for assessment of vibration impacts which will be for construction phase only.

### **3. Air Quality**

I am satisfied with the proposed methodology for the assessment of impacts upon local air quality. I would not anticipate any significant impacts on Air Quality during either the construction or operational phases of the development that could result in breaches of any Air Quality Objectives. However, there is significant potential for nuisance dust to impact upon amenity of nearby sensitive receptors. As such, it is imperative that a Dust Management Plan (DMP) be incorporated into any Construction Environmental Management Plan (CEMP) and that any DMP specifies the mitigation measures to be taken, especially in periods of dry and/or windy weather.

I will be happy to discuss the scope of any assessment with the applicant or their agent.

Regards

Colin Clark | Senior Environmental Health Officer, Public Health & Environmental Protection  
| Environmental Health Service | East Lothian Council | John Muir House | Haddington |  
EH41 3HA |

Tel. 01620 827443 | Email. [cclark1@eastlothian.gov.uk](mailto:cclark1@eastlothian.gov.uk) | Visit our website at  
[www.eastlothian.gov.uk](http://www.eastlothian.gov.uk) “

## ELC Landscape Officer

"Our ref: SCP17 008 (lan 61237)

Jean,

### **RE: Inch Cape Onshore Transmission Works: Request for landscape Scoping Opinion**

I sent a response to you on 7<sup>th</sup> August 2017, however I recalled this message, as I amended the report. Hopefully the message that I sent 7<sup>th</sup> August 2017 was recalled deleted.

Please find a copy of our landscape scoping opinion attached. We require that you send the two attachments to the applicant so that they may address the landscape matters.

Please note that all emails are sent only to; [landscape@eastlothian.gov.uk](mailto:landscape@eastlothian.gov.uk)

Thank you for your cooperation.

Regards,

Dervilla Gowan | Landscape Project Officer | Strategy & Policy | Housing & Environment | Services for Communities | East Lothian Council | John Muir House | Haddington | EH41 3HA | T. 01620 827818 | E. [landscape@eastlothian.gov.uk](mailto:landscape@eastlothian.gov.uk) |

#### PARTNERSHIPS & SERVICES FOR THE COMMUNITY

##### Internal Memorandum

**From:** Landscape  
**Per:** Dervilla Gowan  
**Ref:** SCN\_17/008 Lan 61237

**To:** Strategy and Policy  
**Per:** Jean Squires  
**Ref:** Scoping Opinion  
**Date:** August 4<sup>th</sup> 2017

**PROPOSAL :** Scoping Opinion under Regulation 17(1) of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 for onshore Transmissions works.

**LOCATION:** Site of former Coal fired power station, Cockenzie.

##### **BACKGROUND:**

The applicant submitted application 17/00008/PAN for planning permission in principle for the construction, operation and decommissioning of an onshore substation, underground electricity cables and associated infrastructure required to export electricity from Inch Cape Offshore Limited's proposed offshore wind farm to the National Electricity Transmission System was submitted by Inch Cape Offshore Limited in May 2017, Appendix 1, Figure 5. The site is allocated in the proposed LDP 2016 for thermal generation. To the south of the application site, permission was granted 2/9/2014 for 14/00456/PPM Planning permission in principle for the construction, operation and decommissioning of an onshore substation, electricity cables and associated infrastructure required to export electricity from the proposed inch cape offshore wind farm to the national electricity transmission system for Land Adjacent To Cockenzie Power Station, Cockenzie, Prestonpans. Appendix 1, Figure 2 and 5.

##### **SITE DESCRIPTION**

The application site is located in the site of the former Cockenzie coal fired power station and is situated adjacent to the coast and in between Cockenzie and Prestonpans.

The site is located in landscape type; Coastal margins and Musselburgh/Prestonpans Coast character area as defined by the Ash 1998 study. As the site is predominantly flat. The site is currently under demolition. There are a handful of mature trees and shrubs growing within and on the southern roadside boundary of the site. The landscape setting is an open and exposed coastal with views across the Firth of Forth to Arthurs Seat in Edinburgh and the Forth Railway bridge. There are good views across the site to Cockenzie Harbour. The John Muir Way is adjacent to the northern boundary of the site.



**LOCAL PLANNING POLICY**

A poorly sited and designed layout on this site could have an adverse impact on the setting of this coastal site. It appears that locally adverse impacts would be on the views to and from the adjacent Special landscape area, Cockenzie Conservation area and core paths. Local plan policies DC1 and DC2 and NH8 and DP14 apply to the application site. Appendix 1, Figures 12- 14.

**LANDSCAPE & VISUAL ASSESSMENT (LVIA)**

We refer to page 126, Figure 8.2 of the submitted scoping report titled: Inch Cape Onshore Transmission Works, which shows the Landscape Character Types and Areas. The applicant has not referred to Special Landscape Areas in the submitted report.

ELC proposed Local Development plan 2016 reviewed the Areas of Great Landscape Value (AGLV). It is proposed that the Special Landscape areas shall replace the AGLV designations.

We require that any landscape and visual impact of the proposed development are assessed in relation to the proposed Special Landscape Areas (SLA) when preparing the LVIA.

The following is this link to the SLA documents to the applicant so that they may access technical note 9:  
[http://www.eastlothian.gov.uk/meetings/meeting/5986/members\\_library\\_service](http://www.eastlothian.gov.uk/meetings/meeting/5986/members_library_service)

There are ten documents with the title: Technical note 9, the list of SLA documents Appendix 1, Figures 3 and 4.

A landscape and visual impact assessment (LVIA) to be carried out for the site and assessment made for all impacts on the SLA and countryside around towns (CAT) designated area that fall within 5km radius of the application site. We require a full topographical analysis survey of the site showing contours, spot heights at no less than 0.5 meter intervals, boundary features such as the coast to low tide mark, the jetty and the mounds to the west and east of the site. The topographical survey should not stop at the boundary of the site but include adjacent areas; the extent of the adjacent areas to be included should be **discussed and agreed with the Council**. We require that the existing and proposed contours are labelled and that the landscape character areas and Special Landscape areas are clearly identified with a colour coded key. We will require north south and east west cross section of the site, clearly showing the existing ground and proposed ground levels and how the proposed development will relate to the adjacent landscape setting.

The LVIA should be carried out taking into account the following guidance: Guidelines for Landscape and Visual Impact Assessment The Landscape Institute and Institute for Environmental Management and Assessment (2013) 3rd Edition (Landscape Institute and IEMA, 2013).

**ZONE OF THEORETIC VISIBILITY INFLUENCE (ZTVI)**

A full level survey and proposed finished level plan must be carried out to enable an accurate ZTV for the proposed development.

We require a ZTVI on a 1:25,000 base map, using the up to date version of the OS Terrain-5 Digital Terrain Model data, with local features such as tree belts, woodland and built form modelled in sufficiently to produce a screening ZTV map. Please provide the ZTVI map to 5km radius from the site centre, and present on an A0 sheet at 1:25,000 scale and the photomontages on minimum A3 fold out format. We will require a ZTVI for the existing site and a ZTVI for the highest roof ridge of the proposed buildings contained within development. Please include information in a legend on the ZTVI plan confirming the finished floor level and proposed roof ridge height, upon which the ZTVI has been based.

Once we receive the ZTVI and photomontages we will let you know if we require additional photomontages (in order to allow us to fully assess the likely visual impact of the proposed housing development).

We require a copy of the ZTV in shape file format (.shp file extension), a copy of which are to be emailed to Stuart Kimsey (Planning Technician) [skimsey@eastlothian.gov.uk](mailto:skimsey@eastlothian.gov.uk) so that he may load the information onto our GIS.

**VIEW POINTS (VP)**

All viewpoints (VP) are to be shown in a schedule which includes the VP number, six figure grid references and location address. This information is to be shown on the ZTVI plan. Each photomontage is to include a view direction arrow shown on a clearly legible site location map in the corner of the sheet, to help us easily find the VP on site when making our site assessment.

In terms of visuals we require that the photomontages accurately illustrate the proposed development. Please do not attempt to hide the development in photomontages behind existing and or proposed landscaping as we would initially like to see the built form and how it sits within the receiving landscape. We may require viewcone at 50cm viewing distance, 45 degree viewcone for some of the photomontage where the proposed development is difficult to see due to distance. The photomontage should include a legend or notes to identify the buildings illustrated. Birds eye views and longitudinal cross sections are a preferred format for showing the details of any proposed landscaping. Details of how photomontages have been prepared should be provided in the methodology statement. This information shall include details of computer software used, photographic details, terrain data used and modelling methodology. Any limitations of the overall methodology shall be clearly stated. Only Ordnance Survey DTM 5-metre Contour Data should be used to create the 3D computer generated terrain model. The use of 10-metre contour Data will only be permitted in locations where the 5 meter data is not available. Written confirmation to support this should be submitted. Please avoid VP that have obstructions such as hedgerows, gates, walls and mound blocking the view.

If the ZTVI shows that there is likely to be visibility from an area please select one or more representative VP from within a SLA, conservation areas, core paths, monuments, designed landscape, listed building, public parks and roads.



On page 62 of the submitted report, Table 8.1, lists 9 viewpoints (VP). Of the proposed 9 viewpoints, we do not require proposed VP 1, 2 and 8.

In addition to the 6 proposed VP, we require the following VP;

VP 1 Inside the security fence adjacent to the jetty and John Muir way looking south across the application site, grid ref: 339453E, 675624N.

VP 2 Top of grass mound to the west of the site looking due south east, grid ref: 339185E, 675243N.

VP 3 Inside the security fence, ramp at south west corner of site looking due east across the site, grid ref: 339390E, 675176N.

VP 4 Cockenzie Harbour, looking due south west across the site, grid ref: 339840E, 675716N.

VP 5 Footpath to north of Edinburgh Road, B1348 adjacent to the site, looking due north west across the site, grid ref: 339743E, 675509N.

VP6 John Muir way footpath and Cockenzie Conservation area, looking due west, grid ref: 339823E, 675543N.

#### **VIEWPOINT ANALYSIS**

We require that the LVIA shall include a table that summarises in the format illustrated in Appendix 1, Figure 11 for the viewpoint analysis based on a methodology for assessing significance. We reserve the right to request additional information such as viewpoints cross sections etc if the submitted information is not adequate to make an assessment of the proposed development.

#### **NIGHT LIGHTING**

No information has been submitted about the likely visual impacts of lighting on the immediate and long distance landscape. Lighting for safety or security purposes may be unavoidable and may give rise to significant adverse visual effects, in such cases, consideration should be given to different ways of minimising light pollution and reference should be made to appropriate guidance, such as that provided by the Institution of Lighting Professionals (ILP, 2011)

#### **CUMULATIVE LANDSCAPE & VISUAL IMPACT (CLVIA)**

We require a CLVIA that assesses the cumulative landscape and visual impacts of the adjacent substation to the south of the application site.

#### **TREE SURVEY & ARBORICULTURAL CONSTRAINTS PLAN**

There are mature trees growing on and adjacent to the application site. Appendix 1, Figure 10. Along the southern roadside boundary the mature groups of shrubs help to break up views into the site. There is scope for more tree planting adjacent to the site.

In relation to the existing trees and any new trees proposed on or adjacent to the application site, we require that reference is made to the following documents that are available to download for free from the website [www.tdag.org.uk](http://www.tdag.org.uk); Trees in hard landscapes and Trees in Townscapes.

In terms of the impact on existing tree on or adjacent to the development site we require that the proposed design layout complies with Local Plan policy DP14 and NH8. Appendix 1, Figures 11 and 12. Similarly we require that the proposed layout complies with Figure 1 of the British Standard BS5837:2012 *Tree in Relation to construction and demolition recommendation*.

All development (above or below ground level) near trees should conform with British Standard BS5837:2012 "Trees in relation to design, demolition and construction ~ Recommendations" sections 4 and 5 and any subsequent revisions" of this standard. East Lothian Council would recommend that reference should be made in particular to section 7 and 8 of BS5837:2012.

If development is encroaching on the root protection area of a tree to be retained on site, we will require a report from an arboricultural consultant to assess the acceptability of whether encroaching into the tree root protection area would be deleterious to the health, vigour and structure of the tree. We will require a tree survey and arboricultural constraints plan with the location of temporary protective fencing clearly shown including dimensions form a known fixed point to help with setting out on site. This plan drawing is to be clearly illustrated with the aid of a colour coded key.

We require that the tree survey information is submitted in shape file format (.shp file extension), a copy of which is to be emailed to Stuart Kimsey (Planning Technician) [skimsey@eastlothian.gov.uk](mailto:skimsey@eastlothian.gov.uk) so that he may load the information onto our GIS.

The tree survey information is to be overlaid onto the proposed development layout (all tree tag numbers are to be shown). Any tree that is recommended for removal must be justified with sound arboricultural reasons. We will require appropriate mitigation planting for any tree to be removed. This is to be clearly shown on a scaled plan with a colour coded key.

The project engineers are to be made aware of the existence of a tree survey at the earliest stage in the design process. Where there is a likely adverse impact on trees due to development of roads, paths, junctions etc we require that the tree constraints plan information is shown on the engineering layout. The required temporary protective fencing (with setting out dimensions) is to be shown on this drawing and the arborist is to prepare a CMS in conjunction with the advice of the project roads engineer in order to minimise incursions into the RPA of the trees.

All proposed tree management works required to facilitate the development must be agreed in writing with the PA and to comply with the British Standard 3998: 2010 "Tree work ~ Recommendations".

#### **LANDSCAPE PLAN**



Landscape mitigation for likely direct landscape and visual impacts will be required. A detailed landscape plan will be required when making a planning application. Please refer to the attached document titled; East Lothian Council Landscape Guidance.

#### **DECOMMISSIONING & RESTORATION/REINSTATEMENT STAGE**

Consistent with the adopted Renewable Energy policy NRG4, we would strongly recommend that a legal agreement between East Lothian Council and the agents of current development and future development should work jointly with East Lothian Council to address the overall landscape mitigation measures in order that a consistent and cohesive landscape measures are taken forward to achieve the best landscape fit for the industrial scaled developments in this sensitive location. We strongly recommend that the Council should consider appropriate securities, financial or otherwise, to also allow for full decommissioning and restoration of the landscape. We require a detailed method statement on the restoration of the landscape.

Please note that we are limited to a file size of 10MB via email therefore it would be very helpful and much appreciated if **you would please post hard copies** of the required landscape information to the relevant case officer, Jean Squires. If you need to contact us directly please email: [landscape@eastlothian.gov.uk](mailto:landscape@eastlothian.gov.uk) and copy [environment@eastlothian.gov.uk](mailto:environment@eastlothian.gov.uk)

**Please email:** [landscape@eastlothian.gov.uk](mailto:landscape@eastlothian.gov.uk)

Appendix 1

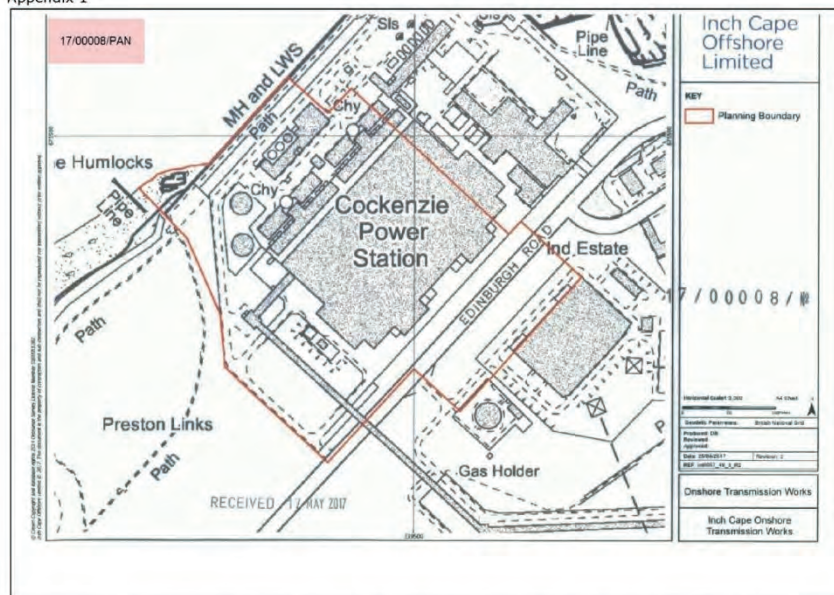


Figure 1. Copy of 17/00008/PAN which only show the redline boundary of the application site, as the power station has been demolished.

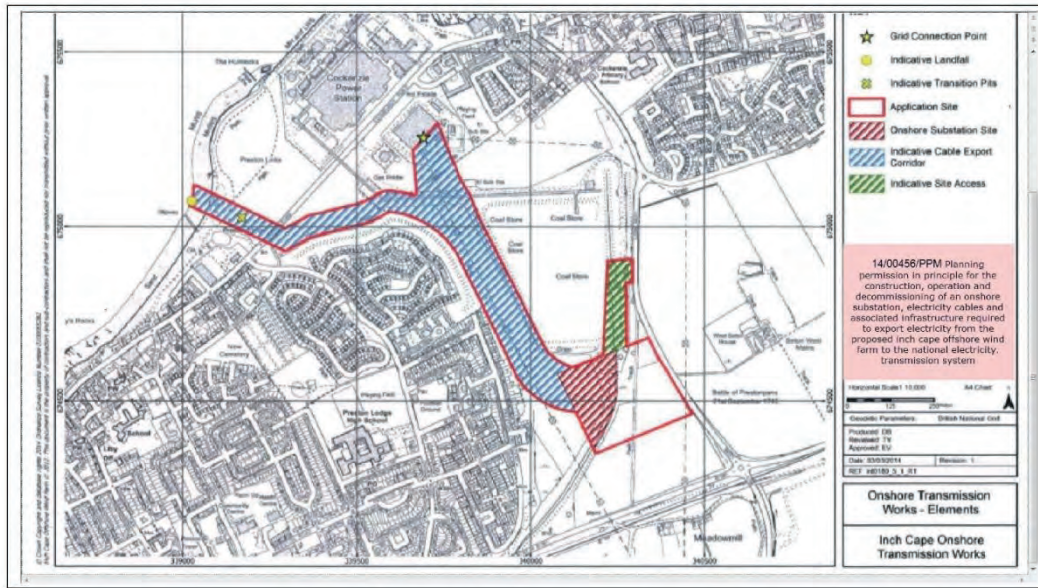


Figure 2. 14/00456/PPM permission granted 2/9/2014.

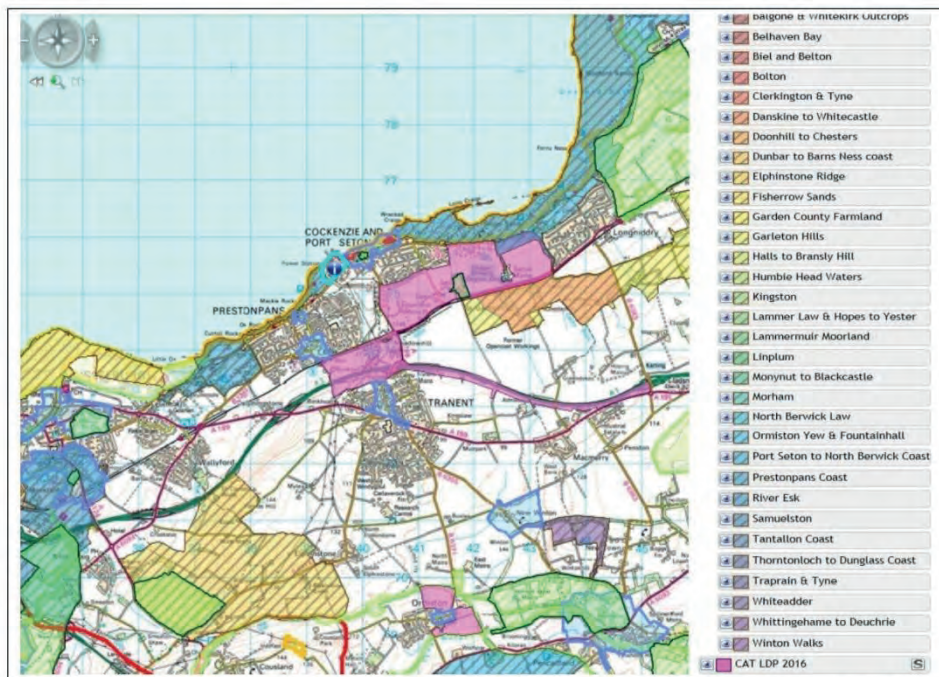


Figure 3. Landscape designations adjacent to the application site, including Special landscape areas and Countryside around towns.



- 141/16 Proposed Local Development Plan Technical Note 9: Local Landscape Designation Review (2.2 MB)
- 142/16 Proposed Local Development Plan Technical Note 9: Local Landscape Designation Review Appendix I Landscape Character Area Boundary Review (5.21 MB)
- 143/16 Proposed Local Development Plan Technical Note 9: Local Landscape Designation Review Appendix II Landscape Character Area Evaluation (800.38 KB)
- 144/16 Proposed Local Development Plan Technical Note 9: Local Landscape Designation Review Appendix III Public Consultation (945.12 KB)
- 145/16 Proposed Local Development Plan Technical Note 9: Local Landscape Designation Review Appendix IV Historic Landscape Areas (1.13 MB)
- 146/16 Proposed Local Development Plan Technical Note 9: Local Landscape Designation Review Appendix V Wildness and Soil Maps (2.39 MB)
- 147/16 Proposed Local Development Plan Technical Note 9: Local Landscape Designation Review Appendix VI Local Landscape Character Areas A-D (12.61 MB)
- 147/16 Proposed Local Development Plan Technical Note 9: Local Landscape Designation Review Appendix VI Local Landscape Character Areas E-K (9.51 MB)
- 147/16 Proposed Local Development Plan Technical Note 9: Local Landscape Designation Review Appendix VI Local Landscape Character Areas L-P (11.73 MB)
- 147/16 Proposed Local Development Plan Technical Note 9: Local Landscape Designation Review Appendix VI Local Landscape Character Areas Q-Z (12.79 MB)

Figure 4. There are ten documents with the title : Technical note 9, the list of SLA documents available to download @: [http://www.eastlothian.gov.uk/meetings/meeting/5986/members\\_library\\_service](http://www.eastlothian.gov.uk/meetings/meeting/5986/members_library_service)



Figure 5. Submitted Indicative Layout.



Viewpoint 2.



Figure 6. Viewpoint 2 and 3.



Figure 7. Viewpoint 4 Cockenzie harbour, grid ref 339840E, 675716N.



Figure 8. Viewpoint 5.



Figure 9. Viewpoint 6.





Figure 10. Existing groups of shrubs and trees help to break up views into the application site. There is scope of additional landscape enhancement including earth works shrub and tree planting.

Table 3 Methodology for Assessing Significance					
Magnitude	Sensitivity				
	Very High	High	Medium	Low	Very Low
Very High	Substantial	Major	Major/ Moderate	Moderate	Moderate/ Minor
High	Major	Major/ Moderate	Moderate	Moderate/ Minor	Minor
Medium	Major/ Moderate	Moderate	Moderate/ Minor	Minor	Minor/ Negligible
Low	Moderate	Moderate/ Minor	Minor	Minor/ Negligible	Negligible
Very Low	Moderate/ Minor	Minor	Minor/ Negligible	Negligible	Negligible/ None

Figure 11. Viewpoint analysis

**POLICY DP14: TREES ON OR ADJACENT TO DEVELOPMENT SITES**

1. The design and layout of new development should ensure the incorporation of any tree (including hedgerows) that makes a significant positive contribution to the setting, amenity, or nature conservation value of an area. This will be safeguarded by a condition on any planning permission. The loss of such trees will only be permitted where it is essential to facilitate development which would contribute more to the good planning of the area than would retaining the tree or trees. Appropriate replacement planting may then be made a condition of planning permission.

Where there is an existing grouping of trees worthy of retention within a proposed housing site, wherever possible they should be incorporated into public open space and not into private gardens.

2. The erection of buildings (including extensions to buildings) near trees should conform with British Standard 5837:1991 Guide for Trees in Relation to Construction, and any subsequent revisions of this standard.

Figure 12. Local Plan policy DP14 from ELC LPD 2008 applies to the trees on and adjacent to the application site.

**Policy NH8: Trees and Development**

There is a strong presumption in favour of protecting East Lothian's woodland resources. Development affecting trees, groups of trees or areas of woodland will only be permitted where:

- a. any tree, group of trees or woodland that makes a significant positive contribution to the setting, amenity of the area has been incorporated into the development through design and layout, and wherever possible such trees and hedges should be incorporated into public open space and not into private gardens or areas; or
- b. (i) in the case of woodland, its loss is essential to facilitate development that would achieve significant and clearly defined additional public benefits in line with the Scottish Governments Policy on Control of Woodland Removal; in particular the loss of Ancient Woodland will not be supported; or (ii) in the case of individual trees or groups of trees, their loss is essential to facilitate development that would contribute more to the good planning of the area than would retaining the trees or group of trees.

Development (including extensions to buildings) must conform to British Standard 5837:2012 Guide for Trees in Relation to Design, Demolition and Construction, or any subsequent revisions.

Figure 13. Local Plan policy NH8 from ELC draft LDP 9/2016 apply to the application site.

<p><b>POLICY DP 2: DESIGN</b></p> <p>The design of all new development, with the exception of alterations and extensions to existing buildings, must:</p> <ol style="list-style-type: none"> <li>1. Be appropriate to its location in terms of its positioning, size, form, massing, proportion and scale, and use of a limited palette of materials and colours that complement its surroundings;</li> <li>2. Create or contribute to a sense of place and complement local character;</li> <li>3. Where relevant, position and orientate buildings to articulate, overlook, properly enclose and provide active edges to public spaces to create a sense of welcome, safety and security;</li> <li>4. Maximise opportunities to provide effective access and linkages to the surroundings;</li> <li>5. Provide a well connected road layout within the site that ensures access for all in the community, favouring, where appropriate, walking, cycling, public transport then cars as forms of movement, and</li> <li>6. Clearly distinguish public space from private space, and protect private space;</li> <li>7. Ensure privacy and amenity, with particular regard to levels of sunlight, daylight and overlooking;</li> <li>8. Retain physical or natural features, including watercourses, which are important to the amenity of the area or provide adequate replacements.</li> </ol>	<p><b>POLICY DP 1: LANDSCAPE AND STREETSCAPE CHARACTER</b></p> <p>All new built development, with the exception of alterations and extensions to buildings, must:</p> <ol style="list-style-type: none"> <li>1. Be well integrated into its surroundings by responding to and respecting landform, and by retaining existing natural and physical features at the site that are important to the area and incorporate these into the development in a positive way; and</li> <li>2. Use appropriate hard and soft landscaping to provide an attractive setting for the development; and</li> <li>3. Where justified by its scale and impact on a locality, provide a landscape structure for the entire development site.</li> </ol>
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Figure 14. East Lothian Local Plan 2008, DC1 and D2 adopted policies apply to the application site.

## East Lothian Landscape Guidance:



## EAST LoTHIAN COUNCIL

### *Partnerships and Services for Communities*

#### Landscape Development Guide lines

#### **SCOTTISH PLANNING POLICY**

We require that the proposed siting and house layout can clearly demonstrate the six qualities of successful place making as set out in Scottish Planning Policy; Place making and Designing Streets.

When preparing the Design and Access Statement please provide evidence in the development of the preferred design layout that the proposed indicative master plan has adopted the design principles embedded in following Scottish Planning Policy documents; Designing Streets (2010) and Creating Places (2013), PAN 83 Master planning and PAN 65 Planning and Open Space.

#### **GATEWAY FEATURE**

Where developments are located adjacent to access road into towns and villages, we require that the design provides a transition from country into the town by considering the new development as a gateway feature to the town or village.

Set back the development from the roads  
Incorporate tree shrub and ground cover planting  
Include shared surfaces within  
Avoid on street parking  
Use walls, lighting and art to identify a unique gateway

#### **MATURE TREES & HEDGEROWS**

Where there are mature trees and hedgerows growing on and adjacent to the development site that have significant visual amenity and we require that they are surveyed by a suitably qualified arboriculturalist. Please refer to Local Plan policy DP14 below for details;

#### **POLICY DP14: TREES ON OR ADJACENT TO DEVELOPMENT SITES**

1. The design and layout of new development should ensure the incorporation of any tree (including hedgerows) that makes a significant positive contribution to the setting, amenity, or nature conservation value of an area. This will be safeguarded by a condition on any planning permission. The loss of such trees will only be permitted where it is essential to facilitate development which would contribute more to the good planning of the area than would retaining the tree or trees. Appropriate replacement planting may then be made a condition of planning permission.

Where there is an existing grouping of trees worthy of retention within a proposed housing site, wherever possible they should be incorporated into public open space and not into private gardens.

2. The erection of buildings (including extensions to buildings) near trees should conform with British Standard 5837:1991 Guide for Trees in Relation to Construction, and any subsequent revisions of this standard.

### **TREE SURVEY, ARBORICULTURAL IMPACT ASSESSMENT & TREE MANAGEMENT PLAN**

The erection of buildings near trees should conform with British Standard BS5837\_2012 "Trees in relation to design, demolition and construction ~ Recommendations" sections 4 and 5 and any subsequent revisions" of this standard. East Lothian Council would recommend that reference should be made in particular to section 7 and 8 of BS5837:2012.

All development should be located outwith the root protection area, as defined by the current version of British Standard 5837: 2012, "*Trees in relation to design demolition and construction – Recommendations*" of the retained trees. Development would include the erection of buildings, garden fences, formation of hard surfacing, paths, parking areas and roadways.

As part of the proposed housing development we will require a scaled (min 1:00) plan showing all trees (include tree tag numbers on the plan) on and adjacent to the site with their stem diameters measured at 1.5m above ground level and their canopies and root protection areas shown in accordance with the said BS. This information must be supported by an arboricultural report with sound arboricultural reasons and justification as to why the proposed works (development and or tree management to facilitate development) will not deleteriously affect the trees and to clearly show tree protection and which trees are proposed to be removed.

The arboricultural report should address all above ground constraints include ultimate tree height and canopy spread which will affect both physical presence and daylight availability to any proposed structures. Species characteristics, such as evergreen or dense foliage, potential branch drop, fruit fall, etc, will all have an influence on the potential for development of a site. Other factors that may need to be taken into account will include easements for underground and above - ground apparatus; road safety and visibility; or the proposed end use of space adjacent to retained trees. The planting plan is to include all existing trees (all tree tag numbers are to be clearly shown) on this plan.

We require that the report includes both short and long term woodland management. Where trees are proposed for removal we will require suitable replacement planting to mitigate for the loss of visual amenity. Trees are living organisms and need to be monitored. The condition of the under storey for example of a woodland floor smothered in ivy offers little diversity. There might be historic issues of fly tipping and or ongoing build up of litter that need to be addressed. There may be issues with invasive species such as rhododendron ponticum or Japanese knot weed that are causing imbalance in the habitat and ultimately taking over and dominating the woodland structure. There may be issues arising from years of neglect and a lack of any phased woodland management, resulting in an even aged canopy with little species diversity and a lack of a well defined woodland edge.



**BRITISH STANDARD****BS 5837:2012**

4.2.3 The survey should be made available as scale drawings and preferably also in a commonly recognized digital format. It should be used to inform all design and planning decisions.

4.2.4 The survey should record:

a) spot levels at the base of trees and throughout the site at an interval appropriate to meet design requirements, recorded as a grid and interpolated as contours, ensuring that any abrupt changes, embankments, ditch inverts and retaining features are recorded;

b) the position of all trees within the site with a stem diameter of 75 mm or more (see Note), measured at 1.5 m above highest adjacent ground level;

*NOTE in the case of woodlands or substantial tree groups, only individual trees with stem diameters greater than 150 mm usually need be plotted.*

c) the position of trees with an estimated stem diameter of 75 mm or more that overhang the site or are located beyond the site boundaries within a distance of up to 12 times their estimated stem diameter;

d) for individual trees, the crown spread taken at four cardinal points; for woodlands or substantial tree groups, the overall extent of the canopy;

e) the extent, basal ground levels and height of shrub masses, hedges, hedgerows and stumps;

f) other relevant landscape features and artefacts, such as streams, buildings and other structures, boundary features and means of enclosure, trenching scars near to trees, and overhead and underground utility apparatus, including drainage runs with manholes and invert levels.

To allow us to make a full landscape assessment of the proposed development we require the following information to be submitted on a plan to a minimum scale of 1:100 as part of your planning application:

#### **PLANTING PLAN**

A Landscape Architect who prepared the planting plan is required to make reference to the Arboricultural consultants report and to incorporate the results of the layers of the tree survey and tree constraints plan onto the proposed landscape, site layout plans and landscape factoring plan. We require that all tree tag numbers are shown on the existing and proposed drawings. We require that the plan shows the following information;

- all trees, shrubs and hedgerows accurately positioned on and adjacent to the site
- any trees, shrubs and hedgerows proposed for removal are to be clearly identified
- the canopy accurately plotted for all trees to be retained (as per the tree survey/constraints plan.
- the construction exclusion zone for all trees that are to be retained in accordance with British Standard BS5837 2012 "*Trees in relation to design, demolition and construction ~ Recommendations*" canopy spread for all trees to be retained .
- tree protection measures including the position of barriers (dimensioned from existing retained structures) and ground protection in accordance with section 5 and figure 2 of BS 5837 2012 "*Trees in relation to design, demolition and construction ~ Recommendations*"
- new tree, hedge and shrub planting
- details of any surfacing within the tree Root Protection Areas including position and construction in accordance with section 11 of BS5837 "*Trees in relation to design, demolition and construction ~ Recommendations*"
- position of all proposed services above or below ground
- site construction access and any tree protection measures in accordance with section 11 of BS5837 'Trees in relation to construction'
- details of tree pruning works required to facilitate the development (all tree work should be in accordance with BS3998 'Recommendations for tree work')
- details of demolition works and removal of hard-standing areas
- existing and proposed topography
- A plant schedule detailing species, sizes and spacings to be submitted in A4 format.

#### **LONG TERM LANDSCAPE MANAGEMENT PLAN**

In conjunction with a plan that clearly shows the communal landscape areas within the development site we require a detailed landscape maintenance specification to include a 12 month rolling program for adoption by a constituted Resident Association or Property Factor. The specification as a minimum is to include details on;

- Weed control including mulching
- Watering
- Fertilising
- Pest Control
- Removal of tree protection measure e.g. tree ties and tubes
- Tree and shrub thinning
- Replacement planting of failures
- Grass cutting
- Hedgerow maintenance
- Maintenance of SUDS

The landscape management plan should have a minimum life span of 10 years, but should include a programme for future annual maintenance and should comply with BS4428: 1989 '*Code of practice for general landscape operations (excluding hard landscapes)*' and BS8545: 2014 '*Tree from Nursery to independence in the landscape recommendations*'.

As part of the long term landscape management plan a tree management plan will be required for all trees on site. All future tree management works is to comply with British Standard 3998: 2010 '*Tree work ~ Recommendations*' Section 7, *Pruning and related work* and Figure 2 – *Positions of final cuts; leaving an overall balanced tree shape on completion of the works*.

In relation to the existing trees and any new trees proposed adjacent to road/shared surfaces, we require that reference is made to the following documents that are available to download for free from the website [www.tdag.org.uk](http://www.tdag.org.uk); *Trees in hard landscapes* and *Trees in Townscapes*.

We require that all landscape drawing are submitted **both digitally** to; [environment@eastlothian.gov.uk](mailto:environment@eastlothian.gov.uk) and as hard copies to the following address Development Management, Housing & Environment Partnerships & Services for Communities, East Lothian Council, John Muir House, Haddington, EH41 3HA

*ELC Biodiversity Officer*

“Jean

The attached scoping report describes the proposals to construct an electricity substation as part of the Inch Cape off-shore wind farm. The location is largely within the footprint of the former Cockenzie Power Station, although it extends beyond that boundary to the east and south. The report describes the works in the context of a number of environmental factors, Chapter 6 being of particular interest to me.

The Ecology and Ornithology section describes surveys and data-gathering associated with a previous application. They provide evidence to argue that the data were still valid (section 6.3.5). This was accepted by SNH and seems reasonable to me also. Despite this, the applicant proposes to carry out revised habitat and protected species surveys (sections 6.3.6 and 6.3.7) and I agree with their approach.

The report discusses a revised HRA, to include existing SPAs and the proposed SPA (Outer Firth of Forth and St Andrews Bay Complex) and again this approach is supported.

On a more general level, the choice to construct the substation in the site of the recently demolished Cockenzie Power Station is supported since it reduces disruption to cultural sites, habitats and the community orchard located to the west and south of the former coal store.

Stuart Macpherson

Biodiversity Officer

East Lothian Council”

***Contaminated Land Officer***

"Hi Jean,

I have had a look at the Scoping Report and in particular with regards to the Hydrology, Geology and Hydrogeology section. Given the copious amount of data available as result of various investigations carried out for (but not limited to) the PPC Surrender Permit, I am satisfied that the proposals put forward (i.e information review, assessment, further targeted SI and mitigation measures) will suitably address any potential contaminative impact on identified receptors as well as potential ground stability issues.

Regards,

Scott

**Scott Callow | Environment Protection Officer (Con Land) | East Lothian Council | John Muir House | Haddington | EH41 3HA |**

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