

**PLANNING BOARD – 7 OCTOBER 2020**

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**Planning Board**

**Wednesday 7 October 2020 at 3pm**

**Present:** Provost Brennan (for Councillor Dorrian), Councillors Clocherty, Crowther, J McEleny, McKenzie, McVey, Moran, Murphy, Nelson, Rebecchi and Wilson.

**Chair:** Councillor Wilson presided.

**In attendance:** Head of Regeneration & Planning, Mr D Ashman (Planning Services), Mr G Leitch (Roads & Transportation), Mr J Kerr (for Head of Legal & Property Services), Ms R McGhee (Legal & Property Services) and Service Manager, Communications, Tourism and Health & Safety.

The meeting was held by video conference.

**The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Board.**

**418 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 418**

An apology for absence was intimated on behalf of Councillor Dorrian with Provost Brennan substituting.

No declarations of interest were intimated.

**419 PLANNING APPLICATION 419**

There was submitted a report by the Head of Regeneration & Planning on an application by Mr R C Baxter for discharge of the planning obligation associated with planning permission IC/03/409 that restricts the occupancy of the two dwellinghouses to persons employed in agriculture in the locality at North and South Hatrick Cottages, Craigbet Road, Quarriers Village (20/0002/MP).

The meeting adjourned at 3.05pm as the result of connectivity issues and reconvened at 3.16pm.

**Decided:** that the Section 75 Agreement in respect of the occupancy of North and South Hatrick Cottages, Craigbet Road, Quarriers Village be discharged.

**420 NOTIFICATION OF APPLICATION MADE TO THE SCOTTISH MINISTERS UNDER SECTION 37 OF THE ELECTRICITY ACT 1989 420**

There was submitted a report by the Head of Regeneration & Planning on the notification of an application made to the Scottish Ministers by Scottish Power Energy Networks under Section 37 of the Electricity Act 1989 for the installation of a 132kV overhead line between Erskine Substation and Devol Moor Substation at Devol Moor, Kilmacolm (20/001/EAA).

**Decided:** that the response to the Scottish Ministers be that the Council does not object to the proposed overhead line and recommends that the Scottish Ministers attach the following conditions to any deemed planning permission that may be granted:-

(1) that the development shall be undertaken in accordance with the application

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submission and the Environmental Impact Assessment Report (June 2020), to ensure the development is carried out in accordance with the approved details;

(2) that development shall not commence until the planning authority has approved in writing the terms of appointment by the applicant of an independent and suitably qualified environmental consultant to assist the planning authority in monitoring compliance with the terms of the deemed planning permission and conditions attached to this consent (“PMO”). The terms of appointment shall:

- a. Impose a duty to monitor compliance with the terms of the deemed planning permission and conditions attached to this consent;
- b. Require the PMO to submit a report to the planning authority summarising works undertaken on site, within a timescale agreed with the planning authority; and
- c. Require the PMO to report to the planning authority any incidences of non-compliance;

to ensure the effective monitoring of any conditions.

(3) that development shall not commence unless the planning authority has approved in writing the terms of appointment of an independent Ecological Clerk of Works (ECoW). The terms of appointment shall require the ECoW to:

- a. provide training to the applicant and their contractors on their responsibilities to ensure that work is carried out in strict accordance with environmental protection requirements;
- b. advise the applicant on adequate protection for environmental and nature conservation interests within, and adjacent to, the application site;
- c. direct the placement of the development, including any micro-siting and the avoidance of sensitive features;
- d. monitor and support compliance with all environmental and nature conservation mitigation requirements and working practices required by this consent, including those required by the CEMP (“the ECoW Works”);
- e. report to and submit a monthly written report to the applicant’s nominated construction project manager and to the planning authority;
- f. report to the applicant’s nominated construction project manager and the planning authority any incidences of non-compliance with the ECoW Works at the earliest practical opportunity;
- g. have the authority to direct a halt to development on site where environmental considerations warrant such action.

The ECoW shall be appointed on the approved terms throughout the period from commencement of development, throughout any period of construction activity and during any period of post-construction reinstatement works, to secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the development;

(4) that development shall not commence unless a Construction Environmental Management Plan (“CEMP”) has been submitted to and approved in writing by the planning authority in consultation with SNH and SEPA. The CEMP shall provide site-specific details of all on-site construction works, post-construction reinstatement, drainage and mitigation, together with details of their timetabling, to ensure that all construction operations are carried out in a manner that minimises their impact on air, land, water and local ecological interests, and that the mitigation measures contained in the environmental statement accompanying the application, or as otherwise agreed, are fully implemented;

(5) that development shall not commence until the applicant submits to the planning authority proposals for line markers for the purpose of bird diversion between poles 128 and 148. The proposals shall identify the nature and exact location of the line markers

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to be used. Development shall not commence until the planning authority, in consultation with SNH, has given its approval in writing to the proposals. The line markers shall thereafter be installed in accordance with the approved proposals and shall be regularly inspected and maintained for the lifetime of the development, unless otherwise agreed in writing with the planning authority. Line markers shall be inspected and maintained each year and shall only take place in September each year, in order to mitigate the potential for bird strikes resulting from installation of the overhead line;

(6) that within 12 months of the completion of construction of the development all temporary access tracks, the construction compound at Devol Moor Substation and associated temporary infrastructure shall be completely removed and the ground reinstated, to ensure that all temporary works are removed in a timely manner and the ground properly reinstated; and

(7) that within 24 months of the completion of the development the steel towers of the existing overhead line shall be completely removed and the ground reinstated in accordance with the Environmental Impact Assessment detailing, to ensure the existing steel towers do not remain in position.