

PLANNING BOARD – 5 JANUARY 2022

Planning Board

Wednesday 5 January 2022 at 3pm

Present: Councillors Clocherty, Crowther, Dorrian, J McEleny, McKenzie, McVey, Moran, Nelson, Rebecchi and Wilson.

Chair: Councillor Wilson presided.

In attendance: Interim Director Environment & Regeneration, Mr D Ashman, Mr J McColl and Mr S McDaid (Planning Services), Mr G Leitch and Ms E Provan (Roads and Transportation), Mr J Kerr (for Interim Head of Legal & Democratic Services), Mr C MacDonald and Ms L Carrick (Legal & Democratic Services), Service Manager, Communications, Tourism and Health & Safety and Mr P Coulter (Corporate Communications).

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.

1 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST

1

An apology for absence was intimated on behalf of Councillor Murphy.

Councillor McVey declared an interest in Agenda Item 2(a) (Proposed mixed-use development comprising residential, industrial/business use, retail & leisure use and park & ride with associated roads infrastructure, access, open space, landscaping and drainage at land at Former IBM Site Spango Valley, Inverkip Road, Greenock (20/0021/IC)).

2 PLANNING APPLICATIONS

2

- (a) Proposed mixed-use development comprising residential, industrial/business use, retail & leisure use and park & ride with associated roads infrastructure, access, open space, landscaping and drainage:
Land at Former IBM site, Spango Valley, Inverkip Road, Greenock (20/0021/IC)**

There was submitted a report by the Interim Director Environment & Regeneration on an application for planning permission by Advance Construction (GD) Ltd for a proposed mixed-use development comprising residential, industrial/business use, retail & leisure use and park & ride with associated roads infrastructure, access, open space, landscaping and drainage at land at Former IBM Site, Spango Valley, Inverkip Road, Greenock (20/0021/IC).

Councillor McVey declared a non-financial interest in this matter due to an on-going business relationship with the applicant unrelated to Agenda Item 2(a) and left the meeting during consideration of this item of business.

After discussion, Councillor Nelson moved that consideration of the application be continued for a site visit and members' briefing to be arranged by the Interim Head of Legal & Democratic Services in consultation with the Chair.

As an amendment, Councillor Clocherty moved that planning permission be granted subject to the conditions detailed in the report.

Following a roll call vote, 4 Members, Councillors Clocherty, Dorrian, McKenzie and

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Rebecchi voted in favour of the amendment and 5 Members, Crowther, J McEleny, Moran, Nelson and Wilson voted in favour of the motion which was declared carried.

Decided: that consideration of the application be continued for a site visit and members' briefing to be arranged by the Interim Head of Legal & Democratic Services in consultation with the Chair.

Councillor McVey rejoined the meeting at this juncture.

- (b) **Mixed use development: up to 650 residential dwellings; neighbourhood centre incorporating retail, commercial and employment uses; erection of building for leisure related uses; erection of building to accommodate community facility uses; formation of roundabout on A78 and alterations to Brueacre junction; formation of landscaping, open space, play areas and recreational areas, with associated infrastructure, footpaths and access (major) (planning permission in principle):
Former Inverkip Power Station Site, Shore Road, Inverkip (20/0316/IC)**

There was submitted a report by the Development Management Team Leader on an application for planning permission by Scottish Power Generation (Assets) Ltd. for a mixed use development: up to 650 residential dwellings; neighbourhood centre incorporating retail, commercial and employment uses; erection of building for leisure related uses; erection of building to accommodate community facility uses; formation of roundabout on A78 and alterations to Brueacre junction; formation of landscaping, open space, play areas and recreational areas, with associated infrastructure, footpaths and access (major) (planning permission in principle) at the Former Inverkip Power Station Site, Shore Road, Inverkip (20/0316/IC).

The Development Management Team Leader advised the Board of typographical errors in the report and, accordingly, at condition 13 the reference to "condition 8" should read "condition 10", at condition 14 the reference to "condition 8a" should read "condition 10a", at condition 28 the reference to "off-slip" should read "on-slip" and at condition 48 the reference to "condition 44" should read "condition 47".

After discussion, Councillor Clocherty moved that planning permission be granted subject to the conditions detailed in the report, as corrected.

As an amendment, Councillor Nelson moved that planning permission be continued for a site visit to be arranged by the Interim Head of Legal & Democratic Services in consultation with the Chair.

Following a roll call vote 5 Members, Councillors Clocherty, McKenzie, McVey, Moran and Wilson, voted in favour of the motion and 5 Members, Councillors Crowther, Dorrian, J McEleny, Nelson and Rebecchi voted in favour of the amendment. There being equality in voting, the Chair exercised his casting vote in favour of the motion which was declared carried.

Decided: that planning permission be granted subject to the following conditions:-

(1) that plans and particulars of the matters listed below shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations as directed under section 59(5) of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of the planning authority has been given, and the development shall be carried out in accordance with that approval, to ensure that the matters referred to are given full consideration and to accord with section 59(5) of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006;

(2) that prior to the commencement of any works on site, further application(s) for the approval of matters specified by condition 1 shall be submitted to the Planning Authority in respect of the phasing for the entire application site including a detailed programme

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of works showing the relevant phases and timescales for the development of each phase, and the inter-relationship of the phases, to ensure an appropriate programme for delivery of the various elements of the development;

Thereafter, development shall proceed in accordance with the approved form unless otherwise approved by the Planning Authority.

(3) that as soon as possible after each of the phases of the development approved under condition 2 above is completed (except for the last or final phase, for which notice shall be given under section 27B(1) of the Town and Country Planning (Scotland) Act 1997) the person who has completed any phase shall give written notice of the completion of that phase to the Planning Authority, to accord with section 27B(2) of the 1997 Act, as amended by the Planning etc (Scotland) Act 2006;

(4) that details of the proposed layout for each phase of the development are required to accord with condition 1 above. These shall be shown on a plan at a scale of 1:500 showing the position of all buildings, roads, means of access, footpaths, cycle routes, parking areas (distinguishing, where appropriate, between private and public spaces), and vehicular turning areas. The details shall allow for the following:

(i) parking (including garages if not less than 3.0 metres by 7.0 metres in size) to be provided in accordance with the National Guidelines of one parking space for a 1-bedroom house, 2 parking spaces for a 2- or 3-bedroom house, and 3 parking spaces for a 4-bedroom house;

(ii) visitor parking shall be at a standard of 0.25 space per house;

(iii) the minimum dimensions of driveways shall be 3 metres wide by 5.5 metres long for each vehicle, they should be paved for a minimum distance of 2.0m to prevent loose driveway material being spilled onto the road per and the driveway gradients shall not exceed 10%;

(iv) any visitor parking spaces shall be a minimum of 2.5 metres by 5.0 metres in size;

(v) the parking standards for the other potential uses in the development shall be provided in accordance with the National Roads Development Guide for cars, cycles, motor cycles and disabled users;

(vi) all roads within the site shall be a minimum of 5.5 metres wide;

(vii) all footways within the site shall be a minimum of 2.0 metres wide;

(viii) all roads shall have a gradient of 8% or less; and

(ix) the cycle routes shall include a 2m wide footway and 2m wide cycleway and shall link to the National Cycle Network.

To ensure a precise and acceptable form of development in the interests of future occupants, the proper functioning of the development, and the appearance of the locality;

(5) that details are required to accord with condition 1 above in respect of the proposed local centre with village square, community facility and boating community facility as identified on the Illustrative Masterplan Drawing 03 Rev D as numbers 11, 13 and 14. The submitted details shall include the phasing of the works as well as the proposed floor plans and elevations of these buildings and facilities including dimensions and type and colour of all external materials. For the avoidance of doubt the proposed retail floor space in the local centre shall not exceed 1,000 square metres, to ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality and to accord with Schedule 7 of the adopted Inverclyde Local Development Plan and Schedule 6 of the proposed Inverclyde Local Development Plan;

(6) that details are required to accord with condition 1 above in respect of the proposed neighbourhood equipped play area with parking as identified on the Illustrative Masterplan Drawing 03 Rev D as number 12. The submitted details shall include:

a. details of the type and location of play equipment, seating and litter bins to be situated within the play area(s);

b. details of the surface treatment of the play area(s), including the location and type

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of safety surfaces to be installed;

- c. details of fences to be erected around the play area(s);
- d. details of the proposed parking;
- e. details of the phasing of these works; and
- f. details of the future maintenance of the play area(s).

To ensure the provision of a neighbourhood play area and acceptable form of development in the interests of future occupants and the appearance of the locality;

(7) that the proposed floor plans and elevations of all buildings in each phase of the development are required to accord with condition 1 above, including dimensions and type and colour of all external materials, to ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality;

(8) that details are required to accord with condition 1 above of the type and colour of all hard surfacing materials for each phase of the development, to ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality;

(9) that details are required to accord with condition 1 above of the proposed ground levels for each phase of the development and proposed finished floor levels, in relation to a fixed datum point. The details shall include existing ground levels taken from the same fixed datum point, to ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality;

(10) that details are required to accord with condition 1 above in respect of the detailed landscape strategy for each phase of the development paying particular attention to the following:

- a. a scheme of landscaping and open space provision, detailing all existing landscape features and vegetation to be retained as well as trees to be felled (to be accompanied by a tree condition survey);
- b. the locations of new trees, shrubs, hedges, grassed areas and water features;
- c. a schedule of trees and plants including species, plant sizes and proposed numbers and density;
- d. the layout, design and materials of all hard landscaping works;
- e. other structures such as street furniture and play equipment;
- f. proposed levels;
- g. the extent and distribution of public open space within the development;
- h. details of the phasing of these works;
- i. a detailed programme for the completion and subsequent maintenance of the proposed landscaping.

Thereafter development shall proceed in accordance with the approved form unless otherwise agreed by the Planning Authority; to ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality;

(11) that notwithstanding the terms of condition 10 above details are required to accord with condition 1 above in respect of the proposed linear park along the Firth of Clyde boundary as identified as number 24 on the illustrative Masterplan Drawing 03 Rev D. The submitted details shall include:

- a. the locations of new trees, shrubs, hedges, grassed areas and water features;
- b. a schedule of trees and plants including species, plant sizes and proposed numbers and density;
- c. the layout, design and materials of all hard landscaping works;
- d. other structures such as street furniture and play equipment;
- e. proposed levels;
- f. details of the phasing of these works and to allow for completion early in the development of the overall site;

a detailed programme for the completion and subsequent maintenance of the proposed linear park

To ensure a precise and acceptable form of development in the interests of future

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occupants and the appearance of the locality;

(12) that notwithstanding the terms of condition 4 above details are required to accord with condition 1 above in respect of the proposed footpath and cycle network through the wooded areas as identified on the Illustrative Masterplan Drawing 03 Rev D. The submitted details shall include: the proposed routes and their widths; proposed surfacing materials; gradients; connection to the surrounding pedestrian network offering travel to Inverkip, Wemyss Bay and beyond; phasing of the works; and future maintenance, to ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality;

(13) that for the avoidance of doubt any of the trees, areas of grass or planted shrubs approved as part of the landscaping scheme under condition 10 that die, become diseased, are damaged or removed within 5 years of planting shall be replaced with others of a similar size and species within the following planting season, to ensure the retention of the landscaping scheme;

(14) that following approval of the matters referred to in condition 10a above, development shall not commence or continue on each phase of the development until the trees to be retained have been protected by suitable fencing. Fencing shall be erected under at least the full extent of the canopy of broadleaf trees and at half the height of conifer trees as set out in BS5837/2012. Development shall not commence until details of the location and type of fencing have been submitted to and approved in writing by the planning authority, to ensure the retention of and avoidance of damage to trees during development;

(15) that all domestic garden dimensions, open space, play provision within the development shall accord with the requirements of the Council's adopted Planning Application Advice Note 3 on "Public and Private Open space within New Residential Development" or any successive draft or adopted replacement document, to ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality;

(16) that details are required to accord with condition 1 above in respect of a scheme for the provision of equipped play area(s) for each phase of the residential development. The scheme shall include:-

- a. details of the type and location of play equipment, seating and litter bins to be situated within the play area(s);
- b. details of the surface treatment of the play area(s), including the location and type of safety surfaces to be installed;
- c. details of fences to be erected around the play area(s);
- d. details of the phasing of these works; and
- e. details of the future maintenance of the play area(s)

Thereafter, development shall proceed in accordance with the approved form unless otherwise agreed by the Planning Authority, to ensure the provision of play areas and acceptable form of development in the interests of future occupants and the appearance of the locality;

(17) that details are required to accord with condition 1 above of all walls (including any retaining walls) and fences to be erected on the site for each phase of the development, to ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality;

(18) that details are required to accord with condition 1 above of details of electric vehicle charging provision to be installed for each phase of the development. Following approval the electric vehicle charging shall be installed as approved prior to the first use/occupation of each of the buildings. Provision shall be made on the basis of:

- a. One trickle charging point per dwelling;
- b. 20% of available parking spaces fitted with trickle charging points for flats/apartments;
- c. 5% of available parking spaces for individual commercial developments;
- d. For other types of development 3% of available parking spaces are required to be

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fitted with trickle charging points and 2% of available parking spaces fitted with fast charging points.

To ensure appropriate electric vehicle charging provision;

(19) that the buildings within each phase of the development shall be designed to ensure that at least 15%, rising to 20% by the end of 2022, of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. Development shall not commence until details of the low and zero carbon generating technologies for each building in each phase of the development have been submitted to and approved in writing by the Planning Authority. Following approval the low and zero carbon generating technologies shall be installed as approved prior to the first use/occupation of each of the buildings, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009;

(20) that for the avoidance of doubt a minimum 5% of the dwellinghouses to be constructed on site in each phase shall be fully wheelchair accessible, to ensure provision of wheelchair accessible housing in accordance with Policy 21 of the proposed 2021 Inverclyde Local Development Plan;

(21) that for the avoidance of doubt the development platform for the site shall set in accordance with Section 5.2 of the Flood Risk Assessment (5.0m Above Ordnance Datum) and the Finished Floor Level (FFL) of all properties/buildings within each phase of the development shall be set at a minimum of 600m above this level, in the interests of flood control for the site and the locality;

(22) that details are required to accord with condition 1 above of details relating to the de-culverting of the Brueacre Burn. The new channel of the Brueacre Burn shall be sized in accordance with Section 7 of the Flood Risk Assessment and geomorphological modelling is undertaken to inform the design of the new channel of the Brueacre Burn. Works shall then proceed as approved unless otherwise agreed by the Planning Authority, in the interests of flood control for the site and the locality;

(23) that any site/vegetation clearance work shall be undertaken outwith the bird breeding season (March to August inclusive) unless otherwise agreed in advance in writing by the Planning Authority. Any request to carry out site clearance works during the bird breeding season shall be accompanied with a pre-construction bird breeding survey, to ensure the appropriate protection of breeding birds;

(24) that details are required to accord with condition 1 above of details of the new access roundabout to be constructed on the A78(T) as identified on the illustrative Masterplan Drawing 03 Rev D and Stantec Drawing No.42018/2001/SK127, to ensure a precise and acceptable form of development in the interests of future occupants and the proper functioning of the development;

(25) that construction of any part of the development hereby permitted shall not commence until the new access roundabout with the A78(T), generally as illustrated on Stantec Drawing No.42018/2001/SK127, has been constructed to the satisfaction of the Planning Authority, after consultation with Transport Scotland, to ensure that the design layout complies with the current standards, and that the safety and free flow of traffic on the trunk road is not diminished;

(26) that construction of any part of the development hereby permitted shall not commence until a Construction Traffic Management Plan (CTMP) has been submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland. Thereafter, all construction traffic associated with the development shall conform to the requirements of the agreed Plan. In particular, the CTMP shall identify measures to restrict the use of the new site access roundabout on the A 78(T) to construction traffic only, for the period prior to it being upgraded to traffic signal control, to mitigate the adverse impact of construction traffic on the safe and efficient operation of the trunk road network;

(27) that no more than 200 residential units shall be occupied until the new access

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roundabout with the A78(T) has been upgraded to traffic signal control, generally as illustrated on Stantec Drawing No. 42018/2001/SK128, to the satisfaction of the Planning Authority, after consultation with Transport Scotland, to ensure that the scale and operation of the proposed development does not adversely affect the safe and efficient operation of the trunk road network;

(28) that no more than 200 residential units shall be occupied until the A78(T) northbound on-slip has been blocked off, generally as illustrated on Stantec Drawing No. 42018/2001/SK128, to the satisfaction of the Planning Authority, after consultation with Transport Scotland, to ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality, to ensure that the scale and operation of the proposed development does not adversely affect the safe and efficient operation of the trunk road network;

(29) that no part of the development hereby permitted shall be occupied until the junctions of Main Street (North) and Harbourside (Kip Marina) with the A78(T) have been upgraded to traffic signal control, generally as illustrated on Stantec Drawing No. 42018/2001/SK129, to the satisfaction of the Planning Authority, after consultation with Transport Scotland, to ensure that the design layout complies with the current standards, and that the safety and free flow of traffic on the trunk road is not diminished;

(30) that prior to occupation of any part of the development hereby permitted, a new footway/cycleway along the west side of the A78(T), generally as illustrated on Stantec Drawings No. 45459-5508-100 and 45459-5508-101, shall be constructed to the satisfaction of the Planning Authority, after consultation with Transport Scotland, to ensure that facilities are provided for the pedestrians that are generated by the development and that they may access the existing footpath system without interfering with the safety and free flow of traffic on the trunk road;

(31) that the details submitted for each phase of the development shall be accompanied with an updated Transport Assessment identifying trip generations and junction analysis, in the interests of roads safety and to ensure the proper functioning of the development;

(32) that no dwellinghouse or flat shall be occupied until the contents of a Travel Information Pack which encourages reduced dependency on the private car by highlighting the location of local amenities, public transport services and active travel routes is submitted to and approved in writing by the Planning Authority. Thereafter, on the occupation of each dwelling, the approved Travel Information Pack shall be provided to new residents. The Travel Information Pack shall be updated by the applicant/developer as deemed necessary by the Planning Authority to take account of the progression of the development, in the interests of sustainable modes of transport;

(33) that no dwellinghouse or flat shall be occupied until full details of the shuttle bus service for residents between the development and Inverkip Train Station have been submitted to and approved by the Planning Authority. The details to be submitted shall include the duration and frequency of service, the intended route, collection and drop-off points and the operator of the service, to ensure access to sustainable transport modes;

(34) that details are required to accord with condition 1 above of surface water management and Sustainable Drainage Systems proposals for each phase of the development. For the avoidance of doubt the drainage scheme must comply with the principles of Sustainable Drainage Systems (SuDS) as set out in CIRIA SuDS Manual (C753) and the discharge rate shall be attenuated to predevelopment greenfield run-off rates, in the interests of the avoidance of flooding affecting the development hereby permitted or surrounding lands and properties;

(35) that details are required to accord with condition 1 above of the details and design of the foul drainage system for each phase of the development. The details and design shall be accompanied with an updated Drainage Impact Assessment, in the interests of the avoidance of flooding affecting the development hereby permitted or

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surrounding lands and properties;

(36) that prior to the commencement of works on any phase of the development, confirmation that all the requirements of Scottish Water can be fully met, including confirmation of Scottish Water's acceptance of the foul and surface water drainage proposals, shall be submitted to and approved in writing by the Planning Authority, to ensure Scottish Water's acceptance of the drainage regime for the application site and in the interests of the provision of a satisfactory drainage regime;

(37) that at the same time as the submission of the details to accord with condition 1 an updated flood risk assessment shall be submitted which takes account of the detailed layout and design proposals for each phase of the development. For the avoidance of doubt the recommendations set out within the "recommendations and conclusions" section of the Flood Risk Assessment shall be incorporated into the detailed layout and design proposals, in the interests of the avoidance of flooding affecting the development hereby permitted or surrounding lands and properties;

(38) that further investigation of the unnamed watercourse at the northern end of the site shall be submitted to identify if any mitigation measures are required to prevent flood risk and what impact these may have on the drainage strategy for the site. The investigation report shall be submitted at the same time as the submission of the details to accord with condition 1 above, in the interests of the avoidance of flooding affecting the development hereby permitted or surrounding lands and properties;

(39) that further investigation into ground water flooding shall be carried out to determine any impact on the drainage strategy and detail any mitigation measures required. The investigation report shall be submitted at the same time as the submission of the details to accord with condition 1 above, in the interests of the avoidance of flooding affecting the development hereby permitted or surrounding lands and properties;

(40) that an updated report relating to the existing seawall shall be undertaken to ensure both seawall and rock armour revetment are in acceptable condition. The report shall be submitted for the approval in writing by the Planning Authority prior to any development commencing on site, in the interests of the avoidance of flooding affecting the development hereby permitted;

(41) that prior to the commencement of any development on site the maintenance responsibilities for the de-culverted Brueacre Burn shall be submitted for the approval in writing by the Planning Authority, in the interests of a proper maintenance regime and the avoidance of flooding affecting the development hereby permitted;

(42) that development shall not commence on any phase of the development until details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt this shall contain a methodology and treatment statement where any is found. Development shall not proceed until appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority prior to implementation, to help arrest the spread of Japanese Knotweed in the interests of environmental protection;

(43) that development shall not commence on any phase of the development until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme with timescale for implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation, to satisfactorily address potential contamination issues in the interests of human health and environmental safety;

(44) that before any building in the development hereby approved is occupied the

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applicant shall submit a report for approval, in writing by the Planning Authority, confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of all materials imported onto the site as fill or landscaping material. The details of such materials shall include information of the material source, volume, intended use and chemical quality with plans delineating placement and thickness, to ensure contamination is not imported to the site and confirm successful completion of remediation measures in the interest of human health and environmental safety;

(45) that the presence of any previously unrecorded contamination or variation to anticipated ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority and the Remediation Scheme shall not be implemented unless it has been submitted to and approved in writing by the Planning Authority, to ensure that all contamination issues are recorded and dealt with appropriately;

(46) that prior to the commencement of works on any phase of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Planning Authority. The CEMP shall include:

- a. a site specific CEMP outlining the details of all construction works and mitigation to be undertaken in relation to that phase together with an indicative timetable of the activities;
- b. a site waste management plan (dealing with all aspects of waste produced during the construction period), including details of contingency planning in the event of accidental release of materials which could cause harm to the environment;
- c. details of the formation of the construction compound, welfare facilities, turning areas, internal access tracks, car parking, material stockpiles, oil storage, lighting columns, and any construction compound boundary fencing;
- d. a dust management plan;
- e. a pollution prevention and control method statement, including arrangements for the storage of oil and fuel on the site;
- f. soil storage and management;
- g. management to prevent to the spread of invasive species;
- h. a water management plan to include a drainage management strategy, demonstrating how all surface and waste water arising during construction activities will be managed and prevented from polluting any watercourses or sources;
- i. sewage disposal and treatment;
- j. temporary site illumination;
- k. the construction of the access into the relevant area within the site and the creation and maintenance of associated visibility splays;
- l. details of any required ecological, ornithological and nature conservation mitigation measures including a toolbox talk for protected species to ensure all personnel are aware of what to do should evidence of species be discovered during construction;
- m. hours of operation on site;
- n. post-construction restoration/ reinstatement of the working areas not required during the operation of the relevant phase, including construction access tracks, construction compound, storage areas, laydown areas, access tracks, passing places and other construction areas.

The CEMP for each phase of the development shall thereafter be implemented on site as approved unless otherwise first agreed in advance in writing with the Planning Authority, 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 accompanying the application, or as otherwise

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agreed, are fully implemented;

(47) that no works shall commence on any phase of the development until an independent and suitably qualified Ecological Clerk of Works (ECoW) has been appointed by the developer(s), at their expense, to oversee the implementation the development and Construction Environmental Management Plan (CEMP). Full details of the ECoW (including name, qualifications and contact details) appointed shall be submitted in writing not less than 14 days before development commences to the Planning Authority, to secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the development;

(48) that prior to appointing the ECoW in accordance with Condition 47 above a 'scope of works' for that person shall be submitted to and approved in writing by the Planning Authority. The Scope of Works shall specify the stages of the process that the ECoW will be present on site for and how regularly they will otherwise inspect the site. All works shall be carried out in accordance with the agreed scope of works unless otherwise agreed by the Planning Authority, to secure a suitable scope and works and appropriate access for the ECoW in the interests of the effective monitoring of and compliance with the environmental mitigation and management measures associated with the development;

(49) that no works shall commence on any phase of the development until a Woodland Management Plan has been submitted to and approved by the Planning Authority in consultation with NatureScot, to ensure that an up-to-date position is known in the interests of the appropriate protection of ecology;

(50) that no works shall commence on any phase of the development until a Marine Mammal Risk Assessment has been submitted to and approved by the Planning Authority in consultation with NatureScot, to ensure that the up-to-date position is known in the interests of the appropriate protection of ecology;

(51) that prior to the commencement of works on any phase of the development, a pre-construction survey for all European Protected species together with all priority Local Biodiversity Action Plan species shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, the survey shall set out appropriate mitigation or include a species protection plan where required. The updated standing advice notes for protected species produced by NatureScot including advice on survey shelf life should be referred to, to ensure that the up-to-date position is known and to ensure the appropriate protection of European Protected species and other wildlife;

(52) that prior to the commencement of works on any phase of the development, a pre-construction badger survey shall be submitted to and approved in writing by the Planning Authority in consultation with NatureScot. For the avoidance of doubt, the survey shall set out appropriate mitigation or include a species protection plan where required. The updated standing advice notes for protected species produced by NatureScot including advice on survey shelf life should be referred to, to ensure that the up-to-date position is known and to ensure the appropriate protection of badgers.