

REPORT TO: Planning Committee
MEETING DATE: Tuesday 18 June 2013
BY: Executive Director (Services for Communities)
SUBJECT: Application for Planning Permission for Consideration

Application No. **12/00922/PM**

Proposal Formation of onshore electrical transmission infrastructure between Thorntonloch and Crystal Rig II, comprising 12.3km of buried cable and new substation at Crystal Rig II

Location **Land Between Thorntonloch And Crystal Rig Wind Farm
Dunbar
East Lothian**

Applicant Neart Na Gaoithe Offshore Wind Limited

Per Shepherd and Wedderburn

RECOMMENDATION Consent Granted

PLANNING ASSESSMENT

As the area of the application site is greater than 2 hectares, the development proposed in this application is, under the provisions of The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, defined as a major development and thus it cannot be decided through the Council's Scheme of Delegation. The application is therefore brought before the Planning Committee for a decision.

As a statutory requirement of major development type proposals this development proposal was the subject of a Proposal of Application Notice (Ref: 11/00008/PAN) and thus of community consultation prior to this application for planning permission being made to the Council.

As an outcome of that and as a statutory requirement for dealing with major development type applications a pre-application consultation report is submitted with this application. The report informs that a total of 146 people attended the three pre-application public exhibitions held in East Lothian, one held at Innerwick village hall, one held at the Healthy Living Centre in Dunbar, and one held at Spott village hall, and that those attendees made a number of comments regarding the proposals. The development for which planning permission is now sought is of the same character as that which was the subject of the community engagement undertaken through the statutory pre-application consultation of the proposal.

The site that is the subject of this planning application has an area of some 62.4 hectares and is located to the south and southeast of Dunbar. It has a generally linear shape and extends from Thorntonloch beach to the existing electrical sub-station located within the Crystal Rig II wind farm, a distance of some 12.3km.

The part of the site at Thorntonloch beach is within the Thorntonloch Coastline Area of Great Landscape Value. The southwest part of the site, adjacent to the existing electrical sub-station of the Crystal Rig II wind farm, is within the Lammermuir Hills Area of Great Landscape Value.

Mainstream Renewable Power Limited has submitted an application under Section 36 of the Electricity Act 1989 to the Scottish Ministers for the erection of an off-shore wind farm, to be known as the Neart Na Goithe wind farm. It would be located some 28km northeast of Dunbar and some 32km northeast of North Berwick. The application for the proposed Neart Na Goithe wind farm is currently pending consideration.

Planning permission is sought through this application for the formation of onshore electrical transmission infrastructure between Thorntonloch beach and the existing electrical sub-station located within the Crystal Rig II wind farm, over a distance of some 12.3km.

In a planning statement submitted with the planning application, the applicant advises that the onshore electrical transmission infrastructure are a critical component to enable the proposed Neart Na Goithe wind farm to connect into the national electricity grid. It will facilitate the distribution of up to 450 MW of electricity, enough power to meet the needs of up to 335, 489 households.

The export cables from the off-shore wind farm would be brought ashore at Thorntonloch beach to either one of two underground structures, known as transition pits. These pits, which would house the joints between the off-shore and on-shore cables, would be a minimum of 10 metres long, 4 metres wide and 3 metres deep. A concrete cover would be placed over the top of the pits for protection and landscaping would be undertaken to reinstate the ground to its previous condition.

The on-shore cables would run underground from the proposed transition pits at Thorntonloch beach to a proposed electrical sub-station that would be positioned adjacent to the existing substation located within the Crystal Rig II wind farm.

From Thorntonloch beach, the cables would pass under and then alongside the A1 trunk road, before breaking off to the southwest through open fields and passing to the west of the village of Innerwick. It would then cut across country to the west before turning south to follow a minor road until the junction with the Crystal Rig wind farm access track, which it would then follow to the site of the proposed electrical sub-station.

The applicants have detailed a 30 metres wide corridor within which the on-shore cables would be installed. In some locations this has been widened to allow for vehicle turning or where extra space may be required. However it is anticipated by the applicant that the actual construction working corridor would not require this entire width, with only 20 metres required for the majority of the route. This would be wide enough to accommodate a 2 metres wide trench for the cables, a 2 metres wide contingency zone adjacent to the trench, a 5 metres wide access for heavy vehicles, a 5 metres wide zone for the laying down of equipment and spoil, a 3 metres wide vehicular/ pedestrian track and a further 3 metres to establish temporary fencing and to allow space for vehicle turning and parking.

Following the installation of the cables and the backfilling of the trench, the 20 metres wide working corridor would be backfilled and reinstated to allow a return to its former uses.

The route of the proposed cabling would pass under parts of the A1 trunk road, the main east coast rail line, the John Muir Way and a number of local roads.

The proposed sub-station would be erected immediately to the north of the existing electrical sub-station located within the Crystal Rig II wind farm. The proposed sub-station would have an irregular footprint, measuring some 260 metres at its longest point by 170 metres at its widest point. It would be enclosed by a 3.0 metres high palisade fence and would contain an access road, electricity transformation equipment and a control building. The proposed electricity transformation equipment would have a maximum height of 15 metres. The proposed control building would have a rectangular footprint and would be positioned on the northern part of the proposed sub-station. The walls and roof of the proposed control building would be clad with steel panels finished with plastisol.

The proposed sub-station would be accessed directly from the access road that serves the existing electrical sub-station.

Substantial cut and fill works would be required to achieve the finished ground level for the proposed sub-station. Some of the excavated material would be used to create a screening berm along the northern and western sides of the proposed substation.

An Environmental Impact Assessment was carried out for both the off-shore and on-shore components of the wind energy development being proposed by Mainstream Renewable Power Limited. It was structured such that part of the Environmental Statement relating to the on-shore component could be assessed separately with the planning application under the Town and Country Planning (Scotland) Act 1997. The Environmental Statement relating to the on-shore component has been submitted with the planning application. It contains chapters on terrestrial and inter-tidal ecology and ornithology, cultural heritage, landscape and visual amenity, geology, ground conditions, groundwater and coastal processes, hydrology, flood risk, water resources and surface water quality, soils, agriculture and land use, access, traffic and transport, air quality, noise and vibration, and socio-economic effects.

A Design and Access Statement has been submitted with the planning application. The Statement provides information on the principles and approach that have guided the design process and responds to the requirement to demonstrate observance of equal opportunity requirements for access.

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.

Relevant to the determination of the application are Policies ENV1D (Regional and Local Natural and Built Environment Interests), ENV1G (Design of new Development), ENV3 (Development in the Countryside) and ENV6 (Renewable Energy) of the approved Edinburgh and Lothians Structure Plan 2015 and Policies DC1 (Development in the Countryside and Undeveloped Coast), NH4 (Areas of Great Landscape Value), ENV7 (Scheduled Monuments and Archaeological Sites), C7 (Core Paths and Other Routes),

T2 (General Transport Impact), DP1 (Landscape and Streetscape Character), DP2 (Design) and DP14 (Trees on or adjacent to Development Sites) of the adopted East Lothian Local Plan 2008.

Material to the determination of the application is the Scottish Government's policy on renewable energy 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. Renewable energy generation will contribute to more secure and diverse energy supplies and support sustainable economic growth. Planning authorities should support the development of a diverse range of renewable energy technologies. Off-shore renewable energy generation presents significant opportunities to contribute to the achievement of Government targets. Although the planning system does not regulate off-shore development, it is essential that development plans take into account the infrastructure and grid connection needs of the off-shore renewable energy generation industry. Development plans should identify appropriate locations for facilities linked to the manufacture, installation, operation and maintenance of off-shore wind farms and wave and tidal devices.

One letter of representation has been received. It is from Network Rail. Whilst they do not object to the proposed development, Network Rail advise that the design and construction of the buried cable route where it crosses underneath the East Coast mainline must be carried out in full agreement with Network Rail. Moreover, the developer must secure a wayleave agreement with Network Rail to route the cable under the railway. A copy of this letter has been forwarded onto the applicant for their information.

A copy of the letter of representation is contained in a shared electronic folder to which all Members of the Committee have had access.

East Lammermuir Community Council were consulted on this application but have not provided any comments on it.

The proposed onshore electrical transmission infrastructure is an essential component to enable the proposed Neart Na Goithe wind farm to connect into the national electricity grid. Therefore if approval were to be given by the Scottish Ministers for the proposed Neart Na Goithe wind farm there would be an operational justification for the onshore electrical transmission infrastructure having to be formed in this particular countryside location, consistent with the provisions of Policy ENV3 of the approved Edinburgh and the Lothians Structure Plan 2015 and Policy DC1 of the adopted East Lothian Local Plan 2008. In order to ensure there is an operational requirement for the proposed onshore electrical transmission infrastructure, i.e. that planning permission has been approved for the proposed Neart Na Goithe wind farm, there should be imposed a condition on the grant of planning permission that no development is carried out until it can be demonstrated to the Planning Authority that planning permission has been granted for the proposed Neart Na Goithe wind farm. Subject to the imposition of this condition, the principle of the proposed onshore electrical transmission infrastructure is consistent with Policy ENV3 of the approved Edinburgh and the Lothians Structure Plan 2015 and Policy DC1 of the adopted East Lothian Local Plan 2008.

The proposed transition pits and on-shore cabling would be sited underground. Consequently they would have minimal impact on the landscape character and appearance of the area, including that of the Thorntonloch Coastline Area of Great Landscape Value.

The site proposed for the new electrical sub-station is set on the lower part of the hilly slopes on which the Crystal Rig Phase II wind farm is located. The proposed electrical sub-station would be seen in relation to the existing electrical sub-station and turbines, pylons and overhead power lines that form part of the Crystal Rig Phase II wind farm. When seen in this context, the proposed sub-station would not appear as an incongruous or alien feature. The substation would be partly cut into the existing sloping ground of the application site. This, together with the sensitive use of landscaping, would further help to integrate the substation into its landscape setting. The proposed sub-station would not harm the landscape character and visual amenity of the Lammermuir Hills Area of Great Landscape Value.

On the consideration of landscape and visual impact, the proposed development is consistent with Policies ENV1D and ENV1G of the approved Edinburgh and Lothians Structure Plan 2015 and Policies DC1 NH4, DP1, DP2 and Part 5 of Policy DC1 of the adopted East Lothian Local Plan 2008.

In his initial consultation response, the Council's Policy and Projects Manager raised some concerns over the landscape impact of the proposed sub-station. The applicant has provided a detailed response to this and has proposed conditions that could be imposed if planning permission for the proposed onshore electrical transmission infrastructure development were to be granted. The Policy and Projects Manager advises that whilst the proposed conditions may overcome his earlier concerns, he continues to recommend that a suitably qualified arborist should be employed to instruct and oversee all protection works to the trees that are on or near the application site. However in the landscape advice received from the Council's Policy and Projects Manager none of the trees which might be potentially affected are identified as being significantly important to the visual amenity of the area. Thus, there is no justification to require that a suitably qualified arborist should be employed to instruct and oversee all tree protection works. On this consideration the proposed onshore electrical transmission infrastructure does not conflict with Policy DP14 of the adopted East Lothian Local Plan 2008.

The onshore electrical transmission infrastructure is promoted as part of the proposed Neart Na Goithe wind farm. It would be prudent to require that the infrastructure be decommissioned if the wind farm were to be approved, constructed, and thereafter decommissioned. This can be secured through a condition attached to a grant of planning permission for the proposed development.

Scottish Borders Council were consulted on this planning application, as the southwest part of the application site is in reasonably close proximity to their authority area. They do not object to the proposed onshore electrical transmission infrastructure.

Scottish Natural Heritage raise no objection to the proposed onshore electrical transmission infrastructure, being satisfied that it would not have an unacceptable landscape or ecological impact. They do however recommend that the details of the installation approach (i.e. horizontal directional drilling or open cut trenching) for the cable landfall area at Thorntonloch beach should be submitted to and approved by the Planning Authority following consultation with Scottish Natural Heritage. This can be secured through a condition attached to a grant of planning permission for the proposed development.

Historic Scotland raise no objection to the proposed onshore electrical transmission infrastructure, being satisfied that it would not result in any significant adverse impacts on

any designed landscape, scheduled ancient monument, listed building or nationally important battlefield.

It is stated in Scottish Planning Policy: February 2010 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.

The Council's Heritage Officer advises that the route of the proposed onshore electrical transmission infrastructure runs through a very rich archaeological landscape. Accordingly he recommends that a programme of archaeological works (evaluation) should be carried out by a professional archaeologist to record any upstanding historical remains and determine whether or not the proposed development would disturb any buried archaeological deposits. This can be secured through a condition attached to a grant of planning permission for the proposed development. This approach is consistent with Scottish Planning Policy: February 2010, Planning Advice Note 2/2011: Planning and Archaeology and with Policy ENV7 of the adopted East Lothian Local Plan 2008.

The Health and Safety Executive raise no objection to the proposed onshore electrical transmission infrastructure.

Marine Scotland have no comment to make on the planning application.

The proposed onshore electrical transmission infrastructure would generally be installed at some distance from residential properties in the area, although there are some individual residential properties as well as the western part of the village of Innerwick that are located in relatively close proximity to the application site. The Council's Environmental Protection Manager has considered this application in respect of the environmental impacts that might arise from it. He does not anticipate any loss of amenity to occupiers of nearby residential properties during the operational phase of the development. The applicant's Environmental Statement identifies a number of potentially significant noise effects that could arise from construction activities. However the Environmental Protection Manager is satisfied that the mitigation measures put forward by the applicant would acceptably mitigate those noise effects. To further protect the amenity of nearby residents during the construction of the proposed onshore electrical transmission infrastructure, he recommends that prior to the commencement of development, a Construction Method Statement should be submitted to and approved by the Planning Authority. The Statement should detail mitigation measures to be employed to control noise/ dust/ construction traffic and should include the proposed hours of working. A Construction Method Statement can be secured through a conditional grant of planning permission for the proposed onshore electrical transmission infrastructure. The implementation of an agreed Construction Method Statement would ensure that the construction activities did not have a significantly harmful impact on the environment or on the privacy and amenity of any nearby properties.

In view of this advice it can be concluded that the proposed onshore electrical transmission infrastructure could be constructed and thereafter operated without occupiers of nearby properties suffering a significant loss of privacy or amenity.

The Council's Transportation service raise no objection to the proposed onshore electrical transmission infrastructure, being satisfied that it would have no significant adverse risk for road safety. They do however recommend that a Traffic Management Plan should be submitted to and approved by the Planning Authority. The Traffic Management Plan should include vehicle tracking and swept path analysis for vehicles entering and exiting the site and should include the provision of visibility splays at all vehicular accesses. Moreover, it should include details of any road closures and suitable alternative routes during the road closures. This requirement can be secured through a conditional grant of planning permission for the proposed onshore electrical transmission infrastructure. Subject to the imposition of this condition, the proposed development is consistent with Policy T2 of the adopted East Lothian Local Plan 2008.

Transport Scotland raise no objection to the proposed onshore electrical transmission infrastructure, although they recommend that a Traffic Management Plan should be submitted to and approved by the Planning Authority following consultation with Transport Scotland. The Traffic Management Plan should include measures to minimise traffic impacts on existing road users and details of construction vehicle routing. Moreover, Transport Scotland recommend that a detailed method statement for the cables crossing under the A1 trunk road should be submitted to and approved by the Planning Authority following consultation with Transport Scotland. These requirements can be secured through a conditional grant of planning permission for the proposed onshore electrical transmission infrastructure.

Scottish Water raise no objection to the proposed onshore electrical transmission infrastructure.

The Scottish Environment Protection Agency (SEPA) raise no objection to the proposed onshore electrical transmission infrastructure, although they recommend that a Construction Environmental Management Plan should be submitted to and approved by the Planning Authority following consultation with SEPA. The Construction Environmental Management Plan should incorporate detailed pollution prevention and mitigation measures for all construction elements potentially giving rise to pollution during all phases of construction. This requirement can be secured through a conditional grant of planning permission for the proposed onshore electrical transmission infrastructure.

As the proposed onshore electrical transmission infrastructure can be installed in an environmentally acceptable manner, the proposed development is consistent with Policy ENV6 of the approved Edinburgh and the Lothians Structure Plan 2015.

RECOMMENDATION

That planning permission for the proposed onshore electrical transmission infrastructure be granted subject to the following conditions:

- 1 The development hereby approved shall be undertaken in accordance with the Environmental Statement docketed to this planning permission, except where altered by the conditions below, or unless otherwise agreed with the Planning Authority in writing.

Reason:

To ensure that the reported likely environmental impacts of the development are not exceeded and the mitigation measures are put in place.

- 2 There shall be no commencement of the Development until it can be demonstrated to the Planning Authority that consent under Section 36 of the Electricity Act 1989 has been granted by the Scottish Ministers for the Neart Na Gaoithe offshore wind farm.

Reason:

To ensure there is an operational requirement for the onshore electrical transmission infrastructure.

- 3 Prior to the commencement of the development hereby approved, an appropriately experienced and qualified Ecological Clerk of Works (ECoW) shall be appointed following consultation with the Planning Authority and SNH. An ECoW appointed in accordance with this condition shall be in post during appropriate stages of the construction phase of the development, as agreed in writing with the Planning Authority. The ECoW's scope of work shall include monitoring compliance with the mitigation measures within the Environmental Statement and the conditions of this planning permission.

Reason:

To minimise environmental impacts during the construction phase of the development.

- 4 Prior to the commencement of the development hereby approved, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Planning Authority, after consultation with SEPA, SNH and, in respect of issues relating to the inter-tidal area, Marine Scotland.

The CEMP shall, unless otherwise agreed with the Planning Authority in writing, include the following details:

- (a) Construction Method Statements, which shall include details of the crossing methods to be utilised along the cable route including, if appropriate, the placing in ducts of any cables laid under public roads. The Construction Method Statements shall also recommend mitigation measures to control noise and shall include hours of operation for construction work;
- (b) Pollution prevention monitoring and mitigation measures for all construction activities;
- (c) Reinstatement following the completion of the construction of the cable route, including the reinstatement of agricultural land, drainage systems and landscape resources;
- (d) Dust and air quality management plan;
- (e) Soil resource management plan, including a map showing locations of stockpiles of excavated materials, details of use and/or disposal of unsuitable subsoil, details of the management and mitigation of soil resources in accordance with best practice;
- (f) Construction noise and vibration management plan, including identification of access routes, locations of laydown areas, equipment details, details of operation, scheduling or works, mitigation measures and a scheme for noise monitoring in the event of complaints;
- (g) Habitat resource management plan for the cable route and substation, including details of tree/hedgerow removals and replacements, and the use of protective fencing and ground protection (in accordance with BS5837_2012 "Trees in relation to design, demolition and construction ~ Recommendations"), tree root protection methods, and other appropriate mitigation measures;
- (h) Peat Management Plan; and
- (i) The installation approach (i.e. horizontal directional drilling or open cut trenching) for the cable landfall area at Thorntonloch beach.

The development shall thereafter be carried out in accordance with the approved CEMP unless otherwise agreed with the Planning Authority in writing.

Reason:

To minimise environmental impacts during the construction phase of the development.

- 5 Prior to the commencement of the development hereby approved an Access Management Plan (AMP) shall be submitted to and approved in writing by the Planning Authority after consultation with SNH. The Access Management Plan shall detail proposals for maintaining and managing public access across the application site during the period of the development without compromising applicable health and safety requirements.

The development shall thereafter be carried out in accordance with the approved Access Management Plan unless otherwise agreed with the Planning Authority in writing.

Reason:

To minimise the impact the development on public access across the application site.

- 6 Prior to the commencement of the development hereby approved, a Traffic Management Plan (TMP) for the construction phase of the development shall be submitted to and approved in writing by the Planning Authority, after consultation with Transport Scotland. The TMP shall, unless

otherwise agreed with the Planning Authority in writing, include the following details:

- a) details of identified routes to and from the construction site;
- b) details of construction compounds and details of construction access points;
- c) specific arrangements relating to the transportation of abnormal loads and procedures to ensure pedestrian safety adjacent to working areas;
- d) arrangements for minimising disruption to road users and pedestrians in those locations where open cut trenching crosses a public or private road;
- e) details of any off-site mitigation works;
- f) co-ordination of traffic movements with other major transport users;
- g) arrangements for the cleaning of wheels and chassis of construction traffic to prevent material being carried onto the public road;
- h) details of temporary construction car parks associated with the construction compounds;
- i) details of trees to be protected from construction traffic in accordance with BS5837:2012;
- j) a condition dilapidation survey, the scope of which will be agreed in advance with East Lothian Council; and
- k) A Green Travel Plan to include measures to minimise dependency on the private car to and from the construction compounds.

The TMP shall also include vehicle tracking and swept path analysis for vehicles entering and exiting the site and details of the provision of visibility splays at all vehicular accesses. It shall also include details of any road closures and suitable alternative routes during the road closures.

The development shall thereafter be carried out in accordance with the approved TMP unless otherwise agreed with the Planning Authority in writing.

Reason:

In the interests of road safety.

- 7 Prior to the commencement of the development hereby approved, a Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Planning Authority, after consultation with SEPA. The SWMP shall, unless otherwise agreed with the Planning Authority in writing, include the following details:

- (a) Details of the waste management measures to be implemented during the construction phase, including the steps to be taken to maximise the quantity of waste to be re-used and recycled;
- (b) The types and quantities of waste expected to arise during the construction phase of the Development;
- (c) The identification of the contractors to be used to ensure the waste is correctly recycled or disposed of responsibly and legally;
- (d) Information on how the quantity of waste will be measured; and
- (e) Identification of responsible personnel.

The development shall be carried out in accordance with the approved SWMP unless otherwise agreed with the Planning Authority in writing.

Reason:

In order to minimise waste during construction and to ensure that it is properly managed.

- 8 Prior to the commencement of the development hereby approved the following details, including proposed timescales, shall be submitted to and approved in writing by the Planning Authority, after consultation with SNH:

- (a) The siting, design, external appearance and dimensions of the substation and any other permanent above-ground features, and a schedule of materials and finishes; and
- (b) The proposed levels of any earthworks and the design of permanent fencing and boundary walls.

The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed with the Planning Authority in writing.

Reason:

In the interests of the landscape character and appearance of the Lammermuir Hills Area of Great Landscape Value.

- 9 No development shall take place until there has been submitted to and approved in writing by the

Planning Authority a scheme of landscaping. The scheme shall provide details of : the height and slopes of any mounding on or recontouring of, the site; tree and shrub sizes, species, habitat, siting, planting distances and a programme of planting. The scheme shall include indications of all existing trees and hedgerows on the land, details of any to be retained, and measures for their protection in the course of development.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Planning Authority gives written consent to any variation.

Reason:

In order to ensure the implementation of a landscaping scheme to enhance the appearance of the development in the interests of the amenity of the area.

- 10 Prior to the commencement of the development hereby approved, a substation drainage strategy shall be submitted to and approved in writing by the Planning Authority, after consultation with SEPA. Thereafter, the development shall be carried out in accordance with the approved drainage strategy unless otherwise agreed with the Planning Authority in writing.

Reason:

To ensure that a suitable drainage strategy is implemented.

- 11 Prior to the commencement of the development hereby approved, a survey of European Protected Species (EPS) will be carried out within the Development site. Based on the findings of these surveys, if required, a Protected Species Management Plan shall be submitted to and approved in writing by the Planning Authority after consultation with SNH. The Protected Species Management Plan shall include mitigation measures designed to safeguard any EPS within the application site. During the construction phase of the development regular monitoring of the mitigation measures in the Protected Species Management Plan shall be carried out by the Company, or its representative.

The development shall thereafter be carried out in accordance with the approved Protected Species Management Plan unless otherwise agreed with the Planning Authority in writing.

Reason:

To minimise disturbance to protected species during the construction phase of the development.

- 12 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 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.

- 13 Within 24 months of the permanent cessation of generation at the offshore wind farm, the Company shall confirm in writing to the Planning Authority whether or not the development hereby approved continues to be required for electricity transmission purposes.

Where the development is not required for electricity transmission purposes beyond the operational period of the offshore wind farm, within 24 months of the permanent cessation of generation at the offshore wind farm, a decommissioning and site restoration plan (the 'Demolition and Restoration Scheme') shall be submitted to and approved in writing by the Planning Authority. The Demolition and Restoration Scheme shall have due regard to the Decommissioning Programme prepared in respect of the offshore wind farm and shall include details of:

- (i) The extent of substation and cable infrastructure to be removed and details of site restoration;
- (ii) Management and timing of works;
- (iii) Environmental management provisions; and
- (iv) A traffic management plan to address any traffic impact issues during the decommissioning period.

The Demolition and Restoration Scheme shall be implemented in its entirety, unless otherwise

agreed with the Planning Authority in writing.

Where the Development is required for electricity transmission purposes beyond the operational period of the offshore wind farm, within 24 months of the development no longer being required for electricity transmission purposes, a decommissioning and site restoration plan (the 'Demolition and Restoration Scheme') shall be prepared by the Company and shall be submitted to and approved in writing by the Planning Authority. The Demolition and Restoration Scheme shall include details of:

- (i) The extent of substation and cable infrastructure to be removed and details of site restoration;
- (ii) Management and timing of works;
- (iii) Environmental management provisions; and
- (iv) A traffic management plan to address any traffic impact issues during the decommissioning period.

The Demolition and Restoration Scheme shall be implemented in its entirety, unless otherwise agreed with the Planning Authority in writing.

Reason:

To ensure that the application site is satisfactorily restored in the interests of the amenity of the area.

- 14 Prior to the commencement of the development hereby approved, proposals for the realignment of existing access tracks shall be submitted to and approved in writing by the Planning Authority. The development shall thereafter be carried out in accordance with approved details unless otherwise agreed with the Planning Authority in writing.

Reason:

To minimise the impact the development on public access within and across the application site.

- 15 Prior to commencement of the development hereby approved a detailed method statement for the cables crossing under the A1 trunk road should be submitted to and approved by the Planning Authority following consultation with Transport Scotland.

The development shall thereafter proceed in accordance with the details so approved.

Reason:

In the interests of road safety.