

## Appendix 1 – 19/00244/S37ECU

Proposed conditions for Section 37 application for proposed North East 400 kV overhead line reinforcement between Blackhillock, Peterhead and Kintore substations, and reconfiguration of the overhead line at Keith for Scottish Hydro Electric Transmission.

1. No works shall commence on site until a Construction Traffic Management Plan has been submitted to and approved in writing by the Council as Planning Authority in consultation with the Roads Authority. The Construction Traffic Management Plan shall include the following information:

- Construction programme, including phasing and timescales.
- Full details of any temporary road closures or diversions.
- Measures to accommodate the passing of HGV's including any proposed road improvement works such as passing places, and on-coming vehicle holding areas to accommodate construction vehicles.
- Details of methods of working to minimise the requirement for HGV's to pass each other on the single track public roads.
- Proposed measures to be put in place to prevent material being deposited on the public road.
- Measures to be put in place to safeguard the movements of pedestrians.
- Full details of any road crossings including measures to protect road users from overhead cable works.

Thereafter, the development works shall proceed in accordance with the approved details, unless otherwise approved in writing by the Planning Authority in consultation with the Roads Authority.

**Reason:** To ensure an acceptable form of development in terms of the arrangements to manage traffic during construction works at the site, in the interest of road safety and the amenity of the area/adjacent properties.

2. No works shall commence on site until details of the proposed individual temporary site access arrangements, including to site compounds has been submitted to and approved in writing by the Council as Planning Authority in consultation with the Roads Authority, including the following information:

- Details regarding timescales for the opening up and closure of any temporary access together with the time period over which the temporary access will be used.
- Details/ specification of materials used for the temporary construction access.
- Details of existing drainage provision, including methods to protect, maintain in use, (and to re-instate as required). Note - any existing ditch, watercourse or drain under the site access shall be piped using a suitable diameter of pipe (300mm minimum).
- Visibility splay provision for 'A' and 'B' class roads of 2.4m x 215m in both directions clear of any obstruction greater than 0.6m measured from the

level of the carriageway; or Visibility splay provision for 'C' and 'U' class roads of 2.4m x 120m in both directions clear of any obstruction greater than 0.6m measured from the level of the carriageway.

- Parking and turning provision (to accommodate largest vehicle entering the site).
- Loading and unloading areas.
- Proposed signing and traffic management measures.
- Details of proposed measures to protect the edge of the public carriageway from damage.
- Details including materials for the reinstatement of temporary construction site access/ site compound.

Thereafter, the development works shall proceed in accordance with the approved details, unless otherwise approved in writing by the Planning Authority in consultation with the Roads Authority.

**Reason:** To ensure an acceptable form of development in terms of the arrangements to manage traffic during construction works at the site, in the interest of road safety and the amenity of the area/adjacent properties.

3. Prior to the commencement of development the extents and route of a condition survey of the public carriageway and verge covering all non A classified roads used by construction traffic shall be agreed in consultation with the Roads Authority; and thereafter prior to commencement of phase 1 (enabling works) a joint condition survey shall be undertaken alongside Moray Council Transportation Officers in accordance with the agreed details including video /photographic evidence. A copy of the survey shall be submitted to the Moray Council as Planning Authority in consultation with the Roads Authority, and; thereafter, upon completion of works a second (joint) condition survey shall be undertaken, including video/ photographic evidence, and submitted to the Moray Council as Planning Authority in consultation with the Roads Authority. Any damage to public verge/ carriageway identified through the condition surveys shall be reinstated and repaired, in consultation with the Roads Authority within a period of 4 weeks from the date of the second condition survey at the cost of the developer.

**Reason:** To ensure that construction of the development does not create any hazard to road users as a result of damage to the Public Road (including the Public Verge) by construction vehicles.

4. No development works shall commence until a Construction Environmental Management Plan (CEMP) outlining site specific details on all on-site construction works, post-construction re-instatement, drainage and mitigation, together with details of their timetabling, has been submitted to and approved in writing by the Council as Planning Authority in consultation with SNH and SEPA.

The CEMP shall incorporate/include (but not be limited to):

- a) The mitigation measures as identified in the Schedule of Mitigation in Appendix 3.2 and associated Chapters of the submitted Environmental Impact Assessment Report - Volumes 4 and 2, Technical Appendices and Main Report.
- b) The mitigation and monitoring measures as detailed in the Scottish Hydro Electric Transmission General Environmental Management Plans and Species Protection Plans in Appendix 3.1 of the Environmental Impact Assessment Report - Volume 4, Technical Appendices.
- c) A private water supply risk assessment for the pylon replacement works and proposed mitigation measures related to any road construction across water supply pipe routes.
- d) Details of noise mitigation measures to be adopted during the construction phase as highlighted in Table 13.1, Chapter 13 'Noise and Vibration' of the submitted Environmental Impact Assessment Report - Volume 2, Main Report.
- e) Details of the formation of any construction compounds, welfare facilities, temporary buildings, areas of hardstanding, turning areas, car parking, material stockpiles, equipment and compound boundary fencing.

**Reason:** To ensure that all construction operations are carried out in a manner that minimises their impact on the environment, amenity and private water supplies, and that the mitigation measures contained in the Environmental Impact Assessment Report, or as otherwise agreed, are fully implemented.

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.

### Informative Notes

The Transportation Manager has commented that:

The applicant shall undertake the joint condition surveys by prior arrangement with Transportation Officer Derek Smith [derek.smith@moray.gov.uk](mailto:derek.smith@moray.gov.uk) (tel 01343 563795).

The applicant is required to take cognisance of the following route specific

comments from Roads Maintenance colleagues when preparing the Construction Traffic Management Plan in relation to accessing the sites:

- “U43H – All construction related traffic should route via the U43aH/ A96 south with no access from the Keith direction. Similarly no construction related traffic should take access via the northern leg of the U43aH.
- U35H – This road has multiple accesses shown. There is a lack of passing places on this road so the Construction Traffic Management Plan should demonstrate how construction vehicles will avoid the need to pass each other. C47H – No construction related traffic should use the adjacent U19H. Although this is a dead end public road there is a local link using the abandoned railway line to U20aH.
- U20aH – The existing condition of this road would be likely to deteriorate quickly with the impact of construction traffic. The applicant is requested to consider alternative direct access to either A95 or B9117 to access pylons 22, 23 and 24.

Planning consent does not carry with it the right to carry out works within the public road boundary.

Before starting any work on the existing public road the applicant is obliged to apply for a road opening permit in accordance with Section 56 of the Roads (Scotland) Act 1984. This includes any temporary access joining with the public road. Advice on these matters can be obtained by emailing [roadspermits@moray.gov.uk](mailto:roadspermits@moray.gov.uk)

No building materials/scaffolding/builder's skip shall obstruct the public road (including footpaths) without permission from the Roads Authority.

Public utility apparatus may be affected by this proposal. Contact the appropriate utility service in respect of any necessary utility service alterations which have to be carried out at the expense of the developer.

Any existing ditch, watercourse or drain under a new site access shall be piped using a suitable diameter of pipe (300mm minimum). The pipe shall be laid to a self-cleansing gradient and connected to an outfall.

No retaining structures or embankments shall be constructed along the edge of the road, whether retaining the public road or ground adjoining the public road without prior consultation and agreement of the Roads Authority.

If required, street furniture will need to be repositioned at the expense of the developer. Advice on this matter can be obtained by emailing [road.maint@moray.gov.uk](mailto:road.maint@moray.gov.uk)

The applicant shall free and relieve the Roads Authority from any claims arising out of their operations on the road or extension to the road.

The Environmental Health – Private Water Supplies section has commented that:

A temporary stone road will be constructed across the route of a private water supply pipe, while several other private supplies may be affected by possible pylon replacement works.