



# FEI Technical Appendix A: Onshore Wind Standard Conditions

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## South Kyle II Wind Farm

June 2026

**Vattenfall**

# Onshore Wind Standard Conditions

## Section 36 Consent and Deemed Planning Permission

### February 2025

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## Section 36 Conditions

No.	Condition Wording	Applicant / Consultee Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
1.	<p><b>Notification of Date of First Commissioning and Final Commissioning</b></p> <p>(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.</p> <p>(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.</p> <p><b>Reason:</b> To allow the Planning Authority and Scottish Ministers to calculate the date of expiry of the consent.</p>	<p><b>Applicant:</b> Agreed.</p>		Standard
2.	<p><b>Commencement of Development</b></p> <p>(1) The Development shall be commenced no later than [five years]<sup>1</sup> from the date of this consent, or such other period as the Scottish Ministers may approve in writing.</p> <p>(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.</p> <p><b>Reason:</b> 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.</p>	<p><b>Applicant:</b> Agreed - there are no reasons in this case to deviate from the standard 5 year period.</p>		Standard
3.	<p><b>Assignment</b></p> <p>(1) This consent shall not be assigned, alienated or transferred without the prior written authorisation of the Scottish Ministers.<sup>2</sup></p> <p>(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.</p>	<p><b>Applicant:</b> Agreed.</p>		Standard

<sup>1</sup> This period may be changed where a longer or shorter period for implementation is justified in the circumstances of the case.

<sup>2</sup> The Scottish Ministers may authorise the assignment (with or without conditions), or refuse the assignment.

No.	Condition Wording	Applicant / Consultee Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p><b>Reason:</b> To safeguard the obligations of the consent if transferred to another company.</p>			
4.	<p><b>Serious Incident Reporting</b></p> <p>In the event of any serious breach of health and safety or environmental obligations relating to the Development causing harm to the environment (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.</p> <p><b>Reason:</b> To keep the Scottish Ministers informed of any such incidents which may be in the public interest.</p>	<p><b>Applicant:</b> Agreed.</p>		Standard
5.	<p><b>Compensatory Planting</b></p> <p>(1) No felling or development shall commence, including site and ground investigations<sup>3</sup> until a woodland planting scheme to compensate for the removal of 79 hectares of existing woodland (“the Replanting Scheme”) has been submitted to, and approved in writing by, the Scottish Ministers in consultation with the Planning Authority<sup>4</sup>.</p> <p>(2) The Replanting Scheme shall provide:</p> <ul style="list-style-type: none"> <li>(a) details of the location of the area(s) to be planted, including a map and description of current land use;</li> <li>(b) the nature, design/layout, species composition, purpose and specification of the proposed woodland to be planted;</li> <li>(c) the phasing and associated timescales for implementing the Replanting Scheme;</li> <li>(d) proposals for reporting to the Planning Authority on compliance with timescales for obtaining the necessary consents and thereafter implementation of the Replanting Scheme;</li> <li>(e) proposals for the maintenance and establishment of the woodland to be planted, including annual checks, replacement planting, fencing, ground preparation and drainage; and</li> </ul>	<p>Applicant: Agreed subject to proposed amendments to reflect specific compensatory planting requirement for the Development. The condition need only preclude felling prior to a compensatory planting scheme. It should be permissible to undertake some pre-construction ground investigation works on the basis that this is normal and required to inform the discharge of conditions, isn't classed as commencement of development and providing the Company isn't felling trees.</p>	<p>Suggested revised planning condition as it would be inappropriate to hard code a requirement in hectares in the planning condition when it will be set out in the woodland compensatory planting scheme itself, and usually less compensatory planting is likely as the EIAR predicts worse case.</p> <p><b>5)</b> No felling of existing woodland shall take place until a woodland compensatory planting scheme (“the Replanting Scheme”) has been submitted to, and approved in writing by, the Scottish Ministers in consultation with the Planning Authority.</p> <p>The Replanting Scheme shall provide for compensatory woodland planting to offset the loss of existing woodland arising from the Development and shall provide:</p> <ul style="list-style-type: none"> <li>(a) details of the location of the area(s) to be planted, including a map and description of current land use;</li> <li>(b) the nature, design/layout, species composition, purpose and specification of the proposed woodland to be planted;</li> <li>(c) the phasing and associated timescales for implementing the Replanting Scheme;</li> <li>(d) proposals for reporting to the Planning Authority on compliance with timescales for obtaining the necessary</li> </ul>	Optional

<sup>3</sup> 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).

<sup>4</sup> Insert “Planning Authority” and, if the compensatory planting is in a different authority area, the name of the relevant local authority.

No.	Condition Wording	Applicant / Consultee Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>(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).</p> <p>(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.</p> <p><b>Reason:</b> To secure replanting to mitigate against effects of deforestation arising from the Development</p>		<p>consents and thereafter implementation of the Replanting Scheme;</p> <p>(e) proposals for the maintenance and establishment of the woodland to be planted, including annual checks, replacement planting, fencing, ground preparation and drainage; and</p> <p>(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).</p> <p>The Replanting Scheme shall be implemented in full, unless otherwise agreed in writing by the Scottish Ministers in consultation with the Planning Authority.</p> <p><b>Reason:</b> To secure replanting to mitigate against effects of deforestation arising from the Development</p>	
6.	<p><b>Aviation Impact Mitigation Scheme (Glasgow Prestwick Airport)</b></p> <p>(1) The Company shall not erect any turbine until the Scottish Ministers are satisfied, in consultation with the Civil Aviation Authority and the Operator, that the Company has put in place a binding undertaking to pay the Operator such sums as are, or will be, demonstrably and reasonably incurred by the Operator in:</p> <p>(2) Procuring Terma A/S (or its duly appointed representative in the United Kingdom) to undertake a Terma Radar Modelling Assessment for the Terma Scanter 4002 installed at Glasgow Prestwick Airport to determine the Terma Probability of Detection Reduction Factor in connection with the Development and providing the results of such modelling to the Operator, the Company and Scottish Ministers;</p> <p>(3) Optimising the existing operational Terma Scanter 4002 primary surveillance radar at Glasgow Prestwick Airport to accommodate the Development;</p> <p>(4) Validating any optimisation of the operational Terma Scanter 4002 primary surveillance radar undertaken in respect of the Development by way of flight trial over the Development, if such validation is reasonably required; and</p>	<p><b>Applicant:</b> alternative condition proposed which is more precise as it reflects the known impacts of the Development and the known mitigation required for those impacts, rather than leave it open and undefined to be identified as part of a "mitigation scheme".</p>	<p>Updated conditions proposed further to recent engagement with GPA and the output of modelling assessments undertaken by or on behalf of GPA. Note, the VHF condition is based on an equivalent condition attached to the section 36 consent issued by Scottish Ministers for the Craiginmoddie wind farm.</p> <p><b>Radar Mitigation</b></p> <ol style="list-style-type: none"> <li>No blade shall be fitted to any turbine until the Scottish Ministers is satisfied that the Company has agreed a Windfarm Radar Mitigation Scheme with the Airport Operator.</li> <li>The Development shall be constructed, commissioned and operated fully in accordance with the approved Windfarm Radar Mitigation Scheme.</li> </ol> <p>For the purposes of conditions 1 and 2:</p> <p><b>"Windfarm Radar Mitigation Scheme"</b> means a scheme whereby the Company meets the demonstrable and reasonably incurred costs of the Airport Operator in procuring such services and resources including equipment, software, procedural or technological measures and technical and professional services, as the Airport Operator demonstrably identifies as necessary and sufficient to prevent the operation of the development, or of any turbines forming part of the development, causing or contributing to adverse impacts on the probability of detection capability of the Airport Operator's installed Terma Scanter 4002 primary surveillance radar to such an extent that there is a likelihood of</p>	Optional

No.	Condition Wording	Applicant / Consultee Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>(5) In the event of a wind turbine forming part of the Development being permanently removed, undertaking any of steps (2) and/or (3) above necessitated by the removal of such a turbine.</p> <p><b>Reason:</b> Mitigation is required to ensure that there will be no unacceptable impacts on the safe operation of Glasgow Prestwick Airport's existing primary surveillance radar</p>		<p>dropping a primary surveillance radar aircraft track over critical airspace for an extended period of time.</p> <p>For the purposes of conditions [1] – [4]:</p> <p><b>"Airport Operator"</b> means Glasgow Prestwick Airport or any successor as holder of a license under Article 205 of the Air Navigation Order 2016 from the Civil Aviation Authority to operate air traffic service equipment at Glasgow Prestwick Airport.</p> <p><b><u>VHF Mitigation</u></b></p> <p>3. There shall be no Commencement of Development unless and until the Scottish Ministers have confirmed in writing that they are satisfied that the Company has put in place binding undertakings to pay the Airport Operator such sums as are, or will be, demonstrably and reasonably incurred by the Airport Operator:</p> <p>(a) in procuring baseline flight trials ("baseline flight trial(s)") (the methodology for which and results of which shall be shared with the Company) to determine the preconstruction VHF coverage in the vicinity of the Development; and</p> <p>(b) in procuring flight trial(s) after construction of the Development (the methodology for which and results of which shall be shared with the Company) to determine the adverse impact (if any) on the quality of the VHF coverage in the vicinity of the Development compared to the baseline and current state flight trials;</p> <p>4. In the event that the post construction flight trials demonstrate that there has been a quantified reduction in the VHF coverage as compared to the pre-construction baseline as a result of the Development and that, following an operational impact assessment (the methodology for which and results of which shall be shared with the Company), the Development is causing a demonstrable operational impact on the Airport Operator's services that that is not operationally manageable and requires to be mitigated, then the Company shall put in place a binding undertaking to pay the Airport Operator such sums as are, or will be, demonstrably and reasonably incurred by the Airport Operator in:</p> <p>(a) taking steps to either restore the level of VHF communications service to that which existed prior to the</p>	

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			<p>windfarm becoming operational or such alternative mitigation as may be necessary to ensure that the VHF communications service level is operationally manageable;</p> <p>(b) following the installation and commissioning of such mitigation, in procuring flight trial(s) (the methodology for which and results of which shall be shared with the Company) to establish that the Development's demonstrable impact has been addressed;</p> <p>(c) if necessary, having the safety case for the Airport Operator's VHF Receiver and Transmitter updated and approved by the CAA or alternatively, creating and having approved, a new safety case for the mitigation determined to be required by this condition as the CAA may require; and</p> <p>(d) in arranging and facilitating points (a) to (d) above.</p>	
7.	<p><b>Aviation Impact Mitigation Scheme (NATS)</b></p> <p>(1) No above ground works shall commence until a Primary Radar Mitigation Scheme has been submitted to and approved in writing by the Planning Authority following consultation with the Operator.</p> <p>(2) No blades shall be fitted to any turbine until the technical mitigation measures set out in the approved Primary Radar Mitigation Scheme have been implemented in accordance with its terms and the development shall thereafter be operated fully in accordance with such approved Primary Radar Mitigation Scheme.</p> <p>For the purpose of the condition above;</p> <p>"Operator" means NATS (En Route) plc, incorporated under the Companies Act (4129273) whose registered office is 4000 Parkway, Whiteley, Fareham, Hants P015 7FL or such other organisation licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services to the relevant managed area (within the meaning of section 40 of that Act).</p> <p>"Primary Radar Mitigation Scheme" or "Scheme" means a detailed</p>	<p><b>Applicant:</b> condition amended to reflect condition wording as agreed with NATS.</p>		Optional

No.	Condition Wording	Applicant / Consultee Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>scheme agreed with the Operator which sets out the measures to be taken to avoid at all times the impact of the development on the surveillance infrastructure and air traffic management operations of the Operator at Lowther Hill.</p> <p><b>Reason:</b> to safeguard radar and air traffic interests</p>			

## Deemed Planning Permission Conditions

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
8.	<p><b>Commencement of Development</b></p> <p>(1) The Development must be commenced no later than 5 years from the date of this consent.</p> <p>(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.</p> <p>Reason: To comply with section 58 of the Town and Country Planning (Scotland) Act 1997.</p>	<p><b>Applicant:</b> Agreed.</p>		Standard
9.	<p><b>Design of Wind Turbines</b><sup>5</sup></p> <p>(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.</p> <p>(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.</p> <p>(3) The submission shall demonstrate that all wind turbine blades shall rotate in the same direction.</p> <p>(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.</p> <p><b>Reason:</b> 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.</p>	<p><b>Applicant:</b> Agreed.</p>		Standard

<sup>5</sup> 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	Further Environmental Information (FEI) Submission Updates	Standard or Optional
10.	<p><b>Design of Sub-station and ancillary development</b></p> <p>(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 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.</p> <p>(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).</p> <p><b>Reason:</b> 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.</p>	<p><b>Applicant:</b> Agreed, subject to minor amendment proposed because the use of the definition of Commencement of Development is unclear in the context used in the condition. The adjustments makes clear that only works to the substation may not commence, but wider Commencement of Development elsewhere on site is not precluded.</p>		Optional
11.	<p><b>Design of Energy Storage Facility</b></p> <p>(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</p> <p>(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.</p>	<p><b>Applicant:</b> Agreed, subject to minor proposed clarification as above.</p>		Optional

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p><b>Reason:</b> 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.</p>			
12.	<p><b>Signage</b> 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.</p> <p><b>Reason:</b> In the interests of health and safety on site and the visual amenity of the area.</p>			Standard
13.	<p><b>Micro-siting</b> (1) All wind turbines, buildings, masts, areas of hardstanding, associated infrastructure and tracks shall be constructed in the locations shown on plan reference [FEI Figure 1.1 Site Layout]<sup>6</sup> and at the grid references for the turbines set out in FEI Report – Project Description<sup>7</sup>. The locations of wind turbines, buildings, masts, [energy storage facility]<sup>8</sup>, areas of hardstanding and tracks<sup>9</sup> may be adjusted by micro-siting within the redline boundary shown on plan reference [FEI Figure 1.1 Site Layout]. Any such micro-siting is subject to the following restrictions unless otherwise approved in advance in writing by the Planning Authority<sup>10,11,12</sup></p> <p>(a) [no wind turbine, building, mast or hardstanding shall be moved more than 100m from the position shown on plan reference [FEI Figure 1.1 Site Layout] and at the grid references set out in FEI Report – Project Description;</p> <p>(b) [no access track shall be moved more than 100m from the position shown on plan reference [FEI Figure 1.1 Site Layout] and at the grid references set out in FEI Report – Project Description;</p> <p>(c) [No micro-siting shall take place with the result that infrastructure (excluding floating tracks or hardstanding)</p>	<p><b>Applicant:</b> Modifications proposed to reflect details of the Development and EIA. Also, final “as built” plan should be provided after Final Commissioning as the final positions may be subject to ongoing micro-siting.</p>		Standard

<sup>6</sup> Insert site layout plan reference here and throughout this condition where it states “plan reference [FEI Figure 1.1 Site Layout]”.

<sup>7</sup> 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.

<sup>8</sup> Only applicable where a energy storage is being consented as part of a wind energy development.

<sup>9</sup> List any other infrastructure as appropriate

<sup>10</sup> 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.

<sup>11</sup> 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.

<sup>12</sup> (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.

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	<p>has a greater overall impact on peat than the original location];</p> <p>(d) [no infrastructure other than as required for a water course crossing shall be microsited to within 50<sup>13</sup> metres of a water course].];</p> <p>(e) No wind turbine foundation shall be positioned higher than 3 metres Above Ordnance Datum (AOD) than the position for that turbine shown on the Site Layout Plan;</p> <p>(2) All micro-siting permissible under this condition shall be submitted to, and approved in writing by the Ecological Clerk of Works (“ECoW”) in advance of any works or development associated with the micro-siting request being implemented.<sup>14</sup>;</p> <p>(3) No later than six months after the Date of First Commissioning<sup>15</sup>, 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.</p> <p><b>Reason:</b> to control environmental impacts while taking account of local ground conditions.</p>			
14.	<p><b>Implementation of mitigation measures</b></p> <p>(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. 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.</p> <p>(2) Thereafter, the approved Schedule of Mitigation shall be implemented in full unless otherwise approved in writing by the Planning Authority.</p> <p><b>Reason:</b> to ensure that the identified mitigation through the EIA Report is carried out in accordance with the approved details.</p>			Standard

<sup>13</sup> To be adjusted where requested by a consultee.

<sup>14</sup> ECoW should approve micro-siting where an ECoW is being appointed under another condition.

<sup>15</sup> 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.

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
15.	<p><b>Enabling Works<sup>16</sup></b></p> <p>(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 Authority<sup>17</sup>. The Site Enabling Works Programme must as a minimum provide for the following:</p> <ul style="list-style-type: none"> <li>(a) A plan showing the extent and layout of the enabling works;</li> <li>(b) The employment of a suitably qualified and experienced Ecological Clerk of Works, 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;</li> <li>(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 Council;</li> <li>(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;</li> <li>(e) A forest felling and management plan;</li> <li>(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.</li> <li>(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.;</li> <li>(h) Waste Management and Pollution Controls including contingency plans in case of pollution incidents;</li> <li>(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</li> </ul>	<p><b>Applicant:</b> Amended (so far as possible at this stage) to reflect site specifics. Whether all of the information, plans etc. listed in sub paragraphs (a) to (q) are ultimately required will depend upon the specific nature of Site Enabling Works proposed and therefore this cannot be a standard “minimum” list.</p> <p>Felling is adequately addressed by condition 5 above (compensatory planting) and condition 30 below (felling plan), both of which require to be in place prior to any felling including any felling as part of</p>		Standard

<sup>16</sup> 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.

<sup>17</sup> Reference consultation with appropriate consultees (SEPA, NatureScot, Transport Scotland etc) if specifically requested by those consultees.

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>investigation unless otherwise agreed in writing with the Planning Authority;</p> <p>(j) Measures to protect any scheduled monument(s) within the area of the enabling works;</p> <p>(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 HGVs and any abnormal loads;</p> <p>(l) Measures to control the emission of dust and dirt during construction;</p> <p>(m) Provision of welfare facilities on site during construction and the means of disposal of foul drainage;</p> <p>(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;</p> <p>(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 users<sup>18</sup> outwith the principal construction areas and access roads serving the Development during the Site Exploratory Works. A key principal to be advanced within the Plan is to minimise restrictions on public access to important recreational facilities<sup>19</sup>;</p> <p>(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.</p> <p>(q) Lighting for Site Enabling Works which will minimise illumination, glare or light spillage outwith the site boundary.<sup>20</sup></p> <p>(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.</p> <p><b>Reason:</b> 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.</p>	<p>Site Enabling Works.</p> <p>The above condition also requires that the Schedule of Mitigation be approved before any Site Enabling Works, rendering some of these plans redundant/ excessive.</p> <p>The condition should be proportionate to reflect the intent, which is to allow a certain degree of necessary site preparatory works, as a precursor to Commencement of Development, without the need for the full suite of detailed plans to be approved.</p>		

<sup>18</sup> Adjust as appropriate.

<sup>19</sup> Insert any specific routes identified for protection / mitigation in the EIA.

<sup>20</sup> 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.

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
16.	<p><b>Planning Monitoring Officer<sup>2122</sup></b></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> <ul style="list-style-type: none"> <li>(a) impose a duty to monitor compliance with the terms of the deemed planning permission and the conditions attached to it;</li> <li>(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 GCoW<sup>23</sup>; and</li> <li>(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.</li> </ul> <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 a and suitably qualified consultant as PMO 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.</p> <p>(4) the PMO shall be appointed on the terms approved under part (3) throughout the decommissioning, restoration and aftercare phases of the Development.</p> <p><b>Reason:</b> To ensure compliance with the planning permission and the conditions attached to it.</p>			Standard

<sup>21</sup> 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

<sup>22</sup> 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.

<sup>23</sup> Delete ECoW / GCoW reporting as required.

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
17.	<p><b>Ecological Clerk of Works</b></p> <p>(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:</p> <ul style="list-style-type: none"> <li>(a) impose a duty to monitor compliance with the ecological and hydrological commitments provided in Schedule of Mitigation dated [ ], any micro-siting approved under condition [ ], the Construction and Environmental Management Plan approved under condition [ ], the Habitat Management Plan approved under condition [ ], [any species protection plans approved under condition [ ]]<sup>24</sup>, and consider and approve any micro-siting requests in accordance with the provisions of condition [ ] (“the ECoW works”);</li> <li>(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;</li> <li>(c) require the ECoW to submit a quarterly report to the Planning Authority summarising works undertaken on site; and</li> <li>(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.</li> </ul> <p>(2) The ECoW shall be appointed on the terms approved under part (1) throughout the period from pre-construction works<sup>25</sup>, 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 a suitably qualified, experienced, and independent ECoW 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.</p>	<p><b>Applicant:</b> Agreed.</p>		Standard

<sup>24</sup> Any such plans should be named.

<sup>25</sup> 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	Further Environmental Information (FEI) Submission Updates	Standard or Optional
18.	<p>(4) the ECoW shall be appointed on the terms approved under part (3) throughout the decommissioning, restoration and aftercare phases of the Development.</p> <p><b>Reason:</b> 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.</p> <p><b>Environmental Clerk of Works<sup>2627</sup></b></p> <p>(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:</p> <ul style="list-style-type: none"> <li>(a) impose a duty to monitor compliance with the environmental commitments provided in the EIA Report, any micro-siting under condition [ ], the Construction and Environmental Management Plan approved under condition [ ], the Habitat Management Plan approved under condition [ ], [any species or habitat management plans identified in the EIA Report], [and other plans approved under condition[s] ] (“the EnvCoW works”);</li> <li>(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;</li> <li>(c) require the EnvCoW to submit a monthly report to the construction project manager, developer and Planning Authority summarising works undertaken on site.</li> </ul> <p>(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.<sup>28</sup>.</p>			Standard

<sup>26</sup> 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.

<sup>27</sup> 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.

<sup>28</sup> Consider if consultees are required.

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>(3) the EnvCoW shall be appointed on the terms approved under part (2) throughout the decommissioning, restoration and aftercare phases of the Development.</p> <p><b>Reason:</b> 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</p>			
19.	<p><b>Geotechnical Clerk of Works<sup>29</sup></b></p> <p>(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:</p> <ul style="list-style-type: none"> <li>(a) impose a duty to monitor compliance with the Construction and Environmental Management Plan approved under condition [ ], the Peat Management Plan, the Peat Landslide Risk Management Plan<sup>30</sup>, and consider and approve any micro-siting requests in accordance with the provisions of condition [ ] (“the GCoW works”);</li> <li>(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</li> <li>(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</li> </ul> <p>(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.</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 a suitably qualified engineer as a GCoW by the</p>	<p><b>Applicant:</b> To be removed as no sufficient risk of peat landslide risk identified through the assessment accompanying the application – see SKII EIA Volume 3 - Technical Appendix 8.2 - Peat Slide Risk Assessment (PSRA).</p>	<p>See Appendix FEI Appendix D - Peat Slide Risk Assessment (PSRA).</p>	<p>Optional</p>

<sup>29</sup> This condition should be included in instances where there is a risk of peat landslide risk identified through the assessment accompanying the application.

<sup>30</sup> Where submitted with the application.

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>Company throughout the decommissioning, restoration and aftercare phases of the Development shall be submitted to, and approved in writing by the Planning Authority.<sup>31</sup></p> <p>(4) the GCoW shall be appointed on the terms approved under part (3) throughout the decommissioning, restoration and aftercare phases of the Development.</p> <p><b>Reason:</b> 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.</p>			
20.	<p><b>Construction and Environmental Management Plan</b></p> <p>(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.<sup>32</sup> The CEMP shall be informed by the site and ground investigation works and best practice guidance.</p> <p>(2) The CEMP shall provide:<sup>33</sup></p> <ul style="list-style-type: none"> <li>(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;</li> <li>(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;</li> </ul>	<p>Applicant: Agreed subject to proposed amendments. Tree felling is addressed via two other conditions.</p>		Standard

<sup>31</sup> Consider if consultees are required.

<sup>32</sup> 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.

<sup>33</sup> 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	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>(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;</p> <p>(d) site specific details for management and operation of any concrete batching plant (including disposal of pH-rich waste water and substances);</p> <p>(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;</p> <p>(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;</p> <p>(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;</p> <p>(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;</p> <p>(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;</p> <p>(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;</p> <p>(k) Protected Species Plan. The Plan shall be informed by [insert protected species] surveys carried out by a suitably qualified person. The surveys shall inform the mitigation measures required to protect [insert protected species] during construction of the Development. The Plan shall</p>			

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>provide mitigation measures, as required, and a timetable for implementation.</p> <p>(l) details of the construction of the access into the site, including associated drainage and the creation and maintenance of associated visibility splays;</p> <p>(m) Site-specific Construction Method Statements for the following:</p> <ul style="list-style-type: none"> <li>i. crane pads;</li> <li>ii. turbine foundations;</li> <li>iii. working cable trenches;</li> <li>iv. erection of the wind turbines and meteorological masts;</li> <li>v. Energy storage compound formation and installation of energy storage equipment;</li> <li>vi. Substation compound formation, erection of associated buildings and ancillary infrastructure;</li> <li>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;<sup>34</sup></li> </ul> <p>(n) details of post-construction restoration/reinstatement of the working areas not required during the operation of the Development;</p> <p>(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 buffers<sup>35</sup>;</p> <p>(p) a wetland ecosystems survey and mitigation plan<sup>36</sup>;</p> <p>(q) a tree felling and management plan<sup>37</sup>;</p> <p>(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</p>			

<sup>34</sup> List of infrastructure should be added to or reduced as required.

<sup>35</sup> This requirement should be applied only where appropriate in the circumstances of the case and will not be relevant to all applications.

<sup>36</sup> This requirement should be applied only where appropriate in the circumstances of the case and will not be relevant to all applications.

<sup>37</sup> 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	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>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;</p> <p>(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;</p> <p>(t) the cable trenches;</p> <p>(u) A phasing plan for the construction works; and</p> <p>(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.</p> <p>(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.</p> <p><b>Reason:</b> 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.</p>			
21.	<p><b>Borrow Pits – Scheme of Works</b></p> <p>(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.<sup>38</sup> The scheme shall provide:</p> <p>(a) a detailed working method statement based on site survey information and ground investigations;</p>	<p><b>Applicant:</b> Agreed subject to the proposed amendments. The on-site borrow pit to be used is an existing quarry utilised by</p>		Optional

<sup>38</sup> SEPA has requested to be included as standard as a consultee.

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>(b) details of the handling of any overburden (including peat, soil and rock);</p> <p>(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;</p> <p>(d) a programme of implementation of the works described in the scheme; and</p> <p>(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.<sup>39</sup></p> <p>(2) The scheme approved under part (1) shall thereafter be implemented in full following Commencement of Development.</p> <p><b>Reason:</b> 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.</p>	<p>Forestry and Land Scotland. We understand the quarry will continue to be used by FLS in future following construction of the wind farm, therefore it is not appropriate to impose restoration requirements on the applicant. It is also likely that material from the excavation works for the substation will be used as part of the Development</p>		
22.	<p><b>Borrow Pits - Blasting<sup>40</sup></b></p> <p>(1) No blasting shall take place until a scheme specifying blast monitoring locations is submitted to and approved in writing by the Planning Authority.</p> <p>(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 measurement is to be the maximum of three mutually perpendicular directions taken at the ground surface.</p> <p>(3) 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]<sup>41</sup>, with no blasting taking place on a Sunday or on a Public Holiday<sup>42</sup>.</p> <p>(4) The scheme shall be implemented as approved.</p>	<p><b>Applicant:</b> This condition not required as there are no communities in blasting disturbance proximity.</p>		Optional

<sup>39</sup> 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.

<sup>40</sup> This condition may not be required if there are no communities in blasting disturbance proximity.

<sup>41</sup> Amend the hours as required.

<sup>42</sup> 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.

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p><b>Reason:</b> To ensure that blasting activity is carried out within defined parameters and timescales to control impact on amenity.</p>			
23.	<p><b>Construction Hours</b></p> <p>(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 16.00]<sup>43</sup> on Saturdays, with no construction work taking place on a Sunday or Public Holiday<sup>44</sup>. 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.</p> <p>(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 16.00 on Saturdays]<sup>45</sup>, 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)]<sup>46</sup>.</p> <p><b>Reason:</b> In the interests of local amenity.</p>	<p><b>Applicant:</b> Agreed.</p>		Standard
24.	<p><b>Traffic Management Plan</b></p> <p>(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 <sup>47</sup>. The Traffic Management Plan shall provide<sup>48</sup>:</p> <ul style="list-style-type: none"> <li>(a) the routeing of all traffic associated with the Development on public roads;</li> <li>(b) measures to ensure that the specified routes are adhered to, including monitoring procedures;</li> </ul>	<p><b>Applicant:</b> agreed as amended.</p>	<p>In response to Transport Scotland consultee response dated 11/06/2025 and follow up call with Applicant and Consultant 9/01/2026.</p> <p>(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. The Traffic Management Plan shall provide:</p> <ul style="list-style-type: none"> <li>(a) the routeing of all traffic associated with the Development on public roads;</li> <li>(b) measures to ensure that the specified routes are adhered to, including monitoring procedures;</li> <li>(c) details of all road signage and road lining arrangements to be put in place;</li> </ul>	Standard

<sup>43</sup> 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.

<sup>44</sup> 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.

<sup>45</sup> Amend the hours as required.

<sup>46</sup> 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.

<sup>47</sup> 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.

<sup>48</sup> 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	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>(c) details of all signage and lining arrangements to be put in place;</p> <p>(d) provisions for emergency vehicle access;</p> <p>(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 Company to ensure the delivery of any post-construction public road restoration that may be required; and</p> <p>(f) identification of a nominated person to whom any road safety issues can be referred.</p> <p>(2) The approved Traffic Management Plan shall be implemented in full, unless otherwise approved in advance in writing by the Planning Authority.</p> <p><b>Reason:</b> In the interests of road safety.</p>		<p>(d) provisions for emergency vehicle access;</p> <p>(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 Company to ensure the delivery of any post-construction public road restoration that may be required;</p> <p>(f) identification of a nominated person to whom any road safety issues can be referred.</p> <p>(g) confirmation that construction aggregates shall be sourced from within the site boundary, unless otherwise agreed in writing by the Planning Authority; and</p> <p>(h) confirmation that concrete for turbine foundations shall be produced via on-site batching, such that no ready-mix concrete deliveries to or from the site are required.</p> <p>(2) The approved Traffic Management Plan shall be implemented in full, unless otherwise approved in advance in writing by the Planning Authority.</p> <p><b>Reason:</b> In the interests of road safety.”</p>	
25.	<p><b>Abnormal Loads</b></p> <p>(1) There shall be no abnormal load deliveries to the site until an Abnormal Load Route Assessment Report, [including proposed trial runs]<sup>49</sup>, 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:</p> <p>(a) Details of a communications strategy to inform the relevant communities of the programme of abnormal load deliveries;</p> <p>(b) Details of any accommodation measures required for the local road network including the removal of street furniture, junction widening, road widening including any additional new track, traffic management, and any works required along the existing access roads at North Kyle and South Kyle Wind Farms;</p> <p>(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.</p> <p>(d) Details of the route for abnormal loads on the local and trunk road networks and any recommendations for delivery of abnormal loads;</p>	<p><b>Applicant:</b> agreed subject to proposed amendments.</p>		Standard

<sup>49</sup> This wording can be removed if trial runs are not required.

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>(e) An assessment of the capacity of any bridge crossings on the route to cater for abnormal loads, and details of proposed upgrades and mitigation measures required for any bridge crossings; and</p> <p>(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.</p> <p>(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.</p> <p>(3) Prior to any movement of abnormal loads (including trial runs) the Company 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.</p> <p>(4) The trial-run shall be undertaken in accordance with the details approved under part (1) prior to the movement of any abnormal loads.</p> <p>(5) The details in the approved report shall thereafter be implemented in full prior the first delivery of an abnormal load.</p> <p><b>Reason:</b> In the interest of road safety and to ensure that abnormal loads access the site in a safe manner.</p>			
	<b>Trunk Road Mitigation Measures</b>			
26.	<p>(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 Scotland<sup>50</sup>.</p> <p>OR</p> <p>(2) No development shall commence until the detailed design and specification for the proposed [insert type of trunk road mitigation], generally as illustrated on [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</p>	<p><b>Applicant:</b> the site access does not connect to a trunk road and any impacts on any trunk roads as a result of use by HGVs or AIL are addressed and mitigated via the Traffic Management Plan and</p>		Optional

<sup>50</sup> To be utilised where the mitigation has been assessed and agreed through the application process.

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>constructed in accordance with the approved plans prior to construction of any part of the Development.<sup>51</sup></p> <p><b>Reason:</b> 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.</p>	<p>Abnormal Loads conditions above.</p>		
27.	<p><b>Habitats and Ecology</b> <b>Habitat Management and Monitoring Plan</b><sup>5253</sup></p> <p>(1) There shall be no commencement of Development until a Habitat Management Plan (HMP) taking account of the Outline Biodiversity Enhancement Restoration Plan (Technical Appendix 6.3 of the EIA Report<sup>54</sup>, has been submitted to, and approved in writing by the Planning Authority<sup>55</sup>.</p> <p>(2) The HMP 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 [insert site specific details or particular species, habitats or wetlands as appropriate] habitat on site.<sup>56</sup></p> <p>(3) The HMP shall provide provision and details for regular monitoring and review to be undertaken against the HMP objectives and reasonable measures for securing amendments or additions to the HMP in the event that the HMP objectives are not being met.<sup>57</sup></p> <p>(4) Until otherwise approved in advance in writing by the Planning Authority, the approved HMP (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.</p> <p><b>Reason:</b> In the interests of good land management and the protection of habitats.</p>	<p><b>Applicant:</b> It may also be off-site, as the site is a commercial plantation and there could well be better areas to undertake habitat management improvements on FLS land nearby.</p>		Optional

<sup>51</sup> To be used where details of the trunk road mitigation was not explicit in the application.

<sup>52</sup> 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,

<sup>53</sup> 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.

<sup>54</sup> 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.

<sup>55</sup> 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.

<sup>56</sup> 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.

<sup>57</sup> 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.

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
28.	<p><b>Water Quality and Fish Monitoring Plan<sup>58</sup></b></p> <p>(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 [        ].</p> <p>(2) The WQFMP must take account of the Marine Directorate's guidance and shall provide:</p> <ul style="list-style-type: none"> <li>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 ;</li> <li>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;</li> <li>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</li> <li>d) appropriate site specific mitigation measures including those detailed in the EIA Report.</li> </ul> <p>(3) Thereafter, the WQFMP shall be implemented in full within the timescales set out in the WQFMP.</p> <p>Reason: To ensure no deterioration of water quality and to protect fish populations within and downstream of the development area.</p>	<p><b>Applicant:</b> agreed.</p>		Optional
29.	<p><b>Bird Protection Plan<sup>59</sup></b></p> <p>(1) There shall be no Commencement of Development until a Bird Protection Plan has been submitted to and approved in writing by the Planning Authority in consultation with NatureScot<sup>60</sup>. The Bird Protection Plan shall be informed by pre-commencement bird surveys and set out measures to protect [name of bird species]<sup>61</sup> including post construction ornithology surveys at intervals to be agreed with the Planning Authority.<sup>62</sup></p>	<p><b>Applicant:</b> a planning condition not considered necessary considering the nature of the site (part of a working</p>		Standard

<sup>58</sup> 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.

<sup>59</sup> 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.

<sup>60</sup> Where requested in the consultation response from NatureScot

<sup>61</sup> Insert relevant species of bird(s).

<sup>62</sup> 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.

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>(2) Thereafter, the approved Bird Protection Plan shall be implemented in full within the timescales set out in the approved Bird Protection Plan</p> <p><b>Reason:</b> In the interests of protecting ornithological interests<sup>63</sup> through the construction, operational and decommissioning of the wind farm.</p>	<p>commercial forestry), limited bird activity identified in baseline surveys and the conclusions of the EIAR.</p>		
30.	<p><b>Forestry</b> Forestry Felling Plan<sup>64</sup></p> <p>(1) No felling shall take place<sup>65</sup> 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:</p> <ul style="list-style-type: none"> <li>(a) details of felling and restocking proposals;</li> <li>(b) details of the management measures to reduce the amount of felling required to accommodate the Development;</li> <li>(c) measures to deal with forest waste including brash in line with the UK Forestry Standard;</li> <li>(d) timelines for implementing the plan;</li> <li>(e) details setting out annual monitoring of the felled area and reporting procedures to be carried out by a qualified expert;</li> <li>(f) details of forestry management practices; and</li> <li>(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) and [insert any local woodland strategy].</li> </ul> <p>(2) The approved FFP shall be implemented in full upon Commencement of Felling.</p> <p><b>Reason:</b> to minimise and manage the effects of forestry felling required to accommodate the Development.</p>	<p><b>Applicant:</b> agreed subject to proposed amendments. The frequency of monitoring can be agreed as part of the approval of the FFP.</p>		Optional
31.	<p><b>Archaeology</b> Programme of Archaeological Works<sup>66</sup></p> <p>(1) There shall be no Commencement of Development unless an archaeological Written Scheme of Investigation (WSI) has been</p>	<p><b>Applicant:</b> Agreed subject</p>		Optional

<sup>63</sup> Insert relevant species of bird.

<sup>64</sup> 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.

<sup>65</sup> 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).

<sup>66</sup> 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	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>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.</p> <p>(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).</p> <p>(4) Should the archaeological works carried out under part (2) reveal the need for post excavation analysis 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.</p> <p><b>Reason:</b> To ensure the protection or recording of archaeological features on the site.</p>	<p>to proposed amendments.</p> <p>Paragraph (4) is amended as the wording “occupied or brought into use” do not make sense in the context of a wind farm development (as opposed to a building). Moreover, the Development is “national development” and it is not considered proportionate or necessary to preclude the bringing into operation of the Development pending post excavation analysis of archaeological works.</p>		
32.	<p><b>Peat and Carbon Rich Soils</b><sup>67</sup> Peat and Carbon Rich Soils Management Plan</p> <p>(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 (FEI Technical Appendix C of the FEI Report)]<sup>68</sup> has been submitted to and approved in writing by the Planning Authority in consultation with SEPA.</p> <p>(2) The PMP shall:</p>	<p><b>Applicant:</b> Agreed.</p>		Optional

<sup>67</sup> 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.

<sup>68</sup> 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.

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	<p>(a) take account of site and ground investigations to minimise the loss of peat and other carbon rich soil and minimise carbon loss;</p> <p>(b) include actions, including micrositing, to minimise excavated peat and other carbon rich soils volumes</p> <p>(c) encourage use of excavated peat and other carbon rich soils in an appropriate manner; and</p> <p>(d) follow good practice for handling, storing and reinstating peat and other carbon rich soils.</p> <p>(3) The Peat and Carbon Rich Soils Management Plan shall thereafter be implemented as approved upon the Commencement of Development.</p> <p><b>Reason:</b> To ensure that disruption to peat is minimised.</p>																																																																																																																																																																																							
33.	<p><b>Residential Amenity</b></p> <p>Operational Noise<sup>6970</sup></p> <p>(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 Notes<sup>71</sup> 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.</p> <p><b>Table 1 – Between 07:00 and 23:00 – Noise Limits expressed in dB LA90</b></p> <table border="1"> <thead> <tr> <th rowspan="2">Location (including coordinates)</th> <th colspan="12">Standardised wind speed at 10 meter height (m/s) within the site averaged over 10-minute periods</th> </tr> <tr> <th>1</th><th>2</th><th>3</th><th>4</th><th>5</th><th>6</th><th>7</th><th>8</th><th>9</th><th>10</th><th>11</th><th>12</th> </tr> </thead> <tbody> <tr> <td>Maneigh (254289, 609687)</td> <td>35</td><td>35</td><td>35</td><td>35</td><td>35</td><td>30</td><td>30</td><td>30</td><td>30</td><td>30</td><td>30</td><td>30</td> </tr> </tbody> </table>	Location (including coordinates)	Standardised wind speed at 10 meter height (m/s) within the site averaged over 10-minute periods												1	2	3	4	5	6	7	8	9	10	11	12	Maneigh (254289, 609687)	35	35	35	35	35	30	30	30	30	30	30	30		<p><b>Table 1 – Between 07:00 and 23:00 – Noise Limits expressed in dB LA90</b></p> <table border="1"> <thead> <tr> <th rowspan="2">Table 1 – Between</th> <th colspan="12">Wind Speed (ms<sup>-1</sup>) as standardised to 10m height</th> </tr> <tr> <th>1</th><th>2</th><th>3</th><th>4</th><th>5</th><th>6</th><th>7</th><th>8</th><th>9</th><th>10</th><th>11</th><th>12</th> </tr> </thead> <tbody> <tr> <td>NAL1 - Maneigh*</td> <td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td> </tr> <tr> <td>NAL2 – Knockenlee*</td> <td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td> </tr> <tr> <td>NAL3 - Nith Lodge</td> <td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td> </tr> <tr> <td>NAL4 – Meiklehill*</td> <td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td> </tr> <tr> <td>NAL5 – Clawfin*</td> <td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td> </tr> <tr> <td>NAL6 - Pennyvenie</td> <td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td> </tr> <tr> <td>NAL7 - Mossdale Farm</td> <td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td> </tr> <tr> <td>NAL8 - Glenmuck</td> <td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td><td>40.0</td> </tr> <tr> <td>NAL9 – Brownhill**</td> <td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td><td>45.0</td> </tr> </tbody> </table>	Table 1 – Between	Wind Speed (ms <sup>-1</sup> ) as standardised to 10m height												1	2	3	4	5	6	7	8	9	10	11	12	NAL1 - Maneigh*	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	NAL2 – Knockenlee*	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	NAL3 - Nith Lodge	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	NAL4 – Meiklehill*	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	NAL5 – Clawfin*	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	NAL6 - Pennyvenie	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	NAL7 - Mossdale Farm	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	NAL8 - Glenmuck	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	NAL9 – Brownhill**	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	Standard
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<sup>69</sup> 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.

<sup>70</sup> 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.

<sup>71</sup> 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.

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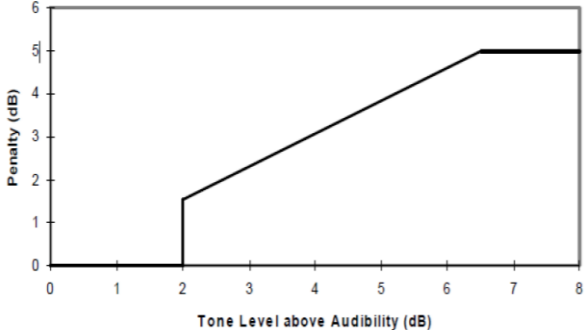
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	<p>(249404, 604217)</p> <p>Note 1 to Table 1 and 2: The noise limits detailed in this condition can be recalculated, if necessary, to consider any differences in financial involvement or turbine operation, using the same methodology adopted in Technical Appendix 10.1 of the EIA Report dated September 2024 and submitted with the application for consent. Any update to the noise limits shall be submitted to and approved in writing by, the Planning Authority. The development shall operate in accordance with the limits contained in this Condition unless the Planning Authority gives it written consent to an updated set of noise limits.</p> <p>(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.</p> <p>(3) The Company shall continuously log power production, wind speed and wind direction at each wind turbine 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.</p> <p>(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 will 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.</p> <p>(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.</p> <p>(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</p>			

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	<p>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.</p> <p>(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 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.</p> <p>(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.</p> <p>(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)</p>			

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	<p>(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.</p> <p>(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 (8) above unless the time limit has been extended in writing by the Planning Authority.</p> <p><b>Reason:</b> 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.</p> <p><b>Guidance Notes for Operational Noise Condition</b></p> <p>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.</p> <p><b>Guidance Note 1</b></p>			

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	<p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(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).</p> <p><b>Guidance Note 2</b></p> <p>(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)</p> <p>(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 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.</p> <p>(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</p>			

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>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.</p> <p><b>Guidance Note 3</b></p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(f) The tonal penalty is derived from the margin above audibility of the tone according to the figure below.</p>			

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	 <p><b>Guidance Note 4</b></p> <p>(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 protocol.</p> <p>(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.</p> <p>(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.</p> <p>(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:</p> <p>(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.</p> <p>(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:</p> $L_1 = 10 \log \left[ 10^{L_2/10} - 10^{L_3/10} \right]$ <p>(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.</p>			

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>(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 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.</p>			
34.	<p><b>Shadow Flicker</b><sup>72</sup></p> <p>(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.</p> <p>(2) The approved mitigation scheme shall be implemented in full in line with the approved scheme.</p> <p><b>Reason:</b> To offset any impacts of shadow flicker on residential property amenity.</p>	<p><b>Applicant:</b> The EIAR has identified no significant effect, without any requirement for mitigation. Per footnote, this condition is not required and should not be imposed as a precaution as acceptability of impacts has been assessed and demonstrated.</p>		Optional
35.	<p><b>Radio [and Television] Reception</b><sup>73</sup></p> <p>(1) No development shall commence unless and until a baseline Television and Radio Reception survey has been undertaken.</p> <p>(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,</p>	<p><b>Applicant:</b> Per footnote, television aspects of this condition removed as there is no clear evidence that an</p>		Optional

<sup>72</sup> 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.

<sup>73</sup> 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	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>alongside a copy of the results of the baseline survey undertaken under the terms of part (1).</p> <p>(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.</p> <p><b>Reason:</b> To ensure local radio [and television] services are sustained during the construction and operation of the Development.</p>	<p>issue could arise with television reception.</p>		
36.	<p><b>Access Management Plan</b></p> <p>(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.</p> <p>(2) The approved plan shall be implemented in full upon Commencement of Development.</p> <p><b>Reason:</b> In the interests of securing public access rights</p>	<p><b>Applicant:</b> It is a commercial forestry and the public should not be entering the site for health and safety reasons.</p>		Standard
37.	<p><b>Private Water Supplies</b><sup>74</sup></p> <p>(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.<sup>75</sup></p> <p>(2) The method statement shall set out:</p> <p>a) details of the methodology for water quality and quantity sampling for a period of 12 months prior to construction (including abstraction points);</p>	<p><b>Applicant:</b> Agreed subject to proposed amendments.</p>		Optional

<sup>74</sup> 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.

<sup>75</sup> 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	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>b) details of the methodology and programme for undertaking water quality and quantity sampling during the construction period (including abstraction points); and</p> <p>c) details of the methodology for water quality and quantity sampling for a period of 12 months post construction (including abstraction points);</p> <p>(3) The approved method statement shall thereafter be implemented in full upon the Commencement of Development.</p> <p><b>Reason:</b> To maintain a secure and adequate water supply to all properties with private water supplies that may be affected by the Development.</p>			
38.	<p><b>Aviation Safety</b></p> <p>(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:</p> <ul style="list-style-type: none"> <li>(a) the dates of the expected stages of construction of the Development;</li> <li>(b) the height above ground level of the tallest structure forming part of the Development;</li> <li>(c) the maximum height of any construction equipment; and</li> <li>(d) the position of the wind turbines and masts in latitude and longitude.</li> </ul> <p>(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).</p> <p>(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).</p> <p><b>Reason:</b> In the interests of aviation safety.</p>			Standard

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
39.	<p><b>Aviation and Other Lighting</b><sup>76</sup></p> <p>(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 Authority<sup>77</sup> in consultation with the Civil Aviation Authority<sup>78</sup>. The scheme shall provide details of aviation lighting which is to be applied.</p> <p>(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:</p> <ul style="list-style-type: none"> <li>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;</li> <li>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</li> <li>c. An assessment of whether it is technically feasible, through the regulatory framework to install an ADLS at the Development (taking into account installation and operational costs)</li> </ul> <p>(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 Defence.</p> <p>(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.</p> <p>(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.</p>	<p><b>Applicant:</b> Alternative condition proposed which reflects the commitments made in the application documents and agreed with the CAA.</p> <p>Planning Condition 39 Aviation and Other Lighting</p> <p>Aviation lighting shall be medium intensity steady red (2000 candela) lights on the nacelles of turbines T01, T04, T05, T09 and T10 with a second 2000 candela light on the nacelles of these turbines to act as alternate in the event of a failure of the main light (note that both lights should not be lit at the same time). The lighting shall be capable of being</p>		Optional

<sup>76</sup> 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.

<sup>77</sup> Consider whether this needs to be in consultation with the Ministry of Defence, the Civil Aviation Authority, and any others, e.g. airports.

<sup>78</sup> The Ministry of Defence can also be added as a consultee if required.

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>(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 [ ]<sup>79</sup> as a result of a periodic reviews.</p> <p><b>Reason:</b> In the interests of aviation safety and to minimise visual effects of the Development.</p>	<p>dimmed to 10% of peak intensity when the lowest visibility (as measured at suitable points around the wind farm by visibility measuring devices) exceeds 5 km'</p> <p>Reason: In the interests of aviation safety and to minimise visual effects of the Development</p> <p><b>Note:</b> the LVIA did not identify significant effects for night-time, so onerous to have to review the situation and potential instal ADLS to further reduce non-significant effects.</p>		
40.	<p><b>Eskdalemuir Seismic Array</b><sup>80</sup></p> <p>(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:</p> <p>(a) the as-constructed position of each turbine in eastings and northings (each to six figures); and</p>	<p><b>Applicant:</b> model condition deleted as not relevant to the Development.</p>		Optional

<sup>79</sup> Insert relevant consultee, e.g. Civil Aviation Authority or Ministry of Defence.

<sup>80</sup> 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	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>(b) the hub height and rotor diameter of each turbine (in metres).</p> <p><b>Reason:</b> To manage any impact on the Eskdalemuir Seismic Array.</p>			
41.	<p><b>Ongoing Operation and Maintenance</b> Turbine Operation</p> <p>(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.</p> <p><b>Reason:</b> In the interests of the visual amenity of the area.</p>	<p><b>Applicant:</b> Agreed.</p>		Standard
42.	<p><b>Redundant Turbines</b></p> <p>(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:</p> <p>(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</p> <p>(b) Implement the approved scheme within 12 months of the date of approval of the scheme, all to the satisfaction of the Planning Authority.</p> <p><b>Reason:</b> To ensure that any redundant wind turbine is removed from site, in the interests of safety, amenity and environmental protection.</p>	<p><b>Applicant:</b> Agreed subject to the proposed amendments. Whether or not a turbine should be removed or can be retained in the event of non-operation for 12 months or more should be a matter for the Planning Authority and it is not considered that consultation with SEPA (alone) is appropriate or necessary. Consultation with SEPA is only relevant to the content of any scheme for the removal of the redundant turbine and site restoration.</p>		Standard

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
43.	<p><b>Site Inspection Strategy</b><sup>81</sup></p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(4) The SIR shall provide:</p> <p>(a) Details to demonstrate that the infrastructure components of the Development are still operating in accordance with condition [] and condition []<sup>82</sup>; and</p> <p>(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.</p> <p>(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.</p> <p><b>Reason:</b> To ensure the Development is being monitored at regular intervals after the first 25 years of operation.</p>	<p>Applicant: agreed subject to deletion of paragraph (1) and consequential amendments as proposed.</p> <p>It is considered that paragraph (1), requiring an outline SIS, is unnecessary and serves no purpose; the requirement to implement the SIS only arises at the 25 year mark and thereafter, at which point the final SIS would be in place superseding the outline SIS. There can be no scenario in which the Outline SIS requires to be implemented. There is no point in generating a plan that will not be implemented and when site inspection strategies may fundamentally</p>		Standard

<sup>81</sup> This condition should only be included for consents of 40 years or longer.

<sup>82</sup> Insert the condition numbers relating to noise and appearance of the turbines.

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
		change in the intervening 24 year period (e.g. drones, use of 'digital twins' and the like).		
44.	<p><b>Decommissioning, Restoration and Aftercare</b> Interim Decommissioning, Restoration and Aftercare Strategy</p> <p>(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 [ ].</p> <p><b>Reason:</b> 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.</p>			Standard
45.	<p><b>Site Decommissioning, Restoration and Aftercare</b></p> <p>(1) The Development shall cease to generate electricity to the grid network by no later than the date falling 40<sup>83</sup> years from the Date of Final Commissioning.</p> <p>(2) No later than [one]<sup>84</sup> 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:</p>	<b>Applicant:</b> Agreed.		Standard

<sup>83</sup> This must be consistent with the duration granted in Annex A.

<sup>84</sup> 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	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p>(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);</p> <p>(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;</p> <p>(c) a dust management plan;</p> <p>(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;</p> <p>(e) a pollution prevention and control method statement, including arrangements for the storage and management of oil and fuel on the site;</p> <p>(f) details of measures for soil storage and management;</p> <p>(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;</p> <p>(h) details of measures for sewage disposal and treatment;</p> <p>(i) temporary site illumination;</p> <p>(j) the construction of any temporary access into the site and the creation and maintenance of associated visibility splays; and</p> <p>(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].<sup>85</sup></p> <p>(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.</p>			

<sup>85</sup> This may not be required depending on the project.

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
	<p><b>Reason:</b> 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.</p>			
46.	<p><b>Financial Guarantee</b><sup>86</sup></p> <p>(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 [ ]<sup>87</sup> and [ ] has been submitted to and approved in writing by the Planning Authority.</p> <p>(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 [ ]<sup>88</sup>.</p> <p>(3) The financial guarantee shall be maintained in favour of the Planning Authority<sup>89</sup> until the completion of all decommissioning, restoration and aftercare obligations referred to in conditions [44] and [45].</p> <p>(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 professional<sup>90</sup> not less than every five years, and at the time of the approval of the detailed decommissioning, restoration and aftercare plan approved under condition [ ]. 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 [ ] and [ ] and best practice prevailing at the time of each review.</p> <p><b>Reason:</b> 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.</p>	<p>Applicant: Agreed subject to the proposed amendments, which reflect that the some types of financial security (e.g. bond) may only be provided by a lender for a fixed period of time (e.g. 5 years) and/or an change to the value may require provision of a fresh financial security in place of the original financial security.</p>		Standard

<sup>86</sup> If this condition is applied it should not also be the subject of a planning obligation, per Circular 3/2012.

<sup>87</sup> The condition numbers referred to should be those for the Interim Decommissioning, Restoration and Aftercare Strategy and the Site Decommissioning, Restoration and Aftercare Strategy

<sup>88</sup> 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.

<sup>89</sup> The bond may be a multi-party bond. If this is the case this should be reflected in the wording of the condition.

<sup>90</sup> 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.

No.	Condition Wording	Applicant / Agent Comment or Modification	Further Environmental Information (FEI) Submission Updates	Standard or Optional
47.	See proposed condition		<p>In response to NatureScots Consultee Comments on 20<sup>th</sup> August 2025.</p> <p>Bat Condition</p> <p><i>Prior to the Final Commissioning of the Development, a post-construction Operational Bat Protection Plan (the Plan) for bat activity and mortality within the Site shall be submitted to and approved in writing by the Planning Authority in consultation with NatureScot. The Plan shall provide for:</i></p> <ul style="list-style-type: none"> <li><i>(a) monitoring period of (not less than) 3 years which includes acoustic monitoring and checking for carcasses using a method and sampling locations that will allow direct comparisons to be made with the results of surveys carried out pre-construction. The monitoring methodology should consider the guidance given in Bats and Onshore Wind Turbines: Survey, Assessment and Mitigation or other such updated guidance as may be relevant at the time.</i></li> <li><i>(b) Feathering of wind turbines to reduce rotation speed whilst turbines are in idle mode during dusk to dawn from 1st April to 31st October.</i></li> <li><i>(c) Details of any seasonal curtailment of wind turbines during the period 1 June to 31 August inclusive, setting out which wind turbines shall not operate for a period of three hours after sunset if wind speeds fall below 6 metres per second or such other parameters agreed in writing by the Planning Authority as informed by the results and recommendations of the approved Plan.</i></li> <li><i>(d) Monitoring results shall be provided to the Planning Authority and NatureScot annually during the monitoring period.</i></li> </ul> <p><i>The Plan once approved shall be implemented in full, from the date of final commissioning of the Development or such other time as is agreed in writing by Planning Authority.</i></p> <p><b>Reason:</b> <i>in the interests of protecting and monitoring bats.</i></p>	Optional – in response to NatureScot

## Definitions<sup>91</sup>

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 but excluding any Site Enabling Works.

“the Company” means Vattenfall Wind Power Ltd having its registered office at 5th Floor 70, St Mary Axe, London, United Kingdom, EC3A 8BE, Company No. 06205750], 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 [ ].<sup>92</sup>

“Planning Authority” means Dumfries and Galloway Council in respect only of that part of the Development within its administrative boundary and otherwise East Ayrshire Council.

“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 any works approved by the Planning Authority pursuant to condition [NB. insert cross reference to Site Enabling Works condition] .<sup>93</sup>

<sup>91</sup> Definitions are not limited and should reflect specific requirements in each application.

<sup>92</sup> Insert any references to Additional Information reports.

<sup>93</sup> A specific description of any enabling works should be inserted here.