

## Appendix 2

Elchies (Rothes III) Wind Farm overhead transmission line from Rothes to Blackhillock.

ECU reference - ECU00004733

Moray council 23/00519/S37

### Recommended conditions

1. Construction operations shall be suitably controlled and managed by adherence to an agreed Construction Environmental Management Plan. Prior to development commencing, the CEMP must be submitted to and approved in writing by the Moray Council as Planning Authority. The CEMP shall include details of the hours of construction activities, any anticipated works that need to occur outwith the hours specified.

**Reason-** In order that details of the construction activity can be finalised, considered and ultimately controlled so as to protect human and environmental interests.

2. No development shall commence until a private water supplies risk assessment report prepared by a suitably qualified professional has been submitted to and accepted by the Moray Council as Planning Authority. Where a possible impact on water supplies is identified, the report shall include detailed proposals for appropriate monitoring and mitigation measures, e.g. provision of new supplies.

**Reason-** To ensure that an adequate and wholesome water supply to existing properties is maintained.

3. No private water supply shall be used during or post construction for any phase of the project, until details have been submitted in order that its wholesomeness and adequacy can be assessed by the Environmental Health Manager of Moray Council.

**Reason -** To ensure detailed consideration can be given to the possible use of private water supplies for the development hereby approved.

4. In the event that the wholesomeness or adequacy of any private water supply becomes affected by construction activity, all users of such supplies and Environmental Health and Trading Standards Manager of Moray Council must be contacted by the developer to discuss remediation measures as a priority. Thereafter repair of any affected private water supply must be carried be to the satisfaction of the Council as Planning Authority in consultation with the Environment Health and Trading Standards Manager. The Council shall be the final arbiter whether any supply has been affected by this development.

**Reason -** To ensure that the adequacy and wholesomeness of private water supplies are protected at all phases of the project.

5. No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include 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. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be brought into use unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results 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.

**Reason-** To safeguard and record the archaeological potential of the area.

6. Provide a single payment to a Socio Economic Benefit Fund to be administered by Moray Council assuming 10% of investment cost to benefit, 5% would be given to the socio economic benefit fund (single payment 20% on construction commencement and 80% on energisation). The fund will be used to for projects across Moray directly related to supply chain development, business support, including tourism and regeneration projects/related infrastructure, skills and barriers to employment in Moray and to promote Community Ownership.

**Reason –** In order to ensure compliance with NPF4 Policy 11c) and to maximise the local socio economic benefits of the development to the wider local community. To contribute to the local community wealth building strategy and ensure economic impact is consistent with local economic priorities which contributes to NPF4 policy 25.

#### Other matters needing conditioned.

7. The Environmental Appraisal entitled Elchies (Rothes III) 'Wind Farm Grid Connection Works - March 2023' contents page refers to a Schedule of Mitigation but it is not clear where this is located within the documents. Each chapter of the EA does summarise mitigation and a condition should seek to consolidate and compilation these mitigation methods into schedule which must thereafter be complied with.
8. Suitable conditions should be constructed to address the deficiencies in the Transport Assessment as detailed in the responses previously passed to the Energy Consents Unit by the Councils Transportation Manager.
9. Similarly submissions failed to provide detailed design proposals for the watercourse crossings and drainage proposals for the temporary compounds and access roads (many of which are in flood risk areas) such that the Councils

Flood Risk Management Team are seeking reassurances. The temporary roads and compounds will need to be properly drained and managed so as not to impact or alter the current flow of watercourses the cross. A suitable condition seeking drainage statements and Flood Risk Assessment for those temporary tracks and compounds affecting watercourses or flood risk areas in line with the consultation response previously forwarded to the Energy Consents Unit. These requirements could potentially be integrated into CEMP condition identified above.

Informatives to be added

The Environmental Health Manager has stated that the Operational noise associated with Overhead Lines shall not give rise to a Statutory Noise Nuisance in terms of the Environmental Protection Act 1990.