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| |  |  | | --- | --- | |  | *Report of Handling* | | **Application Number:** | 2017/0049/DET | |  |  | | **Location:** | Invernoaden Hydro Invernoaden Argyll And Bute PA27 8DL | |  |  | | **Proposal:** | Construction of a hydro scheme (renewal of application ref: 2013/0170/DET) | |  |  | | **Case Officer:** | Catherine Stewart | |  |  | | **Target Decision Date:** | 13 Apr 2017 | |  |  |

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|  | **Introduction** |
|  | Site Description:  The site is located within the Cowal peninsula, to the north of Loch Eck. The proposed hydro scheme is to be located to the north and east of Invernoaden, a small group of dwellings located on a loop road to the northeast of the A815. The proposed pipeline is to be installed on the lower slopes of Beinn Bheula, with the intake on the Invernoaden burn. The Invernoaden burn flows into the River Cur, which in turn flows into the Loch Eck in the River Eachaig catchment which drains the east side of the Cowal Peninsular.  The intake is to be accessed via existing forest roads, within the plantation conifer woodland on the slopes of Creag Liath, and a new permanent track extension across open hillside towards the intake. The pipeline route would travel from the intake across the hillside, down the glen to the location of the powerhouse by Sloc an Tairbh. A further new permanent spur of access track would be required from an existing forest road to the powerhouse site.  Proposal:  The proposal involves the construction of the following **permanent elements:**   * An intake on the Invernoaden burn; * A powerhouse located on the south bank of the Invernoaden burn measuring 9 metres long by 7 metres wide, to a maximum height of 8 metres. It is to be finished in grey render with an onduline grey roof. * A transformer compound, pigging chamber and ring mains unit are to be located adjacent to the powerhouse; * Approximately 1645m of buried pipeline; * A tailrace, to take water from the powerhouse back into the Invernoaden burn; * Permanent forest road spurs extending from existing forest roads to the intake and powerhouse; and * Upgrading of existing forest roads.   The applicant has indicated that the following **temporary construction works** are proposed to construct the hydro scheme:   * 3 pipe laydown areas; * 2 construction compounds/areas; and * 3 quarries.   The **Construction programme** is expected to last approximately 12-14 months.  The key issues for consideration are:   * Principle of Development * Ecology * Golden Eagle * Landscape * Noise * Archaeology * Public Access * Traffic |
|  | **Relevant Planning History** |
|  | 2013/0170/DET -Approve -13 February 2014  Construction of a hydro scheme (500kW) |
|  | **Policy Context** |
|  | Local Development Plan (Adopted 2016)   * OP1 - Overarching Policy 1: Strategic Principles * REP1 - Renewable Energy Policy 1: Renewable Energy within the National Park * OP2 - Overarching Policy 2: Development Requirements * NEP1 - Natural Environment Policy 1: National Park Landscapes, seascape and visual impact * NEP4 - Natural Environment Policy 4: Legally Protected Species * NEP5 - Natural Environment Policy 5: Species and Habitats * NEP6 - Natural Environment Policy 6:Enhancing Biodiversity * NEP8 - Natural Environment Policy 8: Development Impacts on Trees and Woodlands * NEP 9 - Natural Environment Policy 9: Woodlands on or adjacent to development sites * NEP11 - Natural Environment Policy 11: Protecting the Water Environment * HEP7 - Historic Environment Policy 7: Other Archaeological Resources * HEP8 - Historic Environment Policy 8: Sites with Unknown Archaeological Potential   Other Material Considerations  National Park Aims  The four statutory aims of the National Park are a material planning consideration. These are set out in Section 1 of the National Parks (Scotland) Act 2000. Policy NP1 of the National Park Local Plan outlines the Park’s overarching policy position on new development with regard to the statutory aims.  National Park Partnership Plan (2012-2017)  Relevant Policies:  RD Policy 4 – Climate Change  RD Policy 5 – Renewable Energy |
|  | **Environmental Appraisal** |
|  | Environmental Impact Assessment  For the purposes of the Environmental Impact Assessment (Scotland) Regulations 2011 the National Park is identified as a ‘Sensitive Area’. As a ‘Competent Body’ the National Park Authority has a statutory duty to consider whether proposals for development should be subject to the EIA process.  The proposal falls under Schedule 2 of the EIA regs. A screening opinion was adopted for the original proposal and in this particular instance it has been determined that **an EIA is not required**. |
|  | **Summary of Consultations** |
|  | Scottish Natural Heritage Argyll  **No objections**  **1. Ornithology**  The proposed development is located within a golden eagle range. We therefore advise the following mitigation:  - No works should extend beyond the eastern/upper intake. (approx. NS137984).  - An on-site Ecological Clerk of Works should observe any issues and adapt work accordingly.  **2. Species surveys**  The survey work should be sufficiently up to date and accurately reflect conditions at the time of construction.  **3. Non-avian protected species**  SNH recommend that anyone working on the site is made aware that these species may be using the area and what the signs of their presence might be. If any signs are found they should immediately be brought to the attention of the ecological clerk of works (ECOW) who will then be able to determine suitable mitigation or the need for licences to be in place before works can continue. The ECOW should also ensure pre-construction checks for protected species are made and the mitigation measures in the Environmental Risk Assessment and Mitigation document are followed.  **4. Designated sites**  Although the proposed scheme lies outwith any protected area, it does have some potential to affect the integrity of Loch Eck Site of Special Scientific Interest (SSSI). Construction activities may cause pollution or sediment to enter the stream. Use of best practice working methods and the pollution control measures outlined in the Environmental Statement should minimise impacts on fish populations and water quality to a level that is not significant.  **5. Bryophytes**  The bryophyte assessment on the SNH online planning tool, showed medium to low bryological significance on site and the development is unlikely to have an impact of national importance.  Scottish Environmental Protection Agency (East Kilbride)  **No objections.**  The proposal requires authorisation under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) for any abstractions, impounding works (weirs and dams) and any other engineering works directly associated with the scheme. The previous CAR licence was granted to the previous applicant. The new applicant will require to either:   * Arrange for the transfer of the current authorisation in agreement with the current owners; or * Reach an agreement with the current Responsible Person whereby they nominate a new Responsible Person for the current Authorisation.   RSPB (Glasgow)  **No objections,** subject to conditions:   * No activity should take place between February and August (inclusive), east of the intake area as a precaution against causing disturbance to the golden eagles. * All works are carried out in liaison with an ornithologist who has the authority to stop works should they consider the works to be disturbing the eagles. However, ideally all major ground works such as stone breaking, use of helicopters, etc to be undertaken outwith the early part of their breeding season, particularly the egg stage (early March to mid April). * All ground preparation works should ideally be carried outwith the bird breeding season and it is advised that the site is checked during this period (between 1 April and 15 July). All birds, their nests and eggs are protected under the Wildlife and Countryside Act 1981 as amended by the Nature Conservation (Scotland) Act 2004. It is an offence to interfere with the nest while it is in use or being built and obstruct or prevent the birds from using their nest   West Of Scotland Archaeology Service (Glasgow)  The proposed mitigation would adequately address the issues raised and in order to effect this a condition relating to the archaeological issue should be placed on any consent.  Scottish Water (Glasgow)  No response. No objections to previous application.  ABC Environmental Health (Dunoon)  No response. For the previous application they responded as follows:  No objections  **Noise Assessment – Report P642/Noise Survey r0**  The data presented in the report indicates that the predicted sound pressure levels at both properties during operation of the hydro scheme would not result in complaints, as the levels are below the background levels recorded at each property.  **Private Water Supplies**  This Service is not aware of any private water supplies within the vicinity of the proposal, as Scottish Water mains water is available to residents of that area.  ABC Flood Prevention  No objections subject to conditions regarding the FFL and design of the surface water drainage system.  The photographs and topographic information show that the proposed powerhouse is at an elevation higher than the watercourse and is therefore likely to be outside of the functional floodplain. A finished floor level (FFL) of 71 mAOD is proposed. Although, the 1 in 200 year (plus climate change) flood  level has not been quantified, this FFL is acceptable given that the bank level shown on the topographic  information is circa 65 mAOD.  ABC Roads  No response. For the previous application they responded as follows:  No objections. This proposed development is accessed from A815 Loch Eck Road within the national speed limit. The proposed point of access is an existing forestry vehicular access using the forestry road network to travel to the site. Consideration to be given to size of vehicles and frequency when accessing the site. Any abnormal loads using the Roads Network will require to be agreed with Police Scotland.  Strachur Community Council  No response. |
|  | **Summary of Representations** |
|  | None received. |
|  | **Summary of Supporting Information** |
|  | The applicant submitted a folder entitled: “Supporting Environmental Information” which included a description of the scheme, a section on Environmental Risk and Mitigation, a Construction Method Statement and appendices on topics including access and traffic, archaeology, fisheries, FWPM, Habitat, Protected Mammals, Birds, Hydrology, Morphology, Landscape and Visual Impact and Noise.  The case officer requested further information from the applicant, and the following was submitted:   * Information on topography of powerhouse area. * EPS survey report * Protected mammal survey |
|  | **Planning Assessment** |
|  | Key Issues for Consideration   * Principle of Development * Landscape * Ecology * Golden Eagle * Archaeology * Noise * Traffic * Public Access   Each of these issues is considered separately below. |
|  | Principle of Development  This is an application for renewal of planning permission ref 2013/0170/DET which expired on 14.02.2017. This application was lodged on 13.02.2017. Whilst the permission has now expired, the previous consent nonetheless has significant weight in determination of the current application. No changes have been proposed to the scheme. The key consideration is the change to the policy framework – Local Development Plan Renewable Energy Policy 1 applies:  This states that proposals for renewable energy developments within the National Park will be supported where the siting, design, access and scale of the proposal will not have a significant adverse impact either individually or cumulatively on: landscape or visual amenity, woodlands/forestry, biodiversity, the water environment, cultural heritage, air quality, traffic and transport, recreation and access and residential amenity. These aspects will be considered below. |
|  | Landscape  There have been no changes to the design of the scheme since the approval of the previous application. It is therefore considered that there will be no significant adverse impacts on landscape or visual amenity provided that certain conditions are applied concerning reducing the width of the new track, restoration of a drystone dyke and careful design of the intake weirs. |
|  | Ecology  The applicant has carried out fresh ecological surveys (for badger, red squirrel, water vole, otter, pine marten, wild cat, and bats) in March 2017 to determine the presence of protected species and their habitats and identify where mitigation is necessary. These have been reviewed by the Park Authority’s Natural Heritage Planning Officer and raise no new issues, however she advised that the CMS should include species protection plans for red squirrel, otter, pine marten and golden eagle. These have recently been submitted.  As with the previous application an ECoW should be required by condition. |
|  | Golden Eagles  SNH and RSPB raised concerns about the proposed development which could result in a risk of disturbance to golden eagles during site construction. They have required certain conditions to mitigate this. |
|  | Archaeology  WOSAS have reviewed the archaeological information submitted and agree that the proposed mitigation would adequately address the issues raised. Provided a condition relating to the archaeological issues is applied, the proposals will comply with local development plan policies on archaeology. |
|  | Noise  Whilst no response has been received from Environmental health, for the last application they reviewed the noise survey information submitted and noted that the predicted sound pressure levels at the closest properties during operation of the hydro scheme would not result in complaints, as the levels are below the background levels recorded at each property. |
|  | Traffic  The information submitted states that the construction phase of the project will have the most significant effect on traffic flows on local roads in the vicinity of the site, with an average of 1 HGV, 1 or 2 vans or small trucks and up to 15 cars on site per day (36 vehicle movements per day). Given that the A83 and the A815 are likely to be used regularly by heavy plant for forestry it is unlikely that the traffic increase will be significant. Once operational, the increase in traffic resulting from the scheme will be negligible. |
|  | Public Access  As per the previous application it is recommended that the following are covered by conditions:   * submission of a public access management plan; * mitigation measures in the method statement for the duration of the work including: detailed maps, signage, diversions and timings; and * submission of additional details of measures designed to minimise the visual effect of temporary and permanent structures in order to protect the special qualities of the area. |
|  | Conclusion  The proposal complies with Local Development Plan Renewable Energy Policy 1 as the siting, design, access and scale of the proposed hydro scheme will not have a significant adverse impact on the landscape, provided conditions are imposed on the consent to ensure the width of the new track is reduced, restoration of a drystone dyke and careful design of the intake weirs. No significant adverse impacts are anticipated on woodlands/forestry and biodiversity. The updated mammal survey indicates there will be no new issues or concerns, again provided conditions are imposed including the provision of an Ecological Clerk of Works (ECoW). Certain conditions are required in order to protect any Golden Eagles that may be in the area. Provided a condition relating to the archaeological issues is applied, the proposals will comply with local development plan policies on archaeology. No concerns have been raised regarding the impact of noise or traffic from the scheme. Any potential impacts on water environment and access will be mitigated by best practice as required by condition.  It is therefore recommended that planning permission be granted subject to conditions. |

**Recommendation: Approve**

**Conditions:**

1. **Detailed Construction Method Statement (CMS):** Prior to commencement of construction of the development hereby approved, a detailed Construction Method Statement (CMS), which sets out how the construction phases of the development will be managed, shall be submitted to, and approved in writing by, the Local Planning Authority. In particular, the final CMS shall cover the following:
2. Detailed construction methods for all aspects of the scheme (temporary and permanent access tracks, site compounds, intakes, pipeline, tailrace, powerhouse, borrow pits);
3. Pollution prevention safeguards and sedimentation safeguards;
4. Storage and disposal of materials;
5. Construction site facilities including the location of construction site huts, vehicle equipment, materials storage and location of parking area(s) for construction workers;
6. Duration, timing and phasing of works, including key intervention points for the Ecological Clerk of Works (ECoW);
7. The width of the working corridor that construction works will be confined to (shown on a plan);
8. Mitigation measures as set out in Table 4: Summary Table – Environmental Risk Assessment & Mitigation;
9. Detailed landscape mitigation and restoration techniques for the entire route with specific focus on the route of the pipeline/temporary and permanent access tracks;
10. Detailed habitat mitigation and restoration targets;
11. Species Protection Plans for red squirrel, otter, pine marten and golden eagle;
12. Treatment of peats and turves (see Condition 3);
13. Methods to protect retained trees in the vicinity of the pipeline, powerhouse and tailrace/outflow, specifically the tree at target note 28 shall have a root protection plan to ensure lichens and bryophytes are not damaged; and there shall be a tree protection plan for trees near the powerhouse and tailrace;
14. Public Access Management Plan with additional detail on measures designed to minimise the detrimental effect on public access and to ensure public access is maintained including: detailed maps; warning signage content and locations; diversionary signage content and strategy; use of banks men (where appropriate); use of short / localised diversions; timing of works; and techniques and specifications for path reinstatement;
15. Sediment management plan covering the whole site: this shall include regular release of sediments within the watercourse to ensure that there is suitable habitat for salmonids downstream; and include a contingency plan for wet weather to ensure that extra sediment does not enter the watercourse;
16. Turve management plan which shall include a clear plan for separation of top and sub-soil and ensure that all NVC types are reinstated in their original location;
17. Traffic Management Plan – to minimise any conflict between construction vehicles and other road users, including detailing provision of temporary speed restrictions (as necessary), appropriate traffic management measures,
18. Hours of operation on site (see Condition 12),
19. Details of the methods used to remove and reinstate the section of stone wall required to be temporarily removed to enable the installation of the pipe route.

Unless otherwise agreed in writing by the Local Planning Authority, all works shall be carried out in accordance with the approved Construction Method Statement.

REASON: To ensure the construction phase is carefully managed to minimise landscape impacts and to mitigate adverse impacts on ecology, archaeology, neighbours, and the public.

1. **Construction Time Period**: The development shall be undertaken in one continuous phase, with no partial implementation. Unless otherwise agreed in writing by the Local Planning Authority, all construction activities shall be completed within a 24-month period taken from the start date provided to the Local Planning Authority in accordance with the Notice of Initiation of Development (see Informative No. 1 of this decision notice) and having regard to any other limitations on work periods set out in conditions 4, 5, and 12.

REASON: To ensure that the development is constructed within a limited time period in order to minimise the adverse visual impacts on the landscape.

1. **Treatment of Peat and Turves:** Prior to the commencement of development a turve management plan for the whole site shall be submitted and approved by the Planning Authority. This shall include details of:
   * The storage and management of the different habitat types and turves of different sizes and depths; and
   * Coding of habitats to ensure habitat turves are reinstated in the correct areas.

The details to be provided under Condition 1(k) shall require the pipeline route to be exposed in short sections only (to be defined and agreed under condition 1(a)) and turves associated with the construction of the pipeline shall be stored for a maximum of two weeks.

REASON: The length of time between the peat, soils and turves being lifted prior to being replaced should be as short as possible to allow for successful restoration.

1. **Breeding Bird Protection**: No construction works shall take place anywhere on the site between 1 April and 31 July unless a breeding bird protection plan has been first submitted to, and approved in writing by, the Local Planning Authority. The breeding bird protection plan shall specify the following measures:

* That the on-site ecologist/ Ecological Clerk of Works should check the construction corridors for signs of breeding bird activity prior to construction activity along this corridor during the bird breeding season;
* That ‘toolbox talks’ are to be given to all site personnel to alert them to wildlife legislation and signs of breeding birds;
* Procedures to be followed in the event of a nest being located within the construction corridor to ensure that there is no disturbance to the breeding birds.

All construction works carried out between 1 April and 31 July shall be implemented in accordance with the agreed Breeding Bird Protection Plan.

REASON: To avoid disturbing nesting birds during bird-breeding season and to ensure the proposed works do not contravene Nature Conservation laws relating to the protection of any wild bird nest while in use or being built.

1. **Golden Eagle Breeding Protection:** No works shall take place to the north and north east of the intake Feb – August inclusive.

REASON: To avoid disturbing Golden Eagles during their breeding season and avoid contravening the Wildlife and Countryside Act 1981 (as amended).

1. **Otter Re-survey**: If the development hereby approved does not commence within one year of the date of this decision notice, an otter re-survey including proposed mitigation measures will be submitted to, and agreed in writing by the Local Planning Authority prior to development commencing. The scope of the survey will include all water courses within the development footprint and a buffer of 250m either side of these water courses. Where it is determined by an ecological surveyor that the habitat is unsuitable (such as conifer plantation) only a 50m buffer will be required.

REASON: To safeguard protected species and nature conservation interests in accordance with adopted local development plan NEP4 - Natural Environment Policy 4 and to accord with the first statutory aim of the National Park to conserve and enhance the natural heritage of the area.

1. **Design details for intakes, powerhouse, outfall and all other above-ground structures**: No works shall commence on the construction of any of the permanent above-ground structures (including the powerhouse, intakes or outfall), unless a sample or details of the final materials and colour to be used to construct all aspects of the above-ground structures, including the following specified details, has been submitted to, and approved in writing by, the Local Planning Authority.
2. All railings will be timber or grey metal with no coloured plastics;
3. Wingwalls will be minimal in size to reduce visual impact; and
4. Rip rap should be graded with largest stones at the base to reduce visual impact and sourced locally where possible. No peat shall be used to cover stones

Thereafter, all above-ground structures shall be constructed in accordance with the approved drawings.

REASON: To ensure that all aboveground structures blend in with the landscape setting, minimise visual intrusion in order to protect the special qualities of the area and minimise impact on fish and otters.

1. **Landscape Restoration Plan**: Prior to the substantial completion of the development hereby approved, a Landscape Restoration Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall detail proposals for the reinstatement and management of all areas of the scheme, including areas of grass seed/turf. All approved landscape restoration works shall be completed in the first planting season following the commissioning of development and any plants that, within a period of 5 years thereafter, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species.

REASON: To minimise the visual impact of the scheme by ensuring that the ground is restored as quickly as possible post-construction.

1. **Ecological Clerk of Works/ On-site Ecologist**: Unless as may otherwise be agreed in writing by the Planning Authority, no works shall commence on the development hereby approved until an independent Ecological Clerk of Works (ECoW) or On-site Ecologist has been appointed by the developer to oversee the implementation of the planning conditions and the Construction Method Statement during the detailed design, construction, and restoration phases of the development.

REASON: To ensure the agreed construction techniques and ecological mitigation is followed during construction and that damage to sensitive habitats is minimised by micrositing and protected species safeguarded.

1. **Scope of works to be carried out by the Ecological Clerk of Works**: Prior to appointing the ECoW in accordance with Condition 9 above, a ‘scope of works’ for that person shall be submitted to, and approved in writing by, the Local Planning Authority. As a minimum, the ECoW shall:

* be present to oversee all in-stream construction works;
* give advice on micro-siting project elements to avoid important habitats;
* give Ecological ‘toolbox talks’ on emergency procedures if protected species, including golden eagles, are identified within or close to the construction corridor;
* ensure compliance with all wildlife legislation;
* undertake pre-construction checks for protected species (mammals, fish and birds);
* oversee implementation of all ecological mitigation, as detailed in the Environmental Risk Assessment and Mitigation document and approved CMS;
* monitor restoration of the site and ensure that the agreed habitat restoration targets are achieved;
* have the authority, on and off-site, to halt operations or to alter construction methods if they observe, monitor or otherwise identify that these operations are having adverse impacts on the natural heritage;

The Scope of Works shall specify the stages of the process that the ECoW will be present on site for, and how regularly they will otherwise inspect the site. Thereafter, all works shall be carried out in accordance with the agreed Scope of Works.

REASON: To define the role of the ECoW and ensure the agreed working methods and ecological mitigation, as set out in the Construction Method Statement, are followed during construction.

1. **Turbine Noise:** Upon completion of development, any noise produced by the operation of the development shall not be greater than neutral, as defined in the Scottish Government’s Technical Advice Note: Assessment of Noise (Table 3.5).

REASON: To ensure any noise generated from the development is at an acceptable level and can be monitored by Environmental Health.

1. **Hours of Construction Operations and Noise**: Construction works which are audible outwith the site boundary shall be undertaken during normal working hours:
   * 08.00 to 18.00 hours Monday to Friday,
   * 09.00 to 13.00 hours on Saturdays
   * No noisy works audible outwith the site boundary are permitted on Sundays or Bank Holidays.

REASON: To ensure the hours of operation associated with construction works do not impact on neighbouring properties or quiet enjoyment of the Invernoaden Forest area.

1. **Decommissioning and Restoration**: Unless otherwise agreed in writing with the Local Planning Authority, in the event of the scheme not generating electricity for a continuous period of 12 months and with no realistic expectation of resumption in the foreseeable future, the site shall be reinstated within a period of 18 months following the expiry of such period of cessation or within such timescales as agreed in writing with the Planning Authority. Reinstatement shall comprise the removal of the above ground infrastructure, if considered necessary, and restoration of the natural water regime to normal flows, all to the written satisfaction of the Planning Authority.

REASON: To ensure that the decommissioning and restoration works are carried out in a manner satisfactory to the Planning Authority.

1. **Monitoring reports**: The applicant shall submit a monitoring report to the Local Planning Authority setting out how the requirements of the CMS and all other conditions of the permission are being adhered to on the site, and any issues arising, at the following intervals:

* Every month for the first 6 months of construction (taken from the start date given in the Notice of Initiation – see Informative No.1);
* Every two months for the remaining period of construction; and
* Every six months for a period of 3 years post the date of commissioning of the scheme.

Unless otherwise agreed in writing by the Local Planning Authority, the monitoring reports shall include a narrative update on construction/restoration progress, photographs, an update from the ECoW and an update on the implementation of landscape mitigation measures (see condition 1 (h)), particularly at the key intervention points for landscape advice (see condition 1 (h)).

REASON: To ensure that all mitigation required by the above planning conditions is followed during construction and restoration phases.

1. **Archaeological Investigation:** No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

REASON: To safeguard the archaeological value of the site.

1. **Restoration of permanent access track:** Within 12 months of the hydro electric scheme hereby approved being commissioned or brought into use, the new permanent access tracks to the intake and to the powerhouse shall be restored to a maximum width of 2.5 metres with a central strip of soil.

REASON: To minimise the adverse landscape and visual impact of the new tracks and ensure that the site is restored to a satisfactory standard.

1. **Restoration of drystane dyke:** Prior to the hydro electric scheme hereby approved being commissioned or brought into use, the drystane dyke (Archaeology Survey Site 1) shall be rebuilt in a manner in keeping with the original wall.

REASON: To minimise the adverse landscape and visual impact and ensure that the site is restored to a satisfactory standard.

18. **Powerhouse flood risk mitigation measures:** The minimum finished floor level of the powerhouse building shall be 71 mAOD,

REASON: To mitigate the risk of flooding on the site.

19. **Surface water drainage:** Surface water drainage shall be designed in accordance with CIRIA C753 and, as appropriate, Sewers for Scotland 3rd Edition.

REASON: To mitigate the risk of surface water flooding on the site, including ponding, and to ensure flooding is not increased elsewhere as a result of the development.

**Planning Obligations**

None

**Reason for Decision**

The proposal complies with Local Development Plan Renewable Energy Policy 1 as the siting, design, access and scale of the proposed hydro scheme will not have a significant adverse impact on the landscape, provided conditions are imposed on the consent to ensure the width of the new track is reduced, restoration of a drystone dyke and careful design of the intake weirs. No significant adverse impacts are anticipated on woodlands/forestry and biodiversity. The updated mammal survey indicates there will be no new issues or concerns, again provided conditions are imposed including the provision of an Ecological Clerk of Works (ECoW). Certain conditions are required in order to protect any Golden Eagles that may be in the area. Provided a condition relating to the archaeological issues is applied, the proposals will comply with local development plan policies on archaeology. No concerns have been raised regarding the impact of noise or traffic from the scheme. Any potential impacts on water environment and access will be mitigated by best practice as required by condition.

**List of Plans**

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| **Title** | **Reference** | **Date Received** |
| Location Plan | 10100 | 13/02/17 |
| Scheme Layout | 10101 ISSUE 3 | 13/02/17 |
| Site Plan | 10103 | 13/02/17 |
| Quarries | 10106 | 13/02/17 |
| Construction Areas | 10108 | 13/02/17 |
| Construction Corridors | 10109 ISSUE 1 | 13/02/17 |
| Tree Plan | 10112 | 13/02/17 |
| Intake General Arrangement | 20101 | 13/02/17 |
| Powerhouse Layout | 40101 ISSUE 1 | 13/02/17 |
| Powerhouse Elevations | 40102 ISSUE 1 | 13/02/17 |
| Grid Connection Plan | 50100 | 13/02/17 |
| Construction Corridor Sequence (HPPE Pipes) | 60001 | 13/02/17 |
| Constuction Corridor Sequence (GPR Pipes) | 60002 | 13/02/17 |
| Invernoaden Forest Road Condition | P642 10113 R 0 | 22/02/17 |
| Powerhouse Area Plan | P642 40104 R2 | 06/04/17 |
| Environmental Risk Assessment and Mitigation |  | 13/02/17 |
| Archaeological Survey produced by Jennifer G. Robertson |  | 13/02/17 |

**Informatives**.

1 Notification of Initiation of Development - Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. We recommend this is submitted 2 weeks prior to the start of work. A failure to submit the notice, included in the decision pack, would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.

2 Notification of Completion of Development - As soon as practicable after the development is complete, the person who completes the development is required by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give written notice to the planning authority of the completion of the building works. As before, there is notice for you to complete for this purpose included in the decision pack. In larger, phased developments, a notice of completion is to be submitted as soon as practicable after each phase is finished by the person carrying out the development.

3 Duration of permission - In accordance with section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of 3 years beginning from the date of this permission, unless the development to which this permission relates is begun before that expiration.

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| Signed: CB Stewart  **Development Management Planner** | Dated: 29/06/2017 |