

February 2023

1. Proposed Variation to Condition attached to section 36 Consent

The application seeks to vary the following conditions for the Creag Riabhach Wind Farm Section 36 Consent granted on 17th October 2016 (amendment shown in tracks are required):

Part 1 – conditions attached to the section 36 consent:

1. Duration of Consent

- (1) This consent shall expire after a period of ~~25~~40 years from the Date of the Final Commissioning.
- (2) Written confirmation of the Date of First Commissioning must be provided to the Planning Authority and Scottish Ministers no later than one calendar month after that date.

Reason: To define the duration of the consent and ensure that construction and first to final commissioning is completed within a reasonable period of time.

2. Proposed Variation to Conditions attached to the deemed Planning Permission

The application seeks to vary Conditions 22 and 23 as follows (amendments shown in tracks):

Part 2 – Conditions attached to the deemed planning permission:

22. Duration of Consent

Upon the expiration of a period of ~~25~~40 years from the Date of Final Commissioning, the wind turbines shall be decommissioned and removed from the site, with decommissioning and restoration works undertaken in accordance with the terms of condition 23 of this permission. Written confirmation of the Date of First Commissioning shall be submitted in writing to the Planning Authority no later than one calendar month after the Date of First Commissioning.

Reason: To define the duration of the consent. The ~~30~~45 year cessation date allows for a 5 year period to complete decommissioning and site restoration work.

23. Decommissioning, Restoration and Aftercare

(1) The Development will be decommissioned and will cease to generate electricity by no later than the date falling ~~twenty five~~forty years from the date of Final Commissioning. The total period for restoration of the Site in accordance with this condition may not exceed the period of 5 years after that date without the written approval of the Planning Authority.

Development may not commence until a decommissioning, restoration and aftercare strategy has been submitted to and approved in writing by the Planning Authority in consultation with SNH and SEPA. The strategy must outline measures for the decommissioning of the Development, restoration and aftercare of the site and borrow pit final site restoration and must include proposals for the removal of the Development, the treatment of ground surfaces, the management and timing of the works, and environmental management provisions.

No later than 18 months prior to decommissioning of the Development or the expiration of the section 36 consent (whichever is the earlier) a detailed decommissioning, restoration and aftercare plan (DRP), based upon the principles of the approved decommissioning, restoration and aftercare strategy, must be submitted to the Planning Authority for written approval in consultation with SNH and SEPA. The detailed decommissioning, restoration and aftercare plan will provide updated and detailed proposals for the removal of the Development, the treatment of ground surfaces, the management and timing of the works and environment management provisions which must include:

- (a) A site waste management plan (dealing with all aspects of waste produced during the decommissioning, restoration and aftercare phases);
- (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) The 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) 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) 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;
- (k) Details of watercourse crossings;
- (l) A species protection plan based on surveys for protected species (including birds) carried out no longer than 18 months prior to submission of the plan.

The Development must be decommissioned, site restored and aftercare undertaken in accordance with the approved plan, unless otherwise agreed in writing in advance with the Planning Authority in consultation with SNH and SEPA.

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 interest of safety, amenity and environmental protection.

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