

Onshore Wind Standard Conditions Draft Giant’s Burn Wind Farm Conditions

Section 36 Consent and Deemed Planning Permission

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Section 36 Conditions

No.	Condition Wording	Applicant / Consultee Comment or Modification	Standard or Optional
1.	Notification of Date of First Commissioning and Final Commissioning (1) Written confirmation of the Date of First Commissioning shall be provided to the Planning Authority and Scottish Ministers no later than one calendar month after that date. (2) Written confirmation of the Date of Final Commissioning shall be provided to the Planning Authority and Scottish Ministers no later than one calendar month after that date. Reason: To allow the Planning Authority and Scottish Ministers to calculate the date of expiry of the consent.		Standard
2.	Commencement of Development (1) The Development shall be commenced no later than [five years]¹ from the date of this consent, or such other period as the Scottish Ministers may approve in writing. (2) Written confirmation of the intended date of Commencement of Development shall be provided to the Scottish Ministers and the Planning Authority as soon as is practicable after deciding on such a date and in any event no later than one calendar month prior to the Commencement of Development. Reason: To ensure that the consent is implemented within a reasonable period and to allow the Planning Authority and Scottish Ministers to monitor compliance with obligations attached to this consent and deemed planning permission as appropriate.		Standard
3.	Assignment (1) This consent shall not be assigned, alienated or transferred without the prior written authorisation of the Scottish Ministers.² (2) In the event that the assignment is authorised, the Company shall notify the Planning Authority and Scottish Ministers in writing of the principal named contact at the assignee and contact details within fourteen days of the consent being assigned. Reason: To safeguard the obligations of the consent if transferred to another company.		Standard
4.	Serious Incident Reporting In the event of any serious breach of health and safety or environmental obligations relating to the Development causing harm to the environment		Standard

No.	Condition Wording	Applicant / Consultee Comment or Modification	Standard or Optional
	(including harm to humans) during the period of this consent, written notification of the nature and timing of the incident shall be submitted to the Scottish Ministers within twenty-four hours of the incident occurring, including confirmation of remedial measures taken and/or to be taken to rectify the breach. Reason: To keep the Scottish Ministers informed of any such incidents which may be in the public interest.		
5.	Compensatory Planting (1) No felling or development shall commence, including site and ground investigations³ until a woodland planting scheme to compensate for the removal of <u>3.85</u> hectares of existing woodland ("the Replanting Scheme") has been submitted to, and approved in writing by, the Scottish Ministers in consultation with <u>the Planning Authority and Scottish Forestry as required</u>⁴. (2) The Replanting Scheme shall provide: (a) details of the location of the area(s) to be planted, including a map and description of current land use; (b) the nature, design/layout, species composition, purpose and specification of the proposed woodland to be planted; (c) the phasing and associated timescales for implementing the Replanting Scheme; (d) proposals for reporting to the Planning Authority on compliance with timescales for obtaining the necessary consents and thereafter implementation of the Replanting Scheme; (e) proposals for the maintenance and establishment of the woodland to be planted, including annual checks, replacement planting, fencing, ground preparation and drainage; and (f) details evidencing compliance with The UK Forestry Standard and the Scottish Government's Policy on Control of Woodland Removal (as amended or replaced from time to time). (3) The Replanting Scheme approved under part (1) of this condition shall be implemented in full, unless otherwise agreed in writing by the Scottish Ministers in consultation with the Planning Authority. Reason: To secure replanting to mitigate against effects of deforestation arising from the Development		Optional
Aviation Impact Mitigation Scheme ¹ This period may be changed where a longer or shorter period for implementation is justified in the circumstances of the case. ² The Scottish Ministers may authorise the assignation (with or without conditions), or refuse the assignation. ³ If a Site Enabling Works condition is to be applied under the Deemed Planning Permission, the timescales and scope should be complimentary and where appropriate there should be no felling (including as part of Enabling Works until a FPP is submitted and approved).			

No.	Condition Wording	Applicant / Consultee Comment or Modification	Standard or Optional
6.	(1) No turbine shall be erected, other than for testing and evaluation on a basis agreed with <u>Glasgow Airport and NATS En Route Ltd (NERL)</u>[name of airport], until a Mitigation Scheme⁵ to address the impact of the wind turbines upon the <u>Glasgow Primary Surveillance Radar, Glasgow Airport Terma Scanner 4002 Windfarm Radar</u> [name of equipment and location] and <u>Lowther Hill Radar</u> (and if applicable [name of any secondary equipment]) has been submitted to and approved in writing by the Scottish Ministers, in consultation with the operator of [name of airport]<u>Glasgow Airport, NERL</u> and the Civil Aviation Authority. (2) The approved Mitigation Scheme shall provide the appropriate measures to be implemented and be in place for the operational life of the development provided the <u>Glasgow Primary Surveillance Radar, Glasgow Airport Terma Scanner 4002 Windfarm Radar and Lowther Hill Radar</u> [name of equipment] (and if applicable the [name of secondary equipment]) remain in operation. (3) No turbine(s) shall become fully operational until the measures required by the approved Mitigation Scheme by that stage have been implemented. The development shall thereafter be operated in accordance with the approved Mitigation Scheme. (4) No later than the fifth anniversary of the date of First Commissioning and every five-year anniversary thereafter, the Company shall submit a written review of the Mitigation Scheme to the Scottish Ministers. (5) The review may propose amendment of the Mitigation Scheme. If a review assesses that it is technically feasible and reasonable to undertake alternative mitigation measures, such review shall also provide the Company's proposals for installation of and alternative mitigation measures together with a proposed timetable for installation which has been agreed with the operator of <u>Glasgow Primary Surveillance Radar, Glasgow Airport Terma Scanner 4002 Windfarm Radar and Lowther Hill Radar</u> [name of airport] and the Civil Aviation Authority. "Approved Mitigation Scheme" means a scheme designed to mitigate the impact of the development upon the operation of the <u>Glasgow Primary Surveillance Radar, Glasgow Airport Terma Scanner 4002 Windfarm Radar and Lowther Hill Radar</u> [name of equipment] (and if applicable the [name of secondary equipment]) and the Air Traffic Control operations of the airport which are reliant on these navigation aids. Reason: Mitigation is required to ensure that there will be no unacceptable impacts on the safe operation of [name of airport]<u>Glasgow Airport's and Lowther Hill radar</u>⁶		Optional

⁴ Insert "Planning Authority" and, if the compensatory planting is in a different authority area, the name of the relevant local authority.

⁵ The name of the mitigation scheme will vary on a case by case basis but should be defined at this point of the condition for example "Air Traffic Control Mitigation Scheme"

⁶ Aviation mitigation conditions tend to be bespoke to the airport and mitigation required. This condition is provided as an initial template.

Deemed Planning Permission Conditions			
No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
7.	Commencement of Development (1) The Development must be commenced no later than 5 years from the date of this consent. (2) Written confirmation of the intended date of Commencement of Development shall be provided to the Planning Authority and the Scottish Ministers no later than one calendar month before that date. Reason: To comply with section 58 of the Town and Country Planning (Scotland) Act 1997.		Standard
8.	Design of Wind Turbines ⁷ (1) No turbines shall be erected until details and specification of the proposed wind turbines, (including the size, make and model, power rating and sound power levels, nameplate generating capacity, type, external finish and colour) any anemometry masts and all turbine associated apparatus have been submitted to and approved in writing by the Planning Authority. (2) For the avoidance of doubt the scale of the turbines shall not exceed the parameters assessed in the EIA Report and set out in the description of the Development at Annex 1. (3) The submission shall demonstrate that all wind turbine blades shall rotate in the same direction. (4) Thereafter the wind turbines, any anemometry masts and all associated apparatus shall be constructed and operated in accordance with the details approved under part (1) and shall be maintained in the free from external rust, staining or discolouration, until such time as the Development is decommissioned unless otherwise agreed in writing by the Planning Authority. Reason: To ensure that the environmental impacts of the turbines forming part of the Development conform to the impacts assessed in the EIA Report and in the interests of the visual amenity of the area.		Standard
9.	Design of Sub-station and ancillary development (1) There shall be no Commencement of Development on the sub-station until final details of the location, layout, external appearance, dimensions, and surface materials of the substation and control room buildings, any above ground electrical		Optional

⁷ Consider whether there is anything else specific to the project that must be included in this condition or condition [9] on design of the substation or [10] on design of the energy storage facility, for example are the electricity and control cables between the turbines to be laid out underground, positioning of turbine transformers etc.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	equipment, associated compounds, construction compound, boundary fencing, external lighting and parking areas have been submitted to, and approved in writing by, the Planning Authority. For the avoidance of doubt the details of the sub-station shall not exceed the parameters assessed in the EIA Report. (2) Thereafter, the substation and control room buildings, any above ground electrical equipment, associated compounds, fencing, external lighting and parking areas shall be constructed in accordance with the details approved under part (1). Reason: To ensure that the environmental impacts of the sub-station and ancillary development forming part of the Development conform to the impacts assessed in the EIA Report and in the interests of the visual amenity of the area. Design of Energy Storage Facility 10. (1) There shall be no Commencement of Development on the energy storage facility until details of the location, layout, external finishes and appearance, dimensions and surface materials of the energy storage facility, inclusive of battery containers, substation(s), control buildings, external above ground electrical equipment, associated compounds, construction compound, boundary fencing and other enclosures, external lighting, security cameras and parking areas have been submitted to, and approved in writing by, the Planning Authority. For the avoidance of doubt the details of the energy storage facility shall not exceed the parameters assessed in the EIA Report (2) Thereafter, the battery energy storage facility shall be constructed in accordance with the details approved under part (1) and the infrastructure shall be maintained in the approved colour, free from rust, staining or discolouration until such time as the Development is decommissioned. Reason: To ensure that the environmental impacts of the energy storage facility forming part of the Development conform to the impacts assessed in the EIA Report and in the interests of the visual amenity of the area.		Optional
11.	Signage No part of the Development shall display any text, logo, sign or advertisement (other than health and safety signage as required by law) or be illuminated [with the exception of aviation safety lighting]) unless otherwise approved in writing by the Planning Authority. Reason: In the interests of health and safety on site and the visual amenity of the area.		Standard
12.	Micro-siting (1) All wind turbines, buildings, masts, areas of hardstanding, associated infrastructure and tracks shall be constructed in the locations shown on plan		Standard

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	reference Figure 3.1 (EIA Report Volume 3a)[]⁸ and at the grid references for the turbines set out in Table 3.2 (EIA Report Volume 2, Chapter 3)[]⁹. The locations of wind turbines, buildings, masts, [energy storage facility]¹⁰, areas of hardstanding and tracks¹¹ may be adjusted by micro-siting within the redline boundary shown on plan reference Figure 1.2 (EIA Report Volume 3a)[]. Any such micro-siting is subject to the following restrictions unless otherwise approved in advance in writing by the Planning Authority^{12,13,14} (a) [no wind turbine, building, mast or hardstanding shall be moved more than 100XXm from the position shown on plan reference Figure 3.1 (EIA Report Volume 3a) [] and at the grid references set out in Table 3.2 (EIA Report Volume 2, Chapter 3) []]; (b) [no access track shall be moved more than 100XXm from the position shown on plan reference Figure 3.1 (EIA Report Volume 3a) [] and at the grid references set out in Table 3.2 (EIA Report Volume 2, Chapter 3) []]; (c) [No micro-siting shall take place with the result that infrastructure (excluding floating tracks or hardstanding) has a greater overall impact on peat than the original location]; (d) [no infrastructure other than as required for a water course crossing shall be micro-sited to within 50¹⁵ metres of a water course].]; (e) No wind turbine foundation shall be positioned higher than 5[...] metres Above Ordnance Datum (AOD) than the position for that turbine shown on the Site Layout Plan; (f) [no micro-siting shall take place which will bring the infrastructure closer to environmental constraints identified on-site as shown on Figure 2.2 (EIA Report Volume 3a)plan []¹⁶ or to a location where noise immissions exceed the noise limits at neighbouring receptors stated in Table 11.7 (EIA Report Volume 2, Chapter 11)[]. (2) All micro-siting permissible under this condition shall be submitted to, and approved in writing by the Ecological Clerk of Works (“ECoW”), and the Planning Authority in consultation with SEPA and NatureScot in advance of any works or development associated with the micro-siting request being implemented.¹⁷;		

⁸ Insert site layout plan reference here and throughout this condition where it states “plan reference []”.

⁹ Insert the title of the relevant sections of the EIAR, likely within the Project Description Chapter, which should set out six figure grid references for each part of the infrastructure.

¹⁰ Only applicable where a energy storage is being consented as part of a wind energy development.

¹¹ List any other infrastructure as appropriate

¹² It may be appropriate to remove the wording in the square brackets given that the locations of the turbines and other infrastructure should be established.

¹³ It may be appropriate to include wording that this is approved “in consultation with” other statutory bodies for example SEPA, HES or NatureScot. Only include NatureScot here if the condition was applied at their request to avoid an outright objection, or have made a specific request in their consultation response or otherwise agreed to be consulted further on this matter.

¹⁴ (A) to (d) are examples of restrictions that could be imposed. Consider which restrictions are required and which should be removed. Regard should be had to the project design envelope assessed in the EIAR when formulating restrictions. Any restriction in relation to proximity to individual residential properties should be specific and name the property and give a six-figure grid reference.

¹⁵ To be adjusted where requested by a consultee.

¹⁶ To be used where a consultee has stipulated that there is a feature / features which needs to be safeguarded via a set back i.e. ground water dependent terrestrial ecosystems, scheduled monument, archaeological feature or protected species / habitat).

¹⁷ ECOW should approve micro-siting where an ECOW is being appointed under another condition.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	(3) No later than six months after the Date of First Commissioning¹⁸, an updated site layout plan showing the final position of all wind turbines, buildings, masts, areas of hardstanding, tracks and associated infrastructure forming part of the Development shall be submitted to the Planning Authority. The plan shall also specify areas where micrositing has taken place and, for each instance, be accompanied by copies of the ECoW or Planning Authority's approval, as applicable. Reason: to control environmental impacts while taking account of local ground conditions.		
13.	Implementation of mitigation measures (1) No development (including the Site Enabling Works) shall commence until a Schedule of Mitigation has been submitted to and approved in writing by the Planning Authority <u>based upon Chapter 15, Volume 2 of the Giant's Burn Wind Farm EIA Report</u>. This Schedule shall encompass a list of all mitigation measures from the EIA Report, any other commitments made by the applicant and all relevant mitigation secured by conditions attached to this permission with defined timescales for implementation of each mitigation measure. (2) Thereafter, the approved Schedule of Mitigation shall be implemented in full unless otherwise approved in writing by the Planning Authority. Reason: to ensure that the identified mitigation through the EIA Report is carried out in accordance with the approved details.		Standard
14.	Enabling Works¹⁹ (1) No development or works shall commence on the Site unless and until a programme of Site Enabling Works, detailing the extent, area and timings of such works (the 'Site Enabling Works Programme') has been submitted to and approved in writing by the Planning Authority²⁰. The Site Enabling Works Programme must as a minimum provide for the following, <u>so far as relevant</u>: (a) A plan showing the extent and layout of the <u>Site Enabling Works</u>; (b) The employment of a suitably qualified and experienced Ecological Clerk of Works (<u>"ECoW"</u>), or equivalent, for the project, with specific responsibility for environmental management and the authority to take action when required, including stopping operations and implementing mitigation measures; (c) The employment of a Planning Monitoring Officer, to discharge and to monitor compliance with this condition, including provision of a quarterly compliance report to the <u>Planning Authority Council</u>;		Standard

¹⁸ If the final position of all infrastructure may not be known at "First" commissioning, it may be that the wording is changed to "Date of Final Commissioning" or other date as appropriately defined.

¹⁹ This condition should only be included where there is a specific need for developer to commence certain named enabling works ahead of Commencement of Development. This would not be appropriate for standard ground investigations. "Site Enabling Works" should be defined in the Definitions section. The condition requires to be tailored to the impact and requirements of the development and will not.

²⁰ Reference consultation with appropriate consultees (SEPA, NatureScot, Transport Scotland etc) if specifically requested by those consultees.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	(d) A programme for environmental auditing and monitoring within the Site, before and during the Site Enabling Works, to provide the establishment of an environmental checklist, to monitor and input into the planning of construction activities and ensure implementation of all environmental mitigation measures; (e) If felling is proposed a forest felling and management plan; (f) A site specific statement outlining drainage and sediment management for all exploration areas and measures to limit above ground construction activities during periods of high rainfall, including weather forecasting and actions to be taken in advance of adverse forecasts. (g) Working arrangements, including a programme for the phasing of operations, and particularly the movement of plant, materials and rock into, across and out of the site to minimise, so far as reasonably possible, impact on communities or businesses adjacent to or in close proximity to the Site-; (h) Waste Management and Pollution Controls including contingency plans in case of pollution incidents; (i) A programme of work for the evaluation, preservation and recording of any archaeological and historic features affected by the Development, including a timetable for investigation, which must be submitted for the written approval of the Planning Authority. The approved programme must be implemented in accordance with the agreed timetable for investigation unless otherwise agreed in writing with the Planning Authority; (j) Measures to protect any scheduled monument(s) within the area of the <u>Site Enabling Works</u>; (k) Details for the delivery, storage, loading and unloading of plant and materials to be used in constructing the development, with particular regard for the deployment of <u>Heavy Goods Vehicles (HGVs)</u> and any abnormal loads; (l) Measures to control the emission of dust and dirt during construction; (m) Provision of welfare facilities on site during construction and the means of disposal of foul drainage; (n) Measures to protect all existing public water, private water and drainage arrangements, with suitable back up arrangements in case of any disruption to these provisions from Site Enabling Works; (o) An Access Management Plan to maintain public access and promote the general safety of walkers, cyclists, fishing and game stalking parties, canoeists and other marine users²¹ out-with the principal construction areas and access roads serving the Development during the Site Exploratory Works. A key principleal to be advanced within the Plan is to minimise restrictions on public access to important recreational facilities²²; (p) Wheel washing facilities to prevent vehicles associated with the Site Enabling Works from depositing mud or dirt on the public road network when leaving the Site.		

²¹ Adjust as appropriate.
²² Insert any specific routes identified for protection / mitigation in the EIA.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	(q) Lighting for Site Enabling Works which will minimise illumination, glare or light spillage outwith the <u>S</u>site boundary.²³ (2) All Site Enabling Works must be carried out in accordance with the approved Site Enabling Works Programme unless otherwise agreed in writing with the Planning Authority. Reason: To ensure that all Site Exploratory Works are carried out in a manner that minimises their impact on amenity and the environment, and that the mitigation measures contained in the EIA Report accompanying the application are fully implemented.		
15.	<p>Planning Monitoring Officer²⁴²⁵</p> <p>(1) There shall be no Commencement of Development until the terms of appointment by the Company of an independent and suitably qualified consultant as Planning Monitoring Officer (“PMO”) have been submitted to, and approved in writing by, the Planning Authority. The terms of appointment shall:</p> <p class="list-item-l1">(a) impose a duty to monitor compliance with the terms of the deemed planning permission and the conditions attached to it;</p> <p class="list-item-l1">(b) require the PMO to submit a quarterly report to the Planning Authority summarising works undertaken on site, matters of compliance or otherwise with the terms of the deemed planning permission and conditions attached to it, alongside a summary of the incidents recorded and reported by the ECoW and GCoW²⁶; and</p> <p class="list-item-l1">(c) require the PMO to report to the Planning Authority any incidences of non-compliance with the terms of the deemed planning permission and conditions attached to it at the earliest practical opportunity, and no later than 10 working days following the incidence of non-compliance.</p> <p>(2) The PMO shall be appointed on the approved terms throughout the period from Commencement of Development to completion of construction works and post-construction site reinstatement works.</p> <p>(3) Prior to the decommissioning, restoration and aftercare phases of the Development or the expiration of the operational period of the consent (whichever is the earlier), details of the terms of appointment of an <u>independent</u> and suitably qualified consultant as PMO by the Company throughout the decommissioning, restoration and aftercare phases of the</p>		Standard

²³ Depending on the site specifics, the extent of the enabling works and other conditions applied to the consent, there may be other environmental aspects that require to be covered in this condition such as peat managements plans, pollution prevention and management plans etc.

²⁴ This condition should be applied unless it can be demonstrated that there are reasons why it is not required or there are other measures are in place. If a PMO is to be appointed, it is expected that it should only be during the construction and immediate post-construction reinstatement period rather than throughout the lifetime of the development. It is however recognised that a PMO may be appropriate during the decommissioning stage and where deemed appropriate

²⁵ Where there are arrangements in place for a Planning Authority to employ the services of an independent PMO, the condition should be modified to suit those circumstances.

²⁶ Delete ECoW / GCoW reporting as required.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	Development shall be submitted to, and approved in writing by the Planning Authority. (4) the PMO shall be appointed on the terms approved under part (3) throughout the decommissioning, restoration and aftercare phases of the Development. Reason: To ensure compliance with the planning permission and the conditions attached to it.		
16.	Ecological Clerk of Works (1) There shall be no Commencement of Development until the terms of appointment of a suitably qualified, experienced, and independent Ecological Clerk of Works (“ECoW”) by the Company have been submitted to, and approved in writing by, the Planning Authority. The terms of appointment shall: (a) impose a duty to monitor compliance with the ecological and hydrological commitments provided in <u>the</u> Schedule of Mitigation (<u>Chapter 15, Volume 2 of the Giant’s Burn Wind Farm EIA Report</u>)dated [], any micro-siting approved under condition [XXX]], the Construction and Environmental Management Plan approved under condition [], the Habitat Management<u>Biodiversity Enhancement</u> Plan approved under condition [XXX], [any species protection plans approved under condition []]²⁷, and consider and approve any micro-siting requests in accordance with the provisions of condition [XXX]] (“the ECoW works”); (b) require the ECoW to report to the nominated construction project manager any incidences of non-compliance with the ECoW works at the earliest practical opportunity; (c) require the ECoW to submit a quarterly report to the Planning Authority summarising <u>ECoW</u> works undertaken on site; and (d) require the ECoW to report to the Planning Authority any incidences of non-compliance with the ECoW works at the earliest practical opportunity, and no later than 5 working days following the incidence of non-compliance. (2) The ECoW shall be appointed on the terms approved under part (1) throughout the period from pre-construction Site Enabling Wworks²⁸, Commencement of Development to completion of construction works and post-construction site reinstatement works. (3) Prior to the decommissioning, restoration and aftercare phases of the Development or the expiration of the operational period of the consent (whichever is the earlier), details of the terms of appointment of a suitably qualified, experienced, and independent ECoW by the Company throughout		Standard

Commented [KC1]: Condition number to inserted in final draft

²⁷ Any such plans should be named.
²⁸ This may include Site Enabling Works. If the Site Enabling Works condition is included the wording should be updated to reflect this.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	the decommissioning, restoration and aftercare phases of the Development shall be submitted to, and approved in writing by the Planning Authority. (4) the ECoW shall be appointed on the terms approved under part (3) throughout the decommissioning, restoration and aftercare phases of the Development. Reason: To secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the Development during the construction, post-construction restoration, decommissioning, restoration and aftercare phases. Environmental Clerk of Works²⁹³⁰		Standard
17.	(1) There shall be no Commencement of Development until the terms of appointment of an independent Environmental Clerk of Works (“EnvCoW”) by the Company have been submitted to, and approved in writing by, the Planning Authority. The terms of appointment shall: (a) impose a duty to monitor compliance with the environmental commitments provided in the EIA Report, any micrositing under condition [<u>XXX</u>], the Construction and Environmental Management Plan approved under condition [<u>XXX</u>], the Habitat Management<u>Biodiversity Enhancement</u> Plan approved under condition [<u>XXX</u>], [any species or habitat management plans identified in the EIA Report], [and other plans approved under condition[s]] (“the EnvCoW works”); (b) require the EnvCoW to report to the nominated construction project manager, developer and Planning Authority any incidences of non-compliance with the EnvCoW works at the earliest practical opportunity; (c) require the EnvCoW to submit a monthly report to the construction project manager, developer and Planning Authority summarising works undertaken on site. (2) Prior to the decommissioning, restoration and aftercare phases of the Development or the expiration of the operational period of the consent (whichever is the earlier), details of the terms of appointment of a suitably qualified, experienced, and independent EnvCoW by the Company throughout the decommissioning, restoration and aftercare phases of the Development shall be submitted to, and approved in writing by the Planning Authority.³¹.		

²⁹ The role of the Environmental Clerk of Works is separate to that of the Ecological Clerk of Works and has a wider remit on environmental matters beyond ecology. The above is based on the model condition set out in the Heads of Planning Scotland Position Statement on the Role of Environmental Clerk of Works within the Planning System. However, it is noted that the Developer may employ one person carrying out both roles depending on the circumstances of the case.

³⁰ This provides for an “Environmental Clerk of Works” given the broad nature of the role in this condition. Each project will be different. If the role relates only to ecological compliance, then “Ecological Clerk of Works” may be the more appropriate appointment and the condition can be amended accordingly.

³¹ Consider if consultees are required.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	(3) the EnvCoW shall be appointed on the terms approved under part (2) throughout the decommissioning, restoration and aftercare phases of the Development. Reason: To secure effective and transparent monitoring of and compliance with the environmental mitigation and management measures associated with the Development during the construction, decommissioning, restoration and aftercare phases		
18.	Geotechnical Clerk of Works³² (1) There shall be no Commencement of Development until the terms of appointment by the Company of an independent and suitably qualified engineer as a Geotechnical Clerk of Works (“GCoW”) have been submitted to, and approved in writing by, the Planning Authority. The terms of appointment shall: (a) impose a duty to monitor compliance with the Construction and Environmental Management Plan approved under condition [XXX], the Peat Management Plan, the Peat Landslide Risk Management Plan³³, and consider and approve any micro-siting requests in accordance with the provisions of condition [XXX] (“the GCoW works”); (b) require the GCoW to report to the Planning Authority and nominated construction project manager any incidences of geotechnical risks at the earliest practical opportunity, and no later than 5 working days following the incidence of non-compliance; and (c) require the GCoW to report to the Planning Authority any incidences of peat land slips at the earliest practical opportunity to SEPA where there are risks to the wider environment, and no later than 5 working days following the incidence of peat land slips . (2) The GCoW shall be appointed on the terms approved under part (1) throughout the period from Commencement of Development to completion of construction works and post-construction site reinstatement works. (3) Prior to the decommissioning, restoration and aftercare phases of the Development or the expiration of the operational period of the consent (whichever is the earlier), details of the terms of appointment of a suitably qualified engineer as a GCoW by the Company throughout the decommissioning, restoration and aftercare phases of the Development shall be submitted to, and approved in writing by the Planning Authority.³⁴ (4) the GCoW shall be appointed on the terms approved under part (3) throughout the decommissioning, restoration and aftercare phases of the Development.		Optional

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³² This condition should be included in instances where there is a risk of peat landslide risk identified through the assessment accompanying the application.
³³ Where submitted with the application.
³⁴ Consider if consultees are required.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	Reason: To secure effective monitoring of and compliance with the mitigation related to geotechnical matters, particularly peat land slip and management measures associated with the Development during the construction, post-construction restoration, decommissioning, restoration and aftercare phases.		
19.	Construction and Environmental Management Plan (1) There shall be no Commencement of Development until a Construction and Environmental Management Plan (CEMP) containing site specific details of all on-site construction works, post-construction reinstatement, drainage and mitigation, together with details of their timetabling, has been submitted to, and approved in writing by, the Planning Authority <u>in consultation with SEPA as required</u> . ³⁵ The CEMP shall be informed by the site and ground investigation works and best practice guidance, <u>and taking into account the Outline CEMP provided in Appendix 3.1 (Volume 4) of the Giant's Burn Wind Farm EIA Report</u> . (2) The CEMP shall provide: ³⁶ (a) a site waste management plan (dealing with all aspects of waste produced during the construction period other than peat and other carbon rich soils), including details of contingency planning in the event of accidental release of materials which could cause harm to the environment, evidencing all proposals comply with SEPA's guidance and the requirements of the waste management licensing regime as appropriate; (b) details of the location, layout, formation of the construction compound, welfare facilities, any areas of hardstanding, turning areas, internal access tracks, car parking, material stockpiles, oil, fuel and chemical storage, lighting columns, and any construction compound boundary fencing required for the construction period; (c) a dust management plan detailing all mitigation/dust suppression measures intended to reduce the impacts of dust on site, including measures to reduce dust on roads; (d) site specific details for management and operation of any concrete batching plant (including disposal of pH-rich waste water and substances); (e) details of measures to be taken to prevent loose or deleterious material being deposited on the local road network including wheel cleaning and lorry sheeting facilities, and measures to clean the site entrances and the adjacent local road network;		Standard

³⁵ It may be appropriate to include wording that this is approved "in consultation with" NatureScot or SEPA (or certain parts only depending on the requests of these consultees) where sensitivities of the specific project indicate that consultation with other statutory consultees is required.

³⁶ Select from the following list only those requirements which are relevant to the circumstances of the application – for example batching plants (d) may not be included in the proposed development.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	(f) a Pollution Prevention and Incident Plan incorporating a Pollution Prevention Plan, Pollution Incident Plan and a Pollution Control Monitoring Plan, this shall provide measures to protect watercourses, groundwater, management of natural surface hydrological flows (flushes, springs, etc.) and protection of peatland/soils, arrangements for the storage and management of oil and fuel and other chemicals on the site and sewage disposal and treatment; (g) details of soil storage and management including outline quantities, locations (other than peat and other carbon rich soils) management of long term storage of construction generated to facilitate future site restoration; (h) a drainage management strategy, demonstrating how all surface and waste water arising during and after construction is to be managed and prevented from impacting on the water environment and to mitigate flood risk; (i) a surface water and groundwater management and treatment plan, including details of the separation of clean and dirty water drains, and location of settlement lagoons for silt laden water; (j) details of temporary site illumination, including measures to ensure light spill/pollution is minimised and avoids habitats within the site and does not extend beyond the immediate working area, and not beyond the site boundary; (k) Protected Species Plan. The Plan shall be informed by [insert protected species] surveys <u>(including but not limited to otter, water vole, pine marten, red squirrel and badger)</u> carried out by a suitably qualified person. The surveys shall inform the mitigation measures required to protect such[insert protected species] during construction of the Development. The Plan shall provide mitigation measures, as required, and a timetable for implementation. (l) details of the construction of the access into the site, including associated drainage and the creation and maintenance of associated visibility splays; (m) Site-specific Construction Method Statements for the following: - crane pads; - turbine foundations; - working cable trenches; - erection of the wind turbines and meteorological masts; - Energy storage compound formation and installation of energy storage equipment; - Substation compound formation, erection of associated buildings and ancillary infrastructure;		

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	vii. watercourse crossings including full details and plans of the design and specification of all new and upgraded watercourse crossings to be constructed, ensuring continuous flow and fish passage with no hanging culverts, noting all crossings shall be oversized bottomless arched culverts or traditional style bridges;³⁷ (n) details of post-construction restoration/reinstatement of the working areas not required during the operation of the Development; (o) Historic Environment Protection Plan including details of protective fencing of the location of the historic environment features to be protected during construction works, including appropriate buffers³⁸; (p) a wetland ecosystems survey and mitigation plan³⁹; (q) a tree felling and management plan⁴⁰; (r) A Construction Noise Management Plan including details of the management of noise and vibration during construction and post-construction restoration, including that caused by construction traffic, to the lowest practicable levels and in accordance with BS 5228:2009 “Code of Practice for noise and vibration control on construction and open sites – Part 1: Noise and Part 2: Vibration” (or any updated version/document which superseded this document) and how any properties likely to be affected by construction noise will be kept informed; (s) Construction Method Statements for all roads/tracks to be altered/formed within the development site including their width, likelihood of widening or passing places, means of drainage (which shall have regard to SUDS principles), means of construction, and edge reinstatement including verge width. The specification shall be accompanied by relevant plans at a scale sufficient; (t) the cable trenches; (u) A phasing plan for the construction works; and (v) A written scheme which details the methodology for dealing with any revisions to any of the documents required under this part (3). Any revised documents will require to be submitted to and approved in writing by the Planning Authority prior to the revisions being implemented on site.		

³⁷ List of infrastructure should be added to or reduced as required.

³⁸ This requirement should be applied only where appropriate in the circumstances of the case and will not be relevant to all applications.

~~³⁹ This requirement should be applied only where appropriate in the circumstances of the case and will not be relevant to all applications.~~

⁴⁰ This requirement should be applied only where appropriate in the circumstances of the case and will not be relevant to all applications.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	(3) The Development shall be implemented in accordance with the CEMP approved under part (1) unless otherwise approved in advance in writing by the Planning Authority. Reason: To ensure that all construction operations are carried out in a manner that minimises their impact on road safety, amenity and the environment, and that the mitigation measures contained in the EIA Report accompanying the application, or as otherwise agreed, are fully implemented.		
20.	Borrow Pits – Scheme of Works (1) There shall be no Commencement of Development until a scheme for the working and restoration of [the/each] borrow pit forming part of the Development has been submitted to, and approved in writing by, the Planning Authority in consultation with SEPA.⁴⁴ The scheme shall provide: (a) a detailed working method statement based on site survey information and ground investigations; (b) details of the handling of any overburden (including peat, soil and rock); (c) drainage measures, including measures to protect and manage surrounding areas of peatland, water dependant sensitive habitats and ground water dependent terrestrial ecosystems from drying out; (d) a programme of implementation of the works described in the scheme; and (e) Outline details of the reinstatement, restoration and aftercare of the borrow pit[s] to be undertaken at the end of the construction period, including topographic surveys of pre-construction profiles and details of topographical surveys to be undertaken of the restored borrow pit profiles.⁴² (2) The scheme approved under part (1) shall thereafter be implemented in full following Commencement of Development. Reason: To ensure that excavation of materials from the borrow pit(s) is carried out in a manner that minimises the impact on amenity and the environment, and to secure the restoration of borrow pit(s) at the end of the construction period.	<u>No borrow pits proposed as part of Giant's Burn Wind Farm.</u>	Optional
21.	Borrow Pits – Blasting⁴³ (1) No blasting shall take place until a scheme specifying blast monitoring locations is submitted to and approved in writing by the Planning Authority. (2) Ground vibration from blasting shall not exceed a peak particle velocity of 6mm/second at the blasting monitoring locations approved in the scheme. The	<u>No borrow pits proposed as part of Giant's Burn Wind Farm.</u>	Optional

⁴⁴ SEPA has requested to be included as standard as a consultee.

⁴² This may require to be amended depending on whether borrow pits are being reinstated to the original land profile or are being repurposed as something else.

⁴³ This condition may not be required if there are no communities in blasting disturbance proximity.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	measurement is to be the maximum of three mutually perpendicular directions taken at the ground surface. (3)- (4) Unless otherwise approved in writing in advance by the Planning Authority, blasting shall only take place between the hours of [10.00 to 16.00 on Monday to Friday inclusive and 10.00 to 12.00 on Saturdays]⁴⁴, with no blasting taking place on a Sunday or on a Public Holiday⁴⁵. (5)- (6) The scheme shall be implemented as approved. (7)- (8)- (9) Reason: To ensure that blasting activity is carried out within defined parameters and timescales to control impact on amenity.		
22.	Construction Hours (1) Construction work shall only take place between the hours of [07.00 to 19.00 on Monday to Friday inclusive and 07.00 to 136.00]⁴⁶ on Saturdays, with no construction work taking place on a Sunday or Public Holiday⁴⁷. Outwith these specified hours, maintenance works, emergency works and construction works shall be limited to concrete pours, wind turbine erection, dust suppression, and the testing of plant and equipment, unless otherwise approved in advance in writing by the Planning Authority. (2) HGV movements (excluding abnormal loads) to or from the site during construction of the wind farm shall be limited to [07.00 to 19.00 Monday to Friday (inclusive), and 07.00 to 136.00 on Saturdays]⁴⁸, with no HGV movements to or from site taking place on a Sunday or Public Holiday. Outwith these hours, and subject to paragraph (1), HGV movements are to be limited to wind turbine delivery [(unless otherwise approved in advance in writing by the Planning Authority)]⁴⁹. Reason: In the interests of local amenity.		Standard
23.	Traffic Management Traffic Management Plan (1) There shall be no Commencement of Development until a Traffic Management Plan has been submitted to, and approved in writing by, the Planning Authority [in consultation with <u>Transport Scotland</u> [—]]⁵⁰. The Traffic Management Plan shall provide⁵¹:		Standard

⁴⁴ ~~Amend the hours as required.~~

⁴⁵ ~~Definitions of what public holiday means in the context of individual permissions must be considered (see end of this document for example) there may be other local holidays that the PlanningA would wish to see included.~~

⁴⁶ Amend the hours to take into consideration the response of the Planning Authority or the content of the EIA if there is no response on this from the Planning Authority.

⁴⁷ Definitions of what public holiday means in the context of individual permission circumstances must be included (see end of this document for example) there may be other local holidays that the Planning Authority request are included and those should be considered and included where appropriate.

⁴⁸ Amend the hours as required.

⁴⁹ Consider adding only after discussion with Planning Authority regarding the extent of any flexibility which may be sought, taking particular circumstances of the case into account.

⁵⁰ ~~Consider if any other party, e.g. an adjoining Council who is the roads authority for all or part of the route, or Transport Scotland if a trunk road, requires to be consulted.~~

⁵¹ Include any other requirements for the TMP in the following list, for example details of junction designs where relevant.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	(a) the routing of all traffic associated with the Development on public roads; (b) measures to ensure that the specified routes are adhered to, including monitoring procedures; (c) details of all signage and lining arrangements to be put in place; (d) provisions for emergency vehicle access <u>to the Site</u>; (e) provision for the submission and agreement of a roads condition survey pre-and post construction accompanied by an appropriate agreement between the Planning Authority and the <u>ApplicantCompany</u> to ensure the delivery of any post-construction public road restoration that may be required; and (f) identification of a nominated person to whom any road safety issues can be referred. (2) The approved Traffic Management Plan shall be implemented in full, unless otherwise approved in advance in writing by the Planning Authority. Reason: In the interests of road safety.		
24.	Abnormal Loads (1) There shall be no abnormal load deliveries to the site until an Abnormal Load Route Assessment Report, [including proposed trial runs]⁵², has been submitted to and approved in writing by the Planning Authority in consultation with Transport Scotland. The Abnormal Load Route Assessment Report shall provide: (a) Details of a communications strategy to inform the relevant communities of the programme of abnormal load deliveries; (b) Details of any accommodation measures required for the local road network including the removal of street furniture, junction widening and traffic management; (c) Any additional signing or temporary traffic control measures deemed necessary on the trunk road network due to the size or length of any loads being transported must be undertaken by a recognised QA traffic management consultant, to be approved by Transport Scotland. (d) Details of the route for abnormal loads on the local and trunk road networks and any recommendations for delivery of abnormal loads; <u>and</u> (e) An assessment of the capacity of any bridge crossings on the route to cater for abnormal loads, and <u>D</u>details of proposed upgrades and mitigation measures required for any <u>bridge structure</u> crossings; <u>and</u> (f) A plan for access by vehicles carrying abnormal loads, including but not limited to the number and timing of deliveries and the length, width and axle configuration of all such traffic associated with the Development.		Standard

⁵² This wording can be removed if trial runs are not required.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	(2) Prior to the first delivery of an abnormal load, a programme for abnormal load deliveries shall be submitted to, and be approved in writing by the Planning Authority in consultation with Transport Scotland. (3) Prior to any movement of abnormal loads (including trial runs) the Company Applicant must complete any mitigation works set out in in the scheme approved under part (1) of this condition, and maintain such measures during the period of abnormal load deliveries. (4) The trial-run shall be undertaken in accordance with the details approved under part (1) prior to the movement of any abnormal loads. (5)⁽⁴⁾ The details in the approved report shall thereafter be implemented in full prior the first delivery of an abnormal load. Reason: In the interest of road safety and to ensure that abnormal loads access the site in a safe manner.		
	Trunk Road Mitigation Measures		
25.	(1) Prior to construction of any part of the development, [insert type of trunk road mitigation], generally as illustrated on [name of drawing and drawing number], shall be constructed to the satisfaction of the Planning Authority, in consultation with Transport Scotland⁵³. OR No development shall commence until the detailed design and specification for the proposed access from the B836[insert type of trunk road mitigation], generally as illustrated on Figure 3.26 Site Entrance and Visibility Splay Plan (Volume 3a of the Giant's Burn Wind Farm EIA Report)[name of drawing and drawing number], has been submitted to and approved by the planning authority in consultation with Transport Scotland. Thereafter the access shall be constructed in accordance with the approved plans prior to construction of any part of the Development.⁵⁴ Reason: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished.		Optional
26.	Habitats and Ecology Habitat Management and Monitoring Plan⁵⁵⁵⁶ (1) There shall be no Commencement of Development until a Habitat ManagementBiodiversity Enhancement Plan (BEHMP) [taking account of the		Optional

⁵³ ~~To be utilised where the mitigation has been assessed and agreed through the application process.~~

⁵⁴ To be used where details of the trunk road mitigation was not explicit in the application.

⁵⁵ Include only where relevant in response to demonstrable requirement. Include site specific requirements, for example creation of a habitat management group where required. Wording can be included such that the group shall monitor the progress of actions under the HMP, and shall publish annual reports of such progress,

⁵⁶ If the condition is applied, consider application of a condition related to the setting up and operation of a Habitat Management Group to monitor and review the effectiveness of the measures in the HMP.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	Outline/Draft Habitat Management Plan<u>Biodiversity Enhancement Strategy</u> (Technical Appendix 6.5<u>EIA Report Volume 4</u>—] of the EIA Report)]⁵⁷, has been submitted to, and approved in writing by the Planning Authority <u>in consultation with NatureScot</u>⁵⁸. (2) The <u>BEHMP</u> shall set out proposed habitat management of the site during the period of construction, operation, and decommissioning, restoration and aftercare, and shall provide for the maintenance, monitoring and reporting of <u>carbon-rich habitats, woodland (including riparian planting), and targeted key ornithological species</u> [insert site specific details or particular species, habitats or wetlands as appropriate] habitat on site.⁵⁹ (3) The <u>BEHMP</u> shall provide provision and details for regular monitoring and review to be undertaken against the <u>BEHMP</u> objectives and reasonable measures for securing amendments or additions to the <u>BEHMP</u> in the event that the <u>BEHMP</u> objectives are not being met.⁶⁰ (4) Until otherwise approved in advance in writing by the Planning Authority, the approved <u>BEHMP</u> (as amended from time to time with written approval of the Planning Authority) shall be implemented in full in line with the timescales set out in the approved plan. Reason: In the interests of good land management and the protection of habitats.		
27.	Water Quality and Fish Monitoring Plan⁶¹ (1) There shall be no Commencement of Development until an integrated Water Quality and Fish Monitoring Plan -(WQFMP) has been submitted to and approved in writing by the Planning Authority in consultation with <u>the Argyll Fisheries Trust</u>_____]. (2) The WQFMP must take account of the Marine Directorate's guidance and shall provide: a) provision that water quality sampling should be carried out for at least 12 months prior to Commencement of Development, during construction and for at least 12 months after construction is complete ;		Optional

⁵⁷ It is common practice for a draft HMP to be included with the application. Complete details of any draft HMP included with application. If there was no draft HMP, the wording in square brackets should be removed.

⁵⁸ It may be appropriate to include wording that this is approved "in consultation with" other statutory bodies, for example NatureScot, Forestry Scotland. Only include NatureScot here if the condition was applied at their request to avoid an outright objection or if they have made a specific request in their planning response or otherwise agreed to be consulted further on this matter. HES should only be consulted where habitat management will interact with scheduled monuments in the HMP area and where HES have requested to be consulted.

⁵⁹ Consider whether a draft HMP included in the application (often as a technical appendix to the EIA Report) can be referred to if helpful. The condition can require that the HMP fully addresses the mitigation measures outlined in a draft HMP.

⁶⁰ If any specific updates to the HMP will be required at certain stages, such as to reflect ground condition surveys undertaken following construction and prior to the Date of Final Commissioning, the condition can be tailored here to reflect that.

⁶¹ This condition may not always be applicable and will depend on the survey work already undertaken. It may be appropriate to split this condition out to a separate Water Quality Monitoring Plan and a separate Fish Monitoring Plan depending on the circumstances of the case.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	b) key hydrochemical parameters (including turbidity and flow data), the identification of sampling locations (including control sites), frequency of sampling, sampling methodology, data analysis and reporting; c) fully quantitative electrofishing surveys at sites potentially impacted and at control sites for at least 12 months prior to the Commencement of Development, during construction and for at least 12 months after construction is completed to detect any changes in fish populations; and d) appropriate site specific mitigation measures including those detailed in the EIA Report. (3) Thereafter, the WQFMP shall be implemented in full within the timescales set out in the WQFMP. Reason: To ensure no deterioration of water quality and to protect fish populations within and downstream of the development area.		
28.	Breeding Bird Protection Plan⁶² (1) There shall be no Commencement of Development until a Breeding Bird Protection Plan has been submitted to and approved in writing by the Planning Authority in consultation with NatureScot⁶³. The Bird Protection Plan shall be informed by pre-commencement bird surveys and set out measures to protect <u>key ornithological species identified (which may include Schedule 1 species of the Wildlife and Countryside Act, and lekking black grouse) [name of bird species]</u>⁶⁴ including post construction ornithology surveys at intervals to be agreed with the Planning Authority.⁶⁵ (2) Thereafter, the approved Bird Protection Plan shall be implemented in full within the timescales set out in the approved Bird Protection Plan Reason: In the interests of protecting ornithological interests⁶⁶ through the construction, operational and decommissioning of the wind farm.		Standard
29.	Forestry Forestry Felling Plan⁶⁷ (1) No felling shall take place⁶⁸ until a Forestry Felling Plan (FFP) has been submitted to and approved in writing by the Planning Authority in consultation with Scottish Forestry. The FFP shall cover the Development site and shall provide:		Optional

⁶² The condition on the Bird Protection Plan or Breeding Bird Protection Plan should be a standalone condition unless there is a particular reason for it to be included in the HMP condition.

⁶³ Where requested in the consultation response from NatureScot

⁶⁴ Insert relevant species of bird(s).

⁶⁵ It may be appropriate to limit post-construction surveys to areas affected by construction (with a buffer) and only if such works are required during the breeding bird season.

⁶⁶ Insert relevant species of bird.

⁶⁷ Where the application contains a restocking plan or similar, this can be referenced in this condition such that the FFP must be “based on” any such plan.

⁶⁸ Ensure that this ties in with any Site Enabling Works condition. There should be no felling (including as part of Enabling Works until a FFP is submitted and approved).

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	(a) details of felling and restocking proposals; (b) details of the management measures to reduce the amount of felling required to accommodate the Development; (c) measures to deal with forest waste including brash in line with the UK Forestry Standard; (d) timelines for implementing the plan; (e) details setting out annual monitoring of the felled area and reporting procedures to be carried out by a qualified expert; (f) details of forestry management practices; and (g) details demonstrating compliance with The UK Forestry Standard and the Scottish Government's Policy on Control of Woodland Removal (as amended or replaced from time to time) <u>and Argyll and Bute Woodland and Forestry Strategy</u> and [insert any local woodland strategy]. (2) The approved FFP shall be implemented in full upon Commencement of Felling. Reason: to minimise and manage the effects of forestry felling required to accommodate the Development.		
30.	Archaeology Programme of Archaeological Works⁶⁹ (1) There shall be no Commencement of Development unless an archaeological Written Scheme of Investigation (WSI) has been submitted to, and approved in writing by, the Planning Authority. The WSI shall provide details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the Written Scheme of Investigation will be provided throughout the implementation of the programme of archaeological works. The WSI shall also detail how any requirement for reporting, post-excavation analysis, archive deposition, publication of results, and the delivery of public benefit (including how this will be recorded and reported) will be undertaken. (3) A programme of archaeological works must be carried out in accordance with the approved WSI, and any addendums to it, as agreed under part (1). (4) Should the archaeological works carried out under part (2) reveal the need for post excavation analysis, the development hereby approved shall not be occupied or brought into use unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results, including additional public engagement, and archive deposition has been submitted to and approved in writing by the Planning Authority. The PERD shall be carried out in complete accordance with the approved details.	<u>(Note Clause 2 appears to be missing from Model Conditions)</u>	Optional

⁶⁹ This requirement may not be for any particular "works" to be undertaken but for a "watching brief" or other such "scheme". Tailor to reflect site specific requirements.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	Reason: To ensure the protection or recording of archaeological features on the site.		
31.	Peat and Carbon Rich Soils⁷⁰ Peat and Carbon Rich Soils Management Plan (1) There shall be no Commencement of Development until a detailed Peat and Carbon Rich Soils Management Plan (PMP), [taking account of the Draft Peat Management Plan (Technical Appendix 8.1 { } of the EIA Report)]⁷¹ has been submitted to and approved in writing by the Planning Authority in consultation with SEPA. (2) The PMP shall: (a) take account of site and ground investigations to minimise the loss of peat and other carbon rich soil and minimise carbon loss; (b) include actions, including micrositng, to minimise excavated peat and other carbon rich soils volumes (c) encourage use of excavated peat and other carbon rich soils in an appropriate manner; and (d) follow good practice for handling, storing and reinstating peat and other carbon rich soils. (3) The Peat and Carbon Rich Soils Management Plan shall thereafter be implemented as approved upon the Commencement of Development. Reason: To ensure that disruption to peat is minimised.		Optional
32.	Residential Amenity Operational Noise⁷²⁷³ (1) The rating level of noise immissions from the combined effects of the wind turbines forming part of the Development (including the application of any tonal penalty) when determined in accordance with the attached Guidance Notes⁷⁴ for this condition, shall not exceed the values for the relevant integer wind speed set out in, or derived from, Tables 1 and 2 at those properties identified or any dwelling which is lawfully existing or has planning permission at the date of this consent. Table 1 – Between 07:00 and 23:00 – Noise Limits expressed in dB LA90		Standard

⁷⁰ A condition requiring a peat landslide hazard risk assessment is not included in this document as a model condition. Work should be undertaken upfront at application stage on this matter in line with best practice guidance for peat landslide hazard and risk assessments for proposed electricity generation developments, rather than being dealt with at condition stage.

⁷¹ The wording in square brackets can only be included where there is a draft PMP and where there are key principles that have been established in any draft PMP that require to be carried through into the final PMP.

⁷² This is an example condition only – noise conditions should be in line with the Institute of Acoustics guidance and can, for example, include an overall limit only rather than limits at specific properties.

⁷³ Cumulative Operational Noise Conditions may be required and appropriate in certain circumstances. A bespoke condition for such matters would be required depending on the limits of the consent.

⁷⁴ If cross-referring to Guidance Notes, the Guidance Notes below this Model Conditions must be included and should be inserted directly after the noise condition as they form part of the noise condition.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional																																																																																																																						
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	(2) The turbines shall be designed to permit individually controlled operation or shut down at specified wind speeds and directions in order to facilitate compliance with noise criteria. (3) The Company shall continuously log power production, wind speed and wind direction at each wind turbine all (all in accordance with Guidance Notes). These data shall be retained for a period of not less than 24 months. The Company shall provide this information to the Planning Authority, in the format set out in the Guidance Notes, within 14 days of receipt in writing of a request to do so. (4) Prior to the Date of First Commissioning, the Company shall have submitted to, and received written approval of the Planning Authority of, a list of proposed independent consultants who couldwill undertake compliance measurements in accordance with this condition. Amendments to the list of approved consultants shall be made only with the prior written approval of the Planning Authority. (5) Within 21 days from receipt of a written request from the Planning Authority, following a complaint to it from an occupant of a dwelling alleging noise disturbance at that dwelling, the Company shall employ a consultant approved by the Planning Authority in terms of part (4) above to assess the level of noise immissions from the wind farm at the complainant's property (or a suitable alternative location agreed in writing by the Planning Authority). The written request from the Planning Authority shall set out at least the date, time and location to which the complaint relates and any identified atmospheric conditions, including wind direction, and include a statement as to whether, in the opinion of the Planning Authority, the noise giving rise to the complaint contains or is likely to contain a tonal component. (6) The assessment of the rating level of noise immissions in terms of part (5) above shall be undertaken in accordance with the Guidance Notes and an assessment protocol that shall previously have been submitted to and approved in writing by the Planning Authority. The protocol shall include the proposed measurement location(s) where measurements for compliance checking purposes shall be undertaken, whether noise giving rise to the complaint contains or is likely to contain a tonal component, and also the range of meteorological and operational conditions (which shall include the range of wind speeds, wind directions, power generation and times of day) to determine the assessment of rating level of noise immissions. The proposed range of conditions shall be those which prevailed during times when the complainant alleges there was disturbance due to noise, having regard to the written request of the Planning Authority under paragraph (5) above. (7) Where the property to which a complaint is related is not listed by name or location in Tables 1 or 2 at part (1) of this condition, the Company shall submit to the Planning Authority, for its written approval, proposed noise limits		

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	selected from those listed in Tables 1 and 2 to be adopted at the complainant's property for compliance checking purposes, prior to compliance checking. The proposed noise limits are to be those limits selected from Tables 1 and 2 specified for a listed location which the independent consultant considers as being likely to experience the most similar background noise environment to that experienced at the complainant's property. The protocol shall include a justification of the choice of the representative background method to determine compliance at the complainant's property based on the noise environment provided by the independent consultant. levels measured at the agreed location and, where appropriate, any limit apportionment undertaken to consider cumulative impacts. (8) The rating level of noise immissions resulting from the combined effects of the wind turbines when determined in accordance with the Guidance Notes and approved Noise Assessment Protocol shall not exceed the noise limits approved in writing by the Planning Authority for the complainant's property. (9) In the event that a complainant does not allow the Company access to undertake a compliance assessment, the assessment protocol shall set out details of the proposed alternative representative measurement position. Where the proposed measurement location is close to the wind turbines, rather than at the complainant's property (e.g. to improve the signal to noise limits to ratio) (10) The Company shall provide to the Planning Authority the independent consultant's assessment of the rating level of noise immissions undertaken in accordance with the Guidance Notes and the approved Noise Assessment Protocol within two months of the date of the written request of the Planning Authority for compliance measurements to be made under part (5), unless the time limit is extended in writing by the Planning Authority. The assessment shall include all data collected for the purposes of undertaking the compliance measurements, such data to be provided in the format set out in the Guidance Notes. The instrumentation used to undertake the measurements shall be calibrated in accordance with the Guidance Notes and certificates of calibration shall be submitted to the Planning Authority with the independent consultant's assessment of the rating level of noise immissions. (11) Where a further assessment of the rating level of noise immissions from the wind farm is required pursuant to (in accordance with the Guidance Notes), the Company shall submit a copy of the further assessment within 21 days of submission of the independent consultant's assessment pursuant to part (108) above unless the time limit has been extended in writing by the Planning Authority. Reason: to protect nearby residents from undue noise and disturbance and to ensure that noise limits are not exceeded and to enable prompt investigation of complaints.		

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	Guidance Notes for Operational Noise Condition These notes are to be read with and form part of the noise condition. They further explain the condition and specify the methods to be employed in the assessment of complaints about noise immissions from the wind farm. The rating level at each integer wind speed is the arithmetic sum of the wind farm noise level as determined from the best-fit curve described in Guidance Note 2 of these Guidance Notes and any tonal penalty applied in accordance with Guidance Note 3. Reference to ETSU-R-97 refers to the publication entitled “The Assessment and Rating of Noise from Wind Farms” (1997) published by the Energy Technology Support Unit (ETSU) for the Department of Trade and Industry (DTI). IOA GPG is “A Good Practice Guide to the Application of ETSU-R-97 for the Assessment and Rating of Wind Turbine Noise” (2013) and includes Supplementary Guidance Notes 1 to 5 of the IOA GPG. Guidance Note 1 (a) The LA90,10 minute noise statistic should be measured in accordance with the IOA GPG. Measurements shall be undertaken in such a manner to enable a tonal penalty to be applied in accordance with Guidance Note 3. (b) To enable compliance with the conditions to be evaluated, the Company shall continuously log arithmetic mean wind speed in metres per second and wind direction in degrees from north for each turbine and arithmetic mean power generated by each turbine, all in successive 10-minute periods. All 10 minute periods shall commence on the hour and in ten minute increments thereafter, synchronised with Universal Coordinated Time (UTC). The wind speeds at turbine hub height shall be 'standardised' to a reference height of ten metres as described in ETSU-R-97 at page 120 using a reference roughness length of 0.05 metres. Unless an alternative procedure is previously agreed in writing with the Planning Authority, It is these standardised ten metre height wind speed data which are correlated with the noise measurements determined as valid. (c) Data provided to the Planning Authority in accordance with the noise condition shall be provided in comma separated values in electronic format unless otherwise agreed in writing with the Planning Authority. (d) A data logging rain gauge shall be installed in the course of the assessment of the levels of noise immissions. The gauge shall record over successive 10-minute periods synchronised with the periods of data recorded in accordance with Note 1(b). Guidance Note 2 (a) The noise measurements shall be made so as to provide not less than 20 valid data points as defined in Guidance Note 2 (b) (b) Valid data points are those measured in the conditions specified in the agreed written protocol, but excluding any periods of rainfall measured in the vicinity of the sound level meter. Rainfall shall be assessed by use of a rain gauge that shall log the occurrence of rainfall in each 10 minute period concurrent with the measurement periods set out in Guidance Note 1. In specifying such conditions the Planning Authority shall have regard to those conditions which		

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	prevailed during times when the complainant alleges there was disturbance due to noise or which are considered likely to result in a breach of the limits. (c) For those data points considered valid in accordance with Guidance Note 2(b), values of the LA90,10 minute noise measurements and corresponding values of the 10- minute 10- metre height wind speed averaged across all operating wind turbines using the procedure specified in Guidance Note 1(d), shall be plotted on an XY chart with noise level on the Y-axis and the 10- metre height mean wind speed on the X-axis. A least squares, “best fit” curve of an order deemed appropriate by the independent consultant (but which may not be higher than a fourth order) should be fitted to the data points and define the wind farm noise level at each integer speed. Guidance Note 3 (a) Where, in accordance with the protocol, noise immissions at the location or locations where compliance measurements are being undertaken contain or are likely to contain a tonal component, a tonal penalty is to be calculated and applied using the following rating procedure. (b) For each 10 minute interval for which LA90,10 minute data have been determined as valid in accordance with Guidance Note 2 a tonal assessment shall be performed on noise immissions during 2 minutes of each 10 minute period. The 2 minute periods should be spaced at 10 minute intervals provided that uninterrupted uncorrupted data are available (“the standard procedure”). Where uncorrupted data are not available, the first available uninterrupted clean 2 minute period out of the affected overall 10 minute period shall be selected. Any such deviations from the standard procedure, as described in Section 2.1 on pages 104-109 of ETSU-R-97, shall be reported. (c) For each of the 2 minute samples the tone level above or below audibility shall be calculated by comparison with the audibility criterion given in Section 2.1 on pages 104-109 of ETSU-R-97. (d) The tone level above audibility shall be plotted against wind speed for each of the 2 minute samples. Samples for which the tones were below the audibility criterion or no tone was identified, a value of zero audibility shall be used. (e) The average tone level above audibility shall be calculated for each wind speed bin, each bin being 1 metre per second wide and centred on integer wind speeds. This process shall be repeated for each integer wind speed for which there is an assessment of overall levels in Note 2. (f) The tonal penalty is derived from the margin above audibility of the tone according to the figure below.		

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional																				
	<table><caption>Data points for the Penalty curve</caption><thead><tr><th>Tone Level above Audibility (dB)</th><th>Penalty (dB)</th></tr></thead><tbody><tr><td>0</td><td>0</td></tr><tr><td>1</td><td>0</td></tr><tr><td>2</td><td>0</td></tr><tr><td>3</td><td>1.5</td></tr><tr><td>4</td><td>3.0</td></tr><tr><td>5</td><td>4.5</td></tr><tr><td>6</td><td>5.0</td></tr><tr><td>7</td><td>5.0</td></tr><tr><td>8</td><td>5.0</td></tr></tbody></table> Guidance Note 4 (a) If a tonal penalty is to be applied in accordance with Guidance Note 3 the rating level of the turbine noise at each wind speed is the arithmetic sum of the measured noise level as determined from the best fit curve described in Guidance Note 2 and the penalty for tonal noise as derived in accordance with Guidance Note 3 at each integer wind speed within the range specified by the Planning Authority in its written set out in the approved protocol. (b) If no tonal penalty is to be applied then the rating level of the turbine noise at each wind speed is equal to the measured noise level as determined from the best fit curve described in Guidance Note 2. (c) In the event that the rating level is above the limit(s) set out in the Table attached to the noise conditions or the noise limits for a complainant’s dwelling, the independent consultant shall undertake a further assessment of the rating level to correct for background noise so that the rating level relates to wind turbine noise immission only. (d) The Company shall ensure that all the wind turbines in the development are turned off for such period as the independent consultant requires to undertake the further assessment. The further assessment shall be undertaken in accordance with the following steps: (e) Repeating the steps in Guidance Note 2, with the wind farm switched off, and determining the background noise (L3) at each integer wind speed within the range requested by the Planning Authority in its written request and the approved protocol. (f) The wind farm noise (L1) at this speed shall then be calculated as follows where L2 is the measured level with turbines running but without the addition of any tonal penalty: $L_1 = 10 \log \left[10^{\frac{L_2}{10}} - 10^{\frac{L_3}{10}} \right]$ (g) The rating level shall be re-calculated by adding arithmetically the tonal penalty (if any is applied in accordance with Note 3) to the derived wind farm noise L1 at that integer wind speed. (h) If the rating level after adjustment for background noise contribution and adjustment for tonal penalty (if required in accordance with note 3 above) at any integer wind speed lies at or below the values set out in the Table attached to the conditions or at or below the noise limits approved by the Planning Authority for a complainant’s dwelling in accordance with the noise	Tone Level above Audibility (dB)	Penalty (dB)	0	0	1	0	2	0	3	1.5	4	3.0	5	4.5	6	5.0	7	5.0	8	5.0		
Tone Level above Audibility (dB)	Penalty (dB)																						
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6	5.0																						
7	5.0																						
8	5.0																						

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	condition then no further action is necessary. If the rating level at any integer wind speed exceeds the values set out in the Table attached to the conditions or the noise limits approved by the Planning Authority for a complainant's dwelling in accordance with the noise condition then the Development fails to comply with the conditions.		
33.	Shadow Flicker⁷⁵ (1) No turbine shall be erected until a scheme for the avoidance or mitigation of shadow flicker at residential properties which lawfully exist or for which planning permission has been granted as at the date of this section 36 consent, has been submitted to, and approved in writing by, the Planning Authority. (2) The approved mitigation scheme shall be implemented in full in line with the approved scheme. Reason: To offset any impacts of shadow flicker on residential property amenity.		Optional
34.	Radio [and Television] Reception⁷⁶ (1) No development shall commence unless and until a baseline Television and Radio Reception survey has been undertaken. (2) In the event of a claim by any individual person regarding TV picture loss or interference, including radio reception, at their house, business premise or other building, this shall be investigated by an independent qualified engineer, appointed by the Company, and the results, including any mitigation measures, shall be submitted to the Planning Authority, alongside a copy of the results of the baseline survey undertaken under the terms of part (1). (3) Should any impairment to the TV signal or radio reception be attributable to the Development, the Company shall remedy such impairment so that the standard of reception at the affected property is equivalent to the baseline TV or radio reception as relevant. For the avoidance of doubt, the resolution of disputes shall be determined by an independent arbiter e.g. OFCOM or other professional body as appropriate. Reason: To ensure local radio [and television] services are sustained during the construction and operation of the Development.		Optional
	Access Management Plan		

⁷⁵ To be imposed only in cases where there are properties within the 10 rotor diameter distance from the nearest turbine (11 rotor diameters in Highland Council and potentially other north of Scotland Planning Authority areas) and / or impacts have been assessed as capable of mitigation to an extent that impacts are acceptable. This condition should not be imposed as a precaution where acceptability of impacts has not been assessed and demonstrated.

⁷⁶ Given advances in technology and cross-country digital television coverage, the television aspects of this condition in square brackets should only be included where there is clear evidence that an issue could arise with television reception.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
35.	(1) There shall be no Commencement of Development until an Access Management Plan ("AMP") has been submitted to and approved in writing by the Planning Authority. The AMP should ensure that public access is retained within and across the Development site during construction, where appropriate, and thereafter that suitable public access is provided during the operational phase of the wind farm. (2) The approved plan shall be implemented in full upon Commencement of Development. Reason: In the interests of securing public access rights		Standard
36.	Private Water Supplies⁷⁷ (1) There shall be no Commencement of Development until a private water supplies method statement has been submitted to and approved in writing by the Planning Authority, detailing all contingent mitigation measures to be delivered to secure the quality, quantity and continuity of water supplies to any properties which are served by private water supplies at the date of this planning permission which may be affected by the Development.⁷⁸ (2) The method statement shall set out: a) details of the methodology for water quality and quantity sampling for a period of 12 months prior to construction (including abstraction points); b) details of the methodology and programme for undertaking water quality and quantity sampling during the construction period (including abstraction points); and c) details of the methodology for water quality and quantity sampling for a period of 12 months post construction (including abstraction points); (3) The approved method statement shall thereafter be implemented in full upon the Commencement of Development. Reason: To maintain a secure and adequate water supply to all properties with private water supplies that may be affected by the Development.		Optional
37.	Aviation Aviation Safety (1) Prior to the installation of any turbine, the Company shall provide the Planning Authority, Ministry of Defence, Defence Geographic Centre and NATS with the following information in writing, and provide evidence to the Planning Authority that this has been done:		Standard

⁷⁷ Where there are private water supplies close to the site, it is expected that this condition will be included. The requirements of the method statement should be tailored to the particulars of the site. This should include stipulating which properties the condition applies to where possible.

⁷⁸ If the EIAR contains an adequate baseline survey and evidence of consultation responses, this can be referred to by adding "on the basis of the baseline survey in the EIAR and relevant consultation responses to the application" at the end of paragraph(1).

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	(a) the dates of the expected stages of construction of the Development; (b) the height above ground level of the tallest structure forming part of the Development; (c) the maximum height of any construction equipment; and (d) the position of the wind turbines and masts in latitude and longitude. (2) The Company shall, as soon as is practicable and in any event with 7 days prior to the event, provide to the Planning Authority and the Ministry of Defence and NATS written notice of any proposed changes to the information provided under part (1). (3) Within 1 month of the erection of the final turbine, the Company shall provide written confirmation to the Planning Authority, the Ministry of Defence and NATS of the actual date on which construction was completed and the confirmed latitude and longitude of all turbines (in degrees, minutes and seconds) and the height above ground level of each turbine (in metres to blade tip). Reason: In the interests of aviation safety.		
38.	Aviation and Other Lighting⁷⁹ (1) No wind turbines shall be erected until a scheme for aviation lighting (Aviation Lighting Scheme) for the Development has been submitted to, and approved in writing by, the Planning Authority⁸⁰ in consultation with the Civil Aviation Authority and the Ministry of Defence⁸¹. The scheme shall provide details of aviation lighting which is to be applied. <u>For the avoidance of doubt, the scheme shall be based upon measures set out in the Giant's Burn Wind Farm EIA Report Technical Appendix 13.1</u> (2) No later than the third and fifth anniversary of the date of First Commissioning and every five-year anniversary thereafter, the Company shall submit a written review of the Aviation Lighting Scheme to the Planning Authority. Each review shall provide: a. An assessment of options available for the reduction in the number of visible lights installed on turbines, the time period when lights are visible, and/or the intensity of the visible lighting; b. An assessment of the potential for installation of an Aircraft Detection Lighting System ("ADLS"), including a statement setting out the current and anticipated regulatory environment in relation to ADLS; and c. An assessment of whether it is technically feasible and financially, through the regulatory framework to install an ADLS at the Development (taking into account installation and operational costs)		Optional

⁷⁹ Conditions on aviation lighting will be project-specific and should be drafted carefully to reflect the commitments made in the application documentation, rather than this matter being left to condition discharge stage. The technology on aviation lighting is developing. Some developments may commit fully to uses of specific lighting technology, for example the use of an aircraft detection lighting system, with no alternative fall-back. Where that is the case, bespoke conditions can be drafted to require a plan to be submitted for use of those technologies.

⁸⁰ Consider whether this needs to be in consultation with the Ministry of Defence, the Civil Aviation Authority, and any others, e.g. airports.

⁸¹ The Ministry of Defence can also be added as a consultee if required.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	(3) The review may propose amendment of the Aviation Lighting Scheme. Specifically regarding ADLS, if a review assesses that it is technically feasible to install ADLS, provided that such installation shall not require planning permission, such review shall also provide the Company's proposals for installation of ADLS together with a proposed timetable for installation. Any proposed amendment shall be compliant with the then current aviation lighting requirements of the Civil Aviation Authority and the Ministry of Defense. (4) Any proposed amendment to the Aviation Lighting Scheme under part (3) must be submitted to, and have received the written approval of, the Planning Authority in consultation with the Civil Aviation Authority and the Ministry of Defence, and shall thereafter be installed in accordance with the approved details. (5) The Aviation Lighting Scheme, or such alternative scheme as may be approved under part (4), shall thereafter be maintained throughout the operational life of the Development. (6) The Development shall be operated in accordance with the approved scheme, or any alternative scheme as may be approved under part (4), unless otherwise approved in advance in writing by the Planning Authority in consultation with <u>the Civil Aviation Authority and Ministry of Defence</u>⁸² as a result of a periodic reviews. Reason: In the interests of aviation safety and to minimise visual effects of the Development.		
39.	Eskdalemuir Seismic Array⁸³ (1) Within [three months] of the completion of construction of the turbines, the Company shall provide written confirmation to the Scottish Ministers, the Planning Authority, the Ministry of Defence, the Defence Geographic Centre and NATS of the following: (a) the as-constructed position of each turbine in eastings and northings (each to six figures); and (b) the hub height and rotor diameter of each turbine (in metres). Reason: To manage any impact on the Eskdalemuir Seismic Array.	<u>Development outwith the Eskdalemuir Seismic Array consultation zone.</u>	Optional
40.	Ongoing Operation and Maintenance Turbine Operation (1) The wind turbines shall be maintained in the approved colour, free from external rust, staining or discolouration, until such time as the wind farm is decommissioned.		Standard

⁸² Insert relevant consultee, e.g. Civil Aviation Authority or Ministry of Defence.

⁸³ ~~Only relevant for applications in the following Planning Authorities: Dumfries and Galloway, Scottish Borders, South Lanarkshire and Midlothian.~~

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	Reason: In the interests of the visual amenity of the area.		
41.	Redundant Turbines (1) If one or more wind turbines fails to generate electricity on a commercial basis to the public network for a continuous period of 12 months, then unless otherwise approved in writing by the Planning Authority in consultation with SEPA, the Company shall: (a) Within one month of the expiration of the 12 month period, submit a scheme to the Planning Authority for written approval setting out how the relevant wind turbine(s) and associated infrastructure will either be repaired or removed from the site and the ground restored to a condition agreed with the Planning Authority in consultation with SEPA; and (b) Implement the approved scheme within 12 months of the date of approval of the scheme, all to the satisfaction of the Planning Authority. Reason: To ensure that any redundant wind turbine is removed from site, in the interests of safety, amenity and environmental protection.		Standard
42.	Site Inspection Strategy⁸⁴ (1) Prior to the Date of Final Commissioning, the Company shall submit an outline Site Inspection Strategy (Outline SIS) for the written approval of the Planning Authority. The Outline SIS shall set out a strategy for the provision of site inspections and accompanying Site Inspection Reports (SIR) to be carried out at 25 years of operation from the Date of Final Commissioning and every five years thereafter. (2) No later than 24 years after the Date of Final Commissioning, the Company shall submit a final detailed Site Inspection Strategy (Final SIS), based on the principles of the approved Outline SIS for the written approval of the Planning Authority. The Final SIS shall set out updated details for the provision of site inspections and accompanying Site Inspection Reports (SIR), in accordance with relevant guidance at that time, to be carried out at 25 years of operation from the Date of Final Commissioning and every five years thereafter. (3) At least one month in advance of submitting each SIR to the Planning Authority, the scope of the SIR shall be agreed with the Planning Authority. (4) The SIR shall provide: (a) Details to demonstrate that the infrastructure components of the Development are still operating in accordance with condition [31] and condition [38]⁸⁵; and		Standard

⁸⁴ This condition should only be included for consents of 40 years or longer.

⁸⁵ Insert the condition numbers relating to noise and appearance of the turbines.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	(b) An engineering report which details the condition of tracks, turbine foundations and the wind turbines and sets out the requirements and the programme for the implementation for any remedial measures which may be required. (5) The SIS and each SIR shall be implemented in full following the Date of Final Commissioning unless otherwise agreed in advance in writing by the Planning Authority. Reason: To ensure the Development is being monitored at regular intervals after the first 25 years of operation.		
43.	Decommissioning, Restoration and Aftercare Interim Decommissioning, Restoration and Aftercare Strategy (1) There shall be no Commencement of Development until an Interim decommissioning, restoration and aftercare strategy has been submitted to, and approved in writing by, the Planning Authority in consultation with SEPA and Transport Scotland. The interim decommissioning, restoration and aftercare strategy shall outline measures for the decommissioning of the Development and restoration and aftercare of the site, and shall provide proposals for the removal of the Development, the treatment of ground surfaces, the management and timing of the works and environmental management provisions in any instance that the site as a whole, or in part, ceases to operate prior to the approval of the Decommissioning, Restoration and Aftercare Plan required under the provisions of Condition [XXX]. Reason: To ensure the decommissioning and removal of the Development in an appropriate and environmentally acceptable manner and the restoration and aftercare of the site, in the interests of safety, amenity and environmental protection when a detailed decommissioning, restoration and aftercare Plan has not yet been approved.		Standard
44.	Site Decommissioning, Restoration and Aftercare (1) The Development shall cease to generate electricity to the grid network by no later than the date falling 50- []⁸⁶ years from the Date of Final Commissioning. (2) No later than [one]⁸⁷ year prior to the Date of Final Generation or the expiry of the section 36 consent (whichever is earlier) a decommissioning, restoration and aftercare plan shall be submitted for the written approval of the Planning Authority, in consultation with SEPA and Transport Scotland. The detailed decommissioning, restoration and aftercare plan shall provide updated and detailed proposals, in accordance with relevant guidance at that time, for the removal of the Development, the treatment of ground surfaces, the management and timing of the works and environment management provisions which shall provide:		Standard

⁸⁶ This must be consistent with the duration granted in Annex A.

⁸⁷ Insert appropriate number of years if more than one year. In practice it may be difficult for the developer to know a number of years in advance what the Date of Final Generation will be if not the expiry date of the consent.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
	(a) a site waste management plan (dealing with all aspects of waste produced during the decommissioning, restoration and aftercare phases and, including details of measures to be taken to minimise waste associated with the Development and promote the recycling of materials and infrastructure components); (b) details of the formation of the construction compound, welfare facilities, any areas of hardstanding, turning areas, internal access tracks, car parking, material stockpiles, oil storage, lighting columns, and any construction compound boundary fencing; (c) a dust management plan; (d) details of measures to be taken to prevent loose or deleterious material being deposited on the local road network, including wheel cleaning and lorry sheeting facilities, and measures to clean the site entrances and the adjacent local road network; (e) a pollution prevention and control method statement, including arrangements for the storage and management of oil and fuel on the site; (f) details of measures for soil storage and management; (g) a surface water and groundwater management and treatment plan, including details of the separation of clean and dirty water drains, and location of settlement lagoons for silt laden water; (h) details of measures for sewage disposal and treatment; (i) temporary site illumination; (j) the construction of any temporary access into the site and the creation and maintenance of associated visibility splays; and (k) [a species protection plan based on surveys for protected species (including birds) carried out no longer than eighteen months prior to submission of the plan].⁸⁸ (3) The Development shall be decommissioned, the site restored and aftercare undertaken prior to the date falling three years after the Date of Final Generation and in accordance with the approved detailed decommissioning, restoration and aftercare plan. Reason: To ensure the decommissioning and removal of the Development in an appropriate and environmentally acceptable manner and the restoration and aftercare of the site, in the interests of safety, amenity and environmental protection.		
	Financial Guarantee ⁸⁹		

⁸⁸ This may not be required depending on the project.

⁸⁹ If this condition is applied it should not also be the subject of a planning obligation, per Circular 3/2012.

No.	Condition Wording	Applicant / Agent Comment or Modification	Standard or Optional
45.	(1) There shall be no Commencement of Development until a bond or other form of financial guarantee in terms which secures the cost of performance of all decommissioning, restoration and aftercare obligations referred to in conditions [<u>XXX</u>]⁹⁰ and [<u>XXX</u>] has been submitted to and approved in writing by the Planning Authority. (2) The value of the financial guarantee shall be agreed between the Company and the Planning Authority or, failing agreement, determined (on application by either party) by a suitably qualified independent professional as being sufficient to meet the costs of all decommissioning, restoration and aftercare obligations referred to in condition [<u>XXX</u>]⁹¹. (3) The financial guarantee shall be maintained in favour of the Planning Authority⁹² until the completion of all decommissioning, restoration and aftercare obligations referred to in conditions [<u>XXX</u>] and [<u>XXX</u>]. (4) The value of the financial guarantee shall be reviewed by agreement between the Company and the Planning Authority or, failing agreement, determined (on application by either party) by a suitably qualified independent professional⁹³ not less than every five years, and at the time of the approval of the detailed decommissioning, restoration and aftercare plan approved under condition [<u>XXX</u>]. The value of the financial guarantee shall be increased or decreased to take account of any variation in costs of compliance with decommissioning, restoration and aftercare obligations referred to in conditions [<u>XXX</u>] and [<u>XXX</u>] and best practice prevailing at the time of each review. Reason: to ensure that there are sufficient funds to secure performance of the decommissioning, restoration and aftercare conditions attached to this deemed planning permission in the event of default by the Company.		Standard

⁹⁰ The condition numbers referred to should be those for the Interim Decommissioning, Restoration and Aftercare Strategy and the Site Decommissioning, Restoration and Aftercare Strategy

⁹¹ Some planning authorities and/or developers may prefer the value of the guarantee to simply be determined by an independent expert at the outset rather than only if they fail to agree on a value. If that is the case, the wording here can be amended to reflect that.

⁹² The bond may be a multi-party bond. If this is the case this should be reflected in the wording of the condition.

⁹³ Again, some planning authorities and/or developers may prefer the value of the guarantee to simply be reviewed by an independent expert every five years rather than only if they fail to agree on a value. If that is the case, the wording here can be amended to reflect that.

Definitions⁹⁴

In this consent and deemed planning permission:-

“Commencement of Development” means the implementation of the consent and deemed planning permission by the carrying out of a material operation within the meaning of section 27 of the Town and Country Planning (Scotland) Act 1997.

“the Company” means GB Wind Farm Limited⁹⁵ having its registered office at 19th Floor, 22 Bishopsgate, London, United Kingdom, EC2N 4BQ⁹⁶, Company No. 14687295⁹⁷, or such other person who from time to time may lawfully have the benefit of this consent.

“Date of First Commissioning” means the date on which electricity is first exported to the grid network on a commercial basis from any of the wind turbines constructed as part of the Development.

“Date of Final Commissioning” means the earlier of (i) date when electricity is first exported to the electricity grid network on a commercial basis from the last of the wind turbines being constructed as part of the Development; or (ii) the date falling [eighteen] months from the Date of First Commissioning.

“Date of Final Generation” means the date that the Development ceases to generate electricity to the grid network on a permanent basis.

“Development” means the development authorised by this section 36 consent and deemed planning permission as described in Annex 1 Part B.

“EIA Report” means the Environmental Impact Assessment Report in respect of the Development dated July 2025⁹⁶.

“Planning Authority” means Argyll and Bute Council⁹⁷.

“Public Holiday” means;

- New Year's Day, if it is not a Sunday or, if it is a Sunday, 3rd January.
- 2nd January, if it is not a Sunday or, if it is a Sunday, 3rd January.
- Good Friday.
- Easter Monday.
- The first Monday in May.
- The first Monday in August.
- The third Monday in September.
- 30th November, if it is not a Saturday or Sunday or, if it is a Saturday or Sunday, the first Monday following that day.
- Christmas Day, if it is not a Sunday or, if it is a Sunday, 27th December.
- Boxing Day, if it is not a Sunday or, if it is a Sunday, 27th December.

“SEPA” means the Scottish Environment Protection Agency.

“Site Enabling Works” means establishment of construction compounds⁹⁸.

⁹⁴ Definitions are not limited and should reflect specific requirements in each application.

⁹⁵ Insert full name of company

⁹⁶ Insert any references to Additional Information reports.

⁹⁷ Insert the name of the local planning authority.

⁹⁸ A specific description of any enabling works should be inserted here.