



**MINUTES OF THE MEETING OF THE
PLANNING COMMITTEE**

**TUESDAY 4 JUNE 2019
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

Committee Members Present:

Councillor N Hampshire (Convener)
Councillor L Bruce
Councillor J Findlay
Councillor N Gilbert
Councillor S Kempson
Councillor C McGinn
Councillor K McLeod
Councillor J McMillan
Councillor J Williamson

Other Councillors Present:

Councillor A Forrest

Council Officials Present:

Mr K Dingwall, Team Manager – Planning Delivery
Mr K Graham, Solicitor
Ms E Taylor, Senior Planner
Mr C Kiely, Planner
Mr R Yates, Transportation Planning Officer
Ms P Bristow, Communications Adviser

Clerk:

Ms A Smith

Apologies:

Councillor W Innes
Councillor F O'Donnell

Declarations of Interest:

None

1. MINUTES FOR APPROVAL – PLANNING COMMITTEE 7 MAY 2019

The minutes of the meeting of the Planning Committee of 7 May 2019 were approved.

2. PLANNING APPLICATION NO. 18/01283/AMM: APPROVAL OF MATTERS SPECIFIED IN CONDITIONS OF PLANNING PERMISSION IN PRINCIPLE 14/00903/PPM – ERECTION OF 74 HOUSES, 16 FLATS AND ASSOCIATED WORKS, AREA 7 LAND SOUTH FA'SIDE TERRACE, WALLYFORD

A report was submitted in relation to Planning Application No. 18/01283/AMM. Emma Taylor, Senior Planner, presented the report, summarising the key points. The report recommendation was to grant consent.

The Convener clarified, in response to Councillor McGinn's question, that there was a legal agreement regarding adoption of the spine road but that the developer had to request this before any action could be taken by Officers.

Local Member Councillor McGinn welcomed the condition regarding Fa'side Avenue. He felt that the proposal would provide a good range of properties; he welcomed that 60 affordable units would be provided. He would be supporting the application.

Local Member Councillor McLeod echoed his colleague's comments; he would be supporting the application.

Councillor Forrest also welcomed this development, which he felt would strengthen the Wallyford community. He particularly welcomed the affordable housing element and the traffic calming measures.

The Convener concurred; he also especially welcomed the affordable housing units. This development would make Wallyford a desirable place to live in East Lothian. He would be supporting the recommendation to grant planning permission as set out in the report.

He moved to the vote on the report recommendation (to grant consent):

For: 9

Against: 0

Abstentions: 0

Decision

The Committee agreed that approval of matters specified in conditions for the proposed residential development be granted subject to the following conditions:

- 1 No development shall take place on site unless and until final site setting out details have been submitted to and approved by the Planning Authority.

The above mentioned details shall include a final site setting-out drawing to a scale of not less than 1:200, giving:

- a. the position within the application site of all elements of the proposed development and position of adjoining land and buildings;
- b. finished ground and floor levels of the development relative to existing ground levels of the site and of adjoining land and building(s). The levels shall be shown in relation to an Ordnance Bench Mark or Temporary Bench Mark from which the Planning Authority can take measurements and shall be shown on the drawing; and
- c. the ridge height of the proposed houses shown in relation to the finished ground and floor levels on the site.

Reason:

To enable the Planning Authority to control the development of the site in the interests of the amenity of the area.

- 2 Notwithstanding that which is stated on the drawings docketed to this approval of matters specified in conditions, a detailed specification of all external finishes of the houses of the proposed development shall be submitted to and approved by the Planning Authority prior to the use of the finishes in the development. The external finishes of the houses shall be in accordance with a co-ordinated scheme of materials and colours that shall be submitted to and approved in advance by the Planning Authority. This co-ordinated scheme shall in detail promote render as the predominant finish to the walls of the houses, with a use of more than one render colour and with a strongly contrasting difference in the colours such that they will not each be of a light colour. All such materials used in the construction of the houses shall conform to the details so approved.

Notwithstanding that stated on the docketed drawings a number of the houses of the development shall have hipped roofs. Details of the form and location of the hipped roofed houses shall be submitted to and approved by the Planning Authority. Thereafter those hipped roof houses shall be built in accordance with the details so approved unless otherwise agreed by the Planning Authority.

Reason:

To ensure the development is of a satisfactory appearance in the interest of the amenity of the locality.

- 3 Prior to the occupation of the last residential unit hereby approved, the proposed access roads, parking spaces and footpaths shall have been constructed on site, in accordance with the docketed drawings and those areas of land shall not thereafter be used for any other purpose than for accessing and for the parking of vehicles in connection with the residential use of the houses and shall not be adapted or used for other purposes without the prior written approval of the Planning Authority.

Reason:

To ensure that adequate and satisfactory provision is made for access and for off-street parking and bicycle parking in the interests of road safety.

- 4 The residential scheme of development shall comply with the following transportation requirements:

(i) all adoptable footpaths shall be 2m wide;

(ii) driveways shall have minimum dimensions of 6 metres by 3 metres. Double driveways shall have minimum dimensions of 5 metres width by 6 metres length or 3 metres width by 11 m length;

(iii) within private parking areas, the minimum dimensions of a single parking space shall be 2.5 metres by 5 metres. All visitor parking spaces within these areas shall be clearly marked for visitors with the remaining private parking spaces allocated to individual dwellings;

(iv) all prospectively adoptable parking bays (i.e. that will form part of the public road) shall have minimum dimensions of 2.5 metres by 6 metres. This can be reduced to a minimum length of 5 metres on the proviso that there is adequate road space to manoeuvre in adjacent to the parking bay;

(v) Vehicle access to private parking areas shall be via a reinforced footway crossing and have a minimum width of 5.5m over the first 10m to enable adequate two movement of vehicles;

Reason:

In the interests of road safety.

- 5 Notwithstanding that shown on the drawings docketed to this approval of matters, all semi private and defensible spaces in front of or to the side of dwellings and to the side of parking courtyards shall be enclosed by walls/hedges/fences/ or railings to define areas of private space from public space.

Details of the form and appearance of all boundary treatments, including the 1.8m high fences within the rear gardens of the houses, shall be submitted to and approved by the Planning Authority prior to the occupation of the first house. A timetable for the provision of those boundary treatments shall be submitted to and approved in advance by the Planning Authority and shall thereafter be carried out in full accordance with the timetable so approved, unless otherwise approved in writing by the Planning Authority.

Reason:

To ensure the satisfactory provision of appropriate boundary enclosures and in the interest of safeguarding the privacy and amenity of future residents of the development.

- 6 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 10 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.

- 7 All of the approved landscaping as detailed in the landscape drawings docketed to this approval of matters and required by condition 6 above shall be implemented, maintained and managed in accordance with the management details approved by the landscaping scheme unless otherwise agreed in writing by the Planning Authority.

Reason:

In order to ensure the maintenance and management of the landscaping scheme to enhance the appearance of the development in the interests of the amenity of the area.

- 8 Prior to the occupation of any of the residential units hereby approved a timetable for the implementation of all the open space recreation areas indicated on the docketed site layout plan shall be submitted to and approved in advance by the Planning Authority and the open space recreation areas shall be formed and made available for use in accordance with the timetable so approved.

The open space recreation areas shall thereafter be used for such purposes at all times thereafter unless agreed in writing by the Planning Authority.

Reason:

To ensure the satisfactory laying out of all areas of open space in the interest of the amenity of the future occupants of the dwellings hereby approved.

- 9 No work shall be carried out on the site unless and until an effective vehicle wheel washing facility has been installed in accordance with details to be submitted to and approved by the Planning Authority prior to its installation. Such facility shall be retained in working order and used such that no vehicle shall leave the site carrying earth and mud in their wheels in such a quantity which causes a nuisance or hazard on the road system in the locality.

Reason:

In the interest of road safety.

- 10 Construction traffic shall neither access nor egress the application site to or from Fa'side Avenue North, unless otherwise approved by the Planning Authority.

Reason:

To safeguard the amenity of the occupants of the houses of Fa'Side Avenue North and in the interests of road safety.

3. PLANNING APPLICATION NO. 19/00285/PM/FUL: VARIATIONS OF CONDITIONS 4-12, 14-15 AND ADDITION OF A CONDITION RELATING TO THE METHOD STATEMENT FOR THE CONSTRUCTION OF THE BOREHOLE WITHIN AREA S OF PLANNING PERMISSION 15/00634/PM TO ALLOW PHASED DEVELOPMENT WORKS, IN RESPECT OF THE FORMATION OF ONSHORE ELECTRICAL TRANSMISSION INFRASTRUCTURE BETWEEN THORNTONLOCH AND CRYSTAL RIG II, LAND BETWEEN THORNTONLOCH AND CRYSTAL RIG WIND FARM, DUNBAR

A report was submitted in relation to Planning Application No. 19/00285/PM. Ciaran Kiely, Planner, presented the report, summarising the key points. The report recommendation was to grant consent.

In response to a query from the Convener, Keith Dingwall, Team Manager – Planning Delivery, clarified that because the conditions related to a major development any variation

had to be classed as such and therefore, according to legislation, had to be determined by the Committee.

Local Member Councillor Kempson welcomed the changes to the conditions, which she felt would reduce some of the environmental impact and improve road safety.

Councillor McMillan, echoing his colleague, hoped that these changes would improve and protect the environment. He commended the Officers for the quality of both reports before the Committee today.

The Convener, a local member, stated that this was an important piece of national infrastructure. He would be supporting the recommendation as set out in the report.

He moved to the vote on the report recommendation (to grant consent):

For: 9

Against: 0

Abstentions: 0

Decision

The Committee agreed to grant planning permission 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.

- 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 (I) With the exception of the Enabling Works (as defined within paragraph (II)), there shall be no commencement of the development hereby approved within Area A, Area B or Area S, until a Construction Environmental Management Plan (CEMP) in respect of that area is submitted to and approved in writing by the Planning Authority, after consultation with SEPA and, in respect of issues relating to the inter-tidal area, Marine Scotland.

(II) The Enabling Works comprise:

- i. Relocation of Crystal Rig II access track, as illustrated within drawing reference J00468-C-027(Rev B); "Enabling Works (i) Relocation of Crystal Rig II Access Track Site Plan, Section and Road Profile";
- ii. Relocation of Crystal Rig II cable, as illustrated within drawing reference J00468-C-028(Rev B); "Enabling Works (ii) Relocation of Crystal Rig II Cable Site Plan and Section";
- iii. Horizontal Directional Drill under Crystal Rig II cable, as illustrated within either drawing reference J00468-C-029(Rev B); "Enabling Works (iii) HDD Under Crystal Rig II Cable Site Plan, HDD Section and Profiles Option A" or J00468-C-030(Rev B); "Enabling Works (iii) HDD Under Crystal Rig II Cable Site Plan, HDD Section and Profiles Option B"; and
- iv. Cable protection measures for Crystal Rig II cable, as illustrated within drawing reference J00468-C-031(Rev B); "Enabling Works (iv) Crystal Rig II Cable Protection Works Site Plan and Typical Cable Protection Details".

(III) Areas A, B and S are as illustrated on drawing reference GIS 1744/011/024; "Onshore Infrastructure - Planning Conditions Illustration of Areas A, B and S", unless otherwise agreed in writing with the Planning Authority.

(IV) 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.

(V) Thereafter, prior to the commencement of the development hereby approved within remaining Areas, Addendums to the CEMP which provides details specific to such Areas which have not previously been submitted in (I), shall be submitted to and approved in writing by the Planning Authority, after consultation with SEP A, SNH and, in respect of issues relating to the inter-tidal area, Marine Scotland. The CEMP shall, unless otherwise approved by the Planning Authority in writing, include the details listed at Condition 4 (IV) as they relate specifically to such Areas; and

(VI) The development shall thereafter be carried out in accordance with the approved CEMP (including Addendums) unless otherwise agreed with the Planning Authority in writing. For the avoidance of doubt, no development shall take place within Areas A, B or S, without details (a)-(i) as they relate to such specific area(s) having first been approved in accordance with the procedures described at (I) and (V).

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

- 5 With the exception of the Enabling Works (as defined within Condition 4(II)) and the Initial Duct Works, undertaken in August 2016 in Area A (Area A as illustrated on drawing reference GIS 1744/011/024; "Onshore Infrastructure - Planning Conditions Illustration of Areas A, B and S"), there shall be no commencement of the development hereby approved until an Access Management Plan (AMP) is submitted to and approved in writing by the Planning Authority. 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 (I) With the exception of the Enabling Works (as defined within Condition 4(II)) and the Initial Duct Works, undertaken in August 2016 in Area A, there shall be no commencement of the development hereby approved within Area A, Area B or Area S, until a Traffic Management Plan (TMP) for the construction phase of the development in respect of that area is submitted to and approved in writing by the Planning Authority, after consultation with Transport Scotland.

(II) Areas A, B and S are as illustrated on drawing reference GIS 1744/011/024; "Onshore Infrastructure - Planning Conditions Illustration of Areas A, B and S", unless otherwise agreed in writing with the Planning Authority.

(III) 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.

(IV) Thereafter, prior to the commencement of the development hereby approved within remaining Areas, Addendums to the TMP which provides details specific to such Areas which have not previously been submitted in (I), shall be submitted to and approved in writing by the Planning Authority, after consultation with Transport Scotland. The TMP shall, unless otherwise approved by the Planning Authority in writing, include the details listed at Condition 6 (I) as they relate specifically to such Areas.

(V) 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 (I) With the exception of the Enabling Works (as defined within Condition 4(II)) there shall be no commencement of the development hereby approved within Area A, Area B or Area S, until a Site Waste Management Plan (SWMP) is 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.

(II) Areas A, B and S are as illustrated on drawing reference GIS 1744/011/024; "Onshore Infrastructure - Planning Conditions Illustration of Areas A, B and S", unless otherwise agreed in writing with the Planning Authority.

(III) Thereafter, prior to the commencement of the development hereby approved within remaining Areas, an Addendum to the SWMP which provides details specific to such Areas which have not previously been submitted in (i), shall be submitted to and approved in writing by the Planning Authority, after consultation with SEPA. The Addendum shall provide the details referenced in (i) as they relate to such Areas; and

(IV) The development shall be carried out in accordance with the approved SWMP (including Addendum) unless otherwise agreed with the Planning Authority in writing. For the avoidance of doubt, no development shall take place within Areas A, B and/or S, without details (a)-(e) as they relate to such specific area(s) having first been approved in accordance with the procedures described at (i).

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

- 8 (I) With the exception of the Enabling Works (as defined within Condition 4(II)), there shall be no commencement of the development hereby approved within Area S, until the following details, including proposed timescales, are submitted to and approved in writing by the Planning Authority:

- (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 of Area S shall thereafter be carried out in accordance with the approved details unless otherwise agreed with the Planning Authority in writing.

(II) Area S is illustrated on drawing reference GIS 1744/011/024; "Onshore Infrastructure - Planning Conditions Illustration of Areas A, B and S", unless otherwise agreed in writing with the Planning Authority.

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

- 9 (I) With the exception of the Enabling Works (as defined within Condition 4(II)), there shall be no commencement of development within Area A, Area B or Area S, until there has been submitted to and approved in writing by the Planning Authority a scheme of landscaping as it relates to such Areas. 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.

(II) Areas A, B and S are as illustrated on drawing reference GIS 1744/011/024; "Onshore Infrastructure - Planning Conditions Illustration of Areas A, B and S", unless otherwise agreed in writing with the Planning Authority.

(III) Thereafter, prior to the commencement of the development hereby approved within remaining Areas, an Addendum to the scheme of landscaping which provides details specific to such Areas which have not previously been submitted in (i), shall be submitted to and approved in writing by the Planning Authority. The Addendum shall provide the details referenced in (I) as they relate to such Areas.

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; and

(iii) For the avoidance of doubt, no development shall take place within Areas A, B or S, without a scheme of landscaping in respect of such area(s) having first been approved in accordance with the procedures described at (i).

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 (I) With the exception of the Enabling Works (as defined within Condition 4(II)) there shall be no commencement of the development hereby approved within Area S, until a substation drainage strategy is 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.

(II) Area S is illustrated on drawing reference GIS 1744/011/024; "Onshore Infrastructure - Planning Conditions Illustration of Areas A, B and S", unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure that a suitable drainage strategy is implemented.

- 11 (I) With the exception of the Enabling Works (as defined within Condition 4(II)) and the Initial Duct Works, undertaken in August 2016 in Area A, there shall be no commencement of the development hereby approved within Area A, Area B or Area S, until a survey of European Protected Species (EPS) is carried out within Area A, Area B and Area S. 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 such Areas. During the construction phase of the development regular monitoring of the mitigation measures (where required) in the Protected Species Management Plan shall be carried out by the Company, or its representative.

(II) Areas A, B and S are as illustrated on drawing reference GIS 1744/011/024; "Onshore Infrastructure - Planning Conditions Illustration of Areas A, B and S", unless otherwise agreed in writing with the Planning Authority.

(III) Thereafter, prior to the commencement of the development hereby approved within remaining Areas, a survey of EPS will be carried out within that Area. Based on the findings of these surveys, if required, a Protected Species Management Plan which provides details specific to Area B which have not previously been submitted in (i), 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 such Areas. During the construction phase of the development regular monitoring of the mitigation measures (where required) in the Protected Species Management Plan shall be carried out by the Company, or its representative; and

(IV) The development shall thereafter be carried out in accordance with the approved Protected Species Management Plan (s) unless otherwise agreed with the Planning Authority in writing. For the avoidance of doubt, no development shall take place within Areas A, B or S, without such surveys being undertaken and (where required) such mitigation being in place within such area(s).

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

- 12 (I) With the exception of the Enabling Works (as defined within Condition 4(II)) and the Initial Duct Works, undertaken in August 2016 in Area A, there shall be no commencement of the development hereby approved within Area A, Area B or Area S, until the applicant has, through the employ of an archaeologist or archaeological organisation, secured the implementation of a programme of archaeological work within such areas, in accordance with a written scheme of investigation which the applicant will submit to and have approved in advance by the Planning Authority.

(II) Areas A, B and S are as illustrated on drawing reference GIS 1744/011/024; "Onshore Infrastructure - Planning Conditions Illustration of Areas A, B and S", unless otherwise agreed in writing with the Planning Authority.

(III) Thereafter, no development shall take place within remaining Areas until the applicant has, through the employ of an archaeologist or archaeological organisation, secured the implementation of a programme of archaeological work within such remaining Areas, in accordance with a written scheme of investigation which the applicant will submit to and have approved in advance by the Planning Authority; and

(IV) For the avoidance of doubt, no development shall take place within Areas A, B or S, without the implementation of an approved programme of archaeological work within such area(s).

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 With the exception of the Enabling Works (as defined within Condition 4(II)) and the Initial Duct Works, undertaken in August 2016 in Area A (Area A as illustrated on drawing reference GIS 1744/011/024; "Onshore Infrastructure - Planning Conditions Illustration of Areas A, B and S"), there shall be no commencement of the development hereby approved, until proposals for the realignment of existing access tracks are 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 (I) Prior to commencement of the development hereby approved within Area B, a detailed method statement for the cables crossing under the A 1 trunk road shall 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.

(II) Area B is illustrated on drawing reference GIS 1744/011/024; "Onshore Infrastructure - Planning Conditions Illustration of Areas A, B and S", unless otherwise agreed in writing with the Planning Authority.

Reason: In the interests of road safety.

- 16 (I) Prior to the commencement of the borehole within Area S comprised within the Enabling Works and described in Condition 4(II) (the location of which is illustrated on drawing reference J00468-C-032(Rev B); "Enabling Works (v) Borehole Location", a detailed method statement for the construction of the borehole shall be submitted to and approved by the Planning Authority following consultation with SEPA.

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

(II) Area S is illustrated on drawing reference GIS 1744/011/024; "Onshore Infrastructure - Planning Conditions Illustration of Areas A, B and S", unless otherwise agreed in writing with the Planning Authority.

Reason: In order to agree the specifics of this element of the development.

Signed

Councillor Norman Hampshire
Convener of the Planning Committee