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|  | <h1>Report</h1> | Agenda Item <h2>9</h2> |
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Report to: **Planning Committee**
 Date of Meeting: **28 April 2009**
 Report by: **Executive Director (Enterprise Resources)**

Application No CR/08/0287
 Planning Proposal: Ground Re-Profiling/Re-Engineering Operations; Removal of Previously Tipped Demolition Material for Use in the Construction of the M74 Northern Extension

1 Summary Application Information

- Application Type : Mineral Application
- Applicant : Interlink M74 JV
- Location : Clydebridge Works, Cambuslang

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Detailed Planning Permission – (Subject to conditions – Based on Conditions Listed)

2.2 Other Actions/Notes

The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: Balfour Beatty Civil Engineering Ltd
- ◆ Council Area/Ward: 13 Cambuslang West
- ◆ Policy Reference(s): **South Lanarkshire Minerals Local Plan (Adopted 2002)**
 Minerals Policy 1 (MP1) "General Protection of the Environment".
 Minerals Policy 5 (MP5) "Visual Intrusion and Landscape Impact".
 Minerals Policy 7 (MP7) "Watercourses, Surface and Groundwater".
 Minerals Policy 11 (MP11) "Buffer Zones".
 Minerals Policy 12 (MP12) "Impact on Communities".
 Minerals Policy 13 (MP13) "Benefits from Mineral Workings".
 Minerals Policy 15 (MP15) "Concentration of Mineral Workings".
 Minerals Policy 18 (MP18) "Transportation of Minerals".

Minerals Policy 19 (MP19) "Restoration and Aftercare Provision".

Minerals Policy 21 (MP21) "Suitability of After-use Schemes".

Minerals Policy 22 (MP22) "Bing Reclamation".

Minerals Policy 23 (MP23) "Mineral Conservation and Aggregate Recycling".

Minerals Policy 30 (MP30) "Protection of Landscape Features".

Minerals Policy 32 (MP32) "Noise Survey and Limits".

Minerals Policy 33 (MP33) "Dust Assessment Study".

South Lanarkshire Local Plan (Adopted 2009)

Policy ECON1 – Industrial Land Use

Policy ENV2 – Green Network

Policy TRA7 - New Roads Infrastructure

Policy DM1 – Development Management

National Policy/Advice

SPP1 – The Planning System

SPP 4 – Planning for Minerals

PAN 33 – Development of Contaminated Land

PAN 50 – Controlling the Effects of Surface

Mineral Workings

PAN 64 – Reclamation of Surface Mineral Workings

◆ Representation(s):

| | | |
|---|---|-------------------|
| ▶ | 0 | Objection Letters |
| ▶ | 0 | Support Letters |
| ▶ | 0 | Comments Letters |

◆ Consultation(s):

Cambuslang Community Council

Environmental Services

Glasgow City Council

S.E.P.A.

Roads and Transportation Services

Scottish Natural Heritage

Planning Application Report

1 Application Site

- 1.1 The application site is located to the east of the Farme Castle Estate, north of the railway line and to the south of the River Clyde. The site was formerly used as a tip and was last operated in the 90's. The remaining bing is in close proximity to the route for the new M74 Northern extension. This is immediately to the east of the site.
- 1.2 The site extends to approximately 6 hectares and access to the site is presently off Ballochmill Road. The bing itself is grassed over with trees and shrubs largely along its northern slopes. It is approximately 50 metres in height above the surrounding ground and was formed from the waste materials of the former Clyde Steelworks.

2 Proposal(s)

- 2.1 This detailed minerals planning application forms part of the works required by the applicant in order to complete the new M74 Northern extension. This extension runs from the existing M74 at Fullarton to join with the M8 near the Kingston Bridge. As part of the works more than 2 million tonnes of fill materials are required.
- 2.2 The applicant is seeking to extract approximately 500,000m³ of material from the bing to largely form embankments for the new road link. The advantages of taking the material from this bund will mean a greatly reduced impact of construction traffic on public roads (given the locational advantages of the application site to the new road link) as well as minimising the use of virgin aggregate.
- 2.3 An extensive site investigation exercise involving both boreholes and trial pits has been carried out to test the site's suitability. However the applicant notes that subject to approval of this application a further programme of testing needs to be carried out to meet SEPA's requirements. The applicant has been in consultation with SEPA to agree this programme and the applicant has acknowledged that should any unsuitable material be uncovered on the site that this would be left in-situ or moved to another part of the site in order to gain access to the material below, if it proved suitable.
- 2.4 There would be 5 operators based within the site and the hours of operation will be 06.30 to 19.30 Monday to Saturday and 06.30 to 14.00 on Sunday. It is anticipated that the works will be completed within a period of 18 months. Upon completion the site will be graded and hydra-seeded to promote grass growth.
- 2.5 In support of the minerals application the applicant has submitted an Ecological Assessment Report by JE Jacobs and Atkins.

3 Background

3.1 Government Advice/Guidance

SPP1 (The Planning System) provides policy advice on the processing of applications and states that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise.

- 3.2 SPP4 (Planning for Minerals) provides the policy framework for planning authorities when preparing development plans and when determining planning applications for mineral development.

- 3.3 PAN33 (Development of Contaminated Land) provides advice on a number of issues relating to contaminated land including advice on the determination of planning applications when the site is or may be contaminated.
- 3.4 PAN 50 (Controlling the Environmental Effects of Surface Mineral Workings) with Annex A (Noise), B (Dust), C (Traffic) and D (Blasting) provides advice on all these issues and how they should be addressed when assessing mineral applications.
- 3.5 PAN 64 (Reclamation of Surface Mineral Workings) provides planning advice on ensuring that satisfactory reclamation procedures are in place before, during and after extraction to bring land back to an acceptable condition. All the national policy and advice has been considered in detail in the assessment section of this report.
- 3.6 **Local Plan Status**
The South Lanarkshire Minerals Local Plan was adopted in September 2002 and contains the following policies against which the proposal should be assessed:
- Minerals Policy 1 (MP1) “General Protection of the Environment”.
 - Minerals Policy 5 (MP5) “Visual Intrusion and Landscape Impact”.
 - Minerals Policy 7 (MP7) “Watercourses, Surface and Groundwater”.
 - Minerals Policy 11 (MP11) “Buffer Zones”.
 - Minerals Policy 12 (MP12) “Impact on Communities”.
 - Minerals Policy 13 (MP13) “Benefits from Mineral Workings”.
 - Minerals Policy 18 (MP18) “Transportation of Minerals”.
 - Minerals Policy 19 (MP19) “Restoration and Aftercare Provision”.
 - Minerals Policy 21 (MP21) “Suitability of After-use Schemes”.
 - Minerals Policy 22 (MP22) “Bing Reclamation”.
 - Minerals Policy 23 (MP23) “Mineral Conservation and Aggregate Recycling”.
 - Minerals Policy 30 (MP30) “Protection of Landscape Features”.
 - Minerals Policy 32 (MP32) “Noise Survey and Limits”.
 - Minerals Policy 33 (MP33) “Dust Assessment Study”.
- 3.7 The adopted South Lanarkshire Local Plan identifies the majority of the application site as being covered by Policy ECON1 – Industrial Land Use. This policy states that these areas will be primarily used for industrial purposes and new industrial development will be directed to these areas.
- 3.8 The edge of the application site adjacent to the River Clyde is also affected by Policy ENV2 – Green Network which states that the Council will seek to protect and support actions to enhance the Local Green Network. Loss of an area in whole or part will only be permitted where it can be demonstrated that development will enhance the existing situation in respect of wildlife, biodiversity, townscape quality and character, amenity and access.
- 3.9 In addition to the above the eastern edge of the site is affected by Policy TRA7 - New Roads Infrastructure whereby the Council supports and reserves the land identified on the Proposals Map for new/improved infrastructure and this site is identified for the completion of the M74.
- 3.10 In terms of the assessment of all planning applications Policy DM1 - Development Management is applicable. This policy requires all development to take fully into account the local context and built form and that it should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity.

- 3.11 All these policies are examined in detail in the Assessment and Conclusions section of this report.
- 3.12 **Planning Background**
Renewal of planning permission 95/95 for construction of motorway with associated roadworks, walls and fencing, formation of landscaping, mounding and cycleways and erection of replacement rail maintenance depots and associated trackworks granted 21 June 2001 (Planning Application No. CR/00/0174).
- 4 Consultation(s)**
- 4.1 **Roads & Transportation Services** – the site is located within the grounds of the Clydebridge Works and is well off the public road network. The works for the new M74 link are immediately adjacent to the application site and the use of the material from the bing will reduce the amount of imported fill required. This in turn will reduce the amount of large vehicle movements required over the public road network and Roads and Transportation Services have no objections to the proposal.
Response: Noted.
- 4.2 **Environmental Services** – note that there are no residential properties adjacent to the site and have no objections to the proposal subject to the condition that following the removal of the material a further investigation and assessment study is carried out to ensure that there is no risk of pollution from the worked bing.
Response: Noted. An appropriate condition can be imposed on any permission granted to secure this matter.
- 4.3 **SEPA** – has no objection to the proposal but has stated that; prior to the excavation of any material for re-use on the M74, SEPA should be supplied with information which demonstrates that it is fit for purpose and that it can comply with the waste exemption notice for the M74 Interlink project; that a method statement for any proposed operations on site be submitted to ensure that works on the site do not result in any pollution of the River Clyde; that the Authority satisfies itself that the site is not at risk from flooding and that the applicant clarifies whether it is proposed to input further material on site to reinstate current site levels.
Response: The applicant is aware of SEPA's requirements and appropriate conditions can be imposed in respect of the assessment of the material and methods of working if planning permission is granted. In respect of any flood risk the site after excavation would still be approximately 12 metres above the River Clyde and would not be at risk of flooding. After excavation the applicant does not propose to import any material to the site. The site would be graded and landscaped. However an appropriate condition can be imposed to prevent the importation of material to the site if planning permission is granted.
- 4.4 **SNH** – is satisfied with the findings of the Ecological Assessment Report submitted by the applicant. SNH has no objection to the proposal subject to ensuring that the applicant adopts the mitigation measures laid out in the Ecological Assessment Report, that an additional exclusion zone of 10 metres is established adjacent to the unsurveyed areas of the adjacent river banks (those areas could not be physically reached by foot during the survey) and that the otter survey area is rechecked for evidence of otters prior to work commencing.
Response: Noted. Suitable conditions can be imposed to address the issues raised by SNH.
- 4.5 **Cambuslang Community Council** – has no objections to this application
Response – Noted.

- 4.6 **Glasgow City Council** – no objections.
Response – Noted.

5 Representation(s)

- 5.1 The application was advertised in accordance with Article 12(5) (Application Requiring Advertisement due to Scale or Nature of Operation) and neighbour notification was carried out. No representations were received.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning permission to excavate material from an existing bing largely formed from waste from the former Clydebridge Steelworks to be used in the construction of the new M74 Northern extension. The determining considerations for the proposed development relate to whether the proposal is consistent with relevant national guidance and advice, whether the proposal accords with local plan policy, the proposed development's impact in relation to road safety, drainage, wildlife, habitat, pollution (noise, dust etc) and the proposal's impact upon any adjacent businesses or housing.
- 6.2 In relation to relevant national planning policy and guidance, SPP4 promotes the sustainable recycling of mining waste materials, and the removal of mining dereliction. SPP4 also recognises that minerals are an important national resource which can only be worked where they are found. SPP4, therefore, looks at the locational and operational considerations of mineral proposals, providing advice on a range of issues including visual impact, noise, dust, transportation, and sets out criteria for assessing whether the operational impact of a proposal will be environmentally acceptable. These and other issues identified in the policy document have to be considered in the assessment of this application.
- 6.3 PAN33 (Development of Contaminated Land) provides advice on a number of issues relating to contaminated land including advice on the determination of planning applications when the site is or may be contaminated.
- 6.4 PAN 50 (Controlling the Effects of Surface Mineral Workings) provides advice on best practice with respect to mineral working in relation to the control of noise, dust, and traffic.
- 6.5 PAN 64 (Reclamation of Surface Mineral Workings) provides advice on best practice for reclamation of sites and relates specifically to restoration conditions, after care considerations, various uses of sites, planning conditions and agreements and after care schemes. These issues have been considered, where appropriate, in the processing of the application.
- 6.6 In respect of these matters, and as set out in the detailed assessment below, it is considered that the proposed works will not cause any significant environmental issues that cannot be addressed through the imposition of appropriate planning conditions. In this respect it is considered that the proposal accords with SPP4, PAN33, PAN 50 and PAN 64.
- 6.7 At a local level, the application must be considered against the policy aims of the South Lanarkshire Minerals Local Plan (2002). This document provides a range of policies against which mineral applications should be assessed and on detailed examination it is considered that the proposal is in accordance with the Minerals Local Plan. The issues raised by the individual policies of the Minerals Local Plan are highlighted below:

MP1: Minimising environmental impact whilst ensuring that sufficient supplies of minerals are made available to meet society's needs: It is considered, on balance, and with respect to the assessment below, that the proposal complies with this policy.

MP5: Ensuring that the proposal is not visually intrusive and /or ensuring that visual impact is reduced to an acceptable level: This policy refers to siting, screening, and restoration. In this regard the applicant proposes to excavate an existing bing that is located within a general industrial area. The existing bing is not publicly prominent and will be less so after the work, as it will be lower in height. On completion of works it will be graded and landscaped. It is therefore considered that the proposed development will not be detrimental to the visual quality of the surrounding area and the proposal complies with this policy.

MP7: Ensuring that changes to watercourses do not have an adverse effect on natural habitats or increase the risk of flooding: The bing is located well above the River Clyde and after excavation it would still be approximately 12 metres above the river. Therefore there would be no increase in flood risk. With regard to the protection of existing watercourses during and after works an appropriate condition can be imposed to ensure they are safeguarded.

MP11: Relates to the zone of safeguard sensitivity: The application site is located within a general industrial area and there are no residential or noise sensitive properties within the nearby area. Therefore the proposal complies with this policy.

MP12: Impact on local communities in respect of traffic, roads, noise, blasting, dust, visual impact, etc: The bing is located immediately adjacent to the works for the new M74 Northern extension and the transfer of the excavated material would not affect the existing public road network. In addition it is located within a general industrial area and there are no residential properties close by to the site. It is therefore considered that the proposed development would not have an adverse impact on the local community and the proposal would be in compliance with this policy.

MP13: Relates to benefits that the proposal will provide to the local community and the permanent environmental effects of the operation: Given the location of the bing within a general industrial area, its partial removal and landscaping is considered to be acceptable and would not be of disbenefit to the community. It is, therefore, considered that the application complies with this policy.

MP18: Transportation of minerals: As stated above the application site is advantageously positioned adjacent to the route for the new M74 Northern extension and would reduce the amount of large vehicle movements required over the public road network to import fill for the construction of the new road. Therefore the proposal complies with this policy.

MP19: Restoration and aftercare treatment of the site: After excavation the bing will be graded and landscaped. Given the general industrial nature of the area this course of action is acceptable and the proposed development is considered to be in compliance with this policy.

MP21: Suitability of after-use schemes: Again for the reasons stated above under MP19 the proposed development is considered to be in compliance with this policy.

MP22: Bing reclamation: This policy supports proposals for the reworking of old spoil heaps provided that they are environmentally acceptable and in accordance with all other policies contained within the minerals plan. The applicant has provided an Ecological Assessment Report and after consultation SNH had no objections to the proposal subject to the imposition of appropriate conditions to support the findings of the Ecological Assessment Report. These conditions can be imposed and it is therefore considered that the proposal accords with this policy.

MP23: Promotes the re-use of waste materials from mineral workings provided that there will be no significant adverse environmental impacts and that the site is in an appropriate location: As set out above under MP22, it is considered that the proposal complies with this policy.

MP30: Protection of landscape features: The partial excavation of the bing will not adversely affect any landscape features that require protection and SNH are satisfied with the findings of the Ecological Assessment Report. It is therefore considered that the proposal is in compliance with this policy.

MP32: Noise survey and limits: There are no noise sensitive properties close to the site and after consultation Environmental Services are satisfied that the proposed development would not cause a noise nuisance that requires to be controlled by any condition or that a noise survey is required to be carried out. The proposed development therefore accords with this policy.

MP33: Dust assessment study: Similarly after consultation Environmental Services are satisfied that the proposed development would not cause a dust nuisance that requires to be controlled by any condition or that a dust assessment study is required to be carried out. The proposed development therefore accords with this policy.

- 6.8 In light of the above assessment, it is considered that the proposal accords with Mineral Plan policy.
- 6.9 In terms of local plan policy, the majority of the application site is designated within Policy ECON1 – Industrial Land Use of the adopted South Lanarkshire Local Plan and the partial removal of an existing bing would not be contrary to this policy. The edge of the site however is affected by Policy ENV2 – Local Green Network Policy. In these areas development that is likely to have an adverse effect on its connectivity or its value on biodiversity or as an amenity will not be supported. SNH was consulted in respect of this application and is satisfied with the findings of the Ecological Assessment Study. Subject to the imposition of conditions to mitigate the development's impact on the environment SNH has no objection to the proposal. If planning permission is granted appropriate conditions shall be imposed and on this basis the proposal is considered to be in compliance with Policy ENV2.
- 6.10 The eastern edge of the site is affected by Policy TRA7 - New Roads Infrastructure whereby the Council supports and reserves the land identified on the Proposals Map for new/improved infrastructure and this site is identified for the completion of the M74. The proposed development will aid the completion of the M74 and is therefore in accordance with this policy.
- 6.11 In addition to the above policies Policy DM1 - Development Management of the adopted South Lanarkshire Local Plan requires to be considered. It requires all development to take fully into account the local context and built form. From the above assessment I am satisfied that the proposal will not unduly impact upon any residential properties or businesses and that the other environmental impacts of the

proposal can be effectively controlled through the imposition of appropriate conditions. Therefore, it is considered that the proposal is consistent with this policy.

- 6.12 In relation to road safety, after consultation Roads and Transportation Services are satisfied that the proposed development is acceptable. It will reduce the number of heavy vehicles using the public road system as well as recycle waste materials minimising the use of virgin aggregate. Therefore the proposed development would not be detrimental to road safety.
- 6.13 In terms of drainage after consultation SEPA had no objections to the proposal subject to the imposition of conditions in respect of the testing of material and controlling the methods of working. If planning permission is approved appropriate conditions can be imposed to meet SEPA's requirements and to protect existing drainage systems as well as control any alterations to these systems.
- 6.14 In summary, it is noted that the application complies with the relevant policies contained within the Minerals Plan and the adopted South Lanarkshire Local Plan. The proposal also fully complies with national planning policy and advice in relation to the removal of areas of dereliction.
- 6.15 The proposed development is a sustainable use of the site given its close proximity to the route for the new M74 Northern extension. It will minimise the use of virgin aggregate and reduce the amount of large vehicle movements required over the public road network. Furthermore I am satisfied that the site works will not have a significant impact on the amenity of the surrounding area and that any issues raised can be satisfactorily addressed through the implementation of appropriate planning conditions. It is therefore recommended that permission be granted subject to conditions.

7 Reasons for Decision

- 7.1 The proposal complies with the relevant policies contained within the Minerals Plan and adopted South Lanarkshire Local Plan; the proposal complies with national planning policy and advice; the proposal is a sustainable use of the site; the proposal will substantially reduce an area of dereliction; that through the imposition and effective monitoring of appropriate planning conditions it is considered that the proposal will have no significant adverse impact on the environment or the amenity of the surrounding area.

Iain Urquhart
Executive Director (Enterprise Resources)

8 April 2009

Previous References

- Renewal of planning permission 95/95 for construction of motorway with associated roadworks, walls and fencing, formation of landscaping, mounding and cycleways and erection of replacement rail maintenance depots and associated trackworks granted 21 June 2001 (Planning Application No. CR/00/0174).

List of Background Papers

- Application Form

► Application Plans

► Consultations

Roads and Transportation Services (North Division) 31/12/2008

Cambuslang Community Council 12/01/2009

Glasgow City Council 23/1/2009

Environmental Services 27/01/2009

Scottish Natural Heritage 09/03/2009

S.E.P.A. (West Region) 25/02/2009

► Representations

None

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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Rutherglen G73 1DQ

Ext 5140 (Tel :0141 613 5140)

E-mail: enterprise.cam-ruth@southlanarkshire.gov.uk

CONDITIONS

- 1 That the development hereby permitted shall be commenced within five years of the date of this permission.
- 2 That the Planning Authority shall be notified, in writing of the proposed date for starting work on site, at least seven days prior to the commencement of said works.
- 3 That all operations authorised or required by this permission shall cease and all plant, machinery, equipment, structures and buildings (other than such plant, machinery, equipment, structures and buildings required during the landscaping works) shall be removed and the site restored not later than 24 months from the date of commencement of development as notified to the Planning Authority in accordance with Condition 2 of this permission, and the site shall be fully landscaped in accordance with the approved restoration and landscaping plan as required under condition 6b (including the removal of any remaining plant, machinery, equipment, structures and buildings) not later than 6 months from the date of cessation of operations.
- 4 That the operator or applicant shall, at all times, deal with the areas forming the subject of this permission in accordance with the provisions of the application and plans submitted, except as otherwise provided by this permission and shall omit no part of the operations provided for therein except with the prior written approval of the Council as Planning Authority.
- 5 That if, due to unforeseen circumstances, it becomes necessary or expedient following commencement of works to materially amend the provisions contained within the approved plans or these conditions, the developer shall adhere to the approved plans until such time as written approval is issued by the Council as Planning Authority for any alterations.
- 6 Notwithstanding the details shown on the stamped approved plans, the following details shall be submitted to and approved in writing by the Council as Planning Authority, and such details as may be approved, shall be implemented to the satisfaction of the Council as Planning Authority:
 - (a) prior to works commencing full details of any temporary and permanent watercourse crossings;
 - (b) within six months of the date of consent detailed planting and restoration proposals for all disturbed areas (including details of any material required to be imported to the site to implement the scheme), including the final profile of the bing and a detailed aftercare management scheme to ensure the successful establishment of the planting proposed;
 - (c) prior to works commencing details of drainage for the site both during and post development to ensure existing drainage systems remain effective;
 - (d) prior to the excavation of any material for re-use on the M74, details shall be submitted to and approved in writing by the Council as Planning Authority in

consultation with SEPA which demonstrate that it is fit for purpose and that it can comply with the values agreed by SEPA for the M74 Interlink Project.

(e) prior to works commencing detailed method statements clearly outlining the operational programme of works to be undertaken on site that demonstrate the protection of the River Clyde from pollution.

- 7 That, without the prior written approval of the Planning Authority, the site shall not operate outwith the hours stated below:

| | Mon-Sat | Sunday |
|--------|---------|--------|
| Start | 6.30 | 6.30 |
| Finish | 19.30 | 14.00 |

There shall be no working outwith these hours, unless otherwise agreed in writing by the Council as Planning Authority.

- 8 That no material shall be imported to the site other than any agreed material required to implement condition 6(b) above without the prior written approval of the Council as Planning Authority.
- 9 That no material shall be exported from the site other than the material required to form the new M74 northern extension without the prior written approval of the Council as Planning Authority.
- 10 (a) That following removal of the excavated material within three months of the completion of the excavation a comprehensive site investigation carried out to the appropriate Phase level, shall be submitted to and approved in writing by the Council as Planning Authority. The investigation shall be completed in accordance with the advice given in the following:
- (i) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);
 - (ii) Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11) - issued by DEFRA and the Environment Agency;
 - (iii) BS 10175:2001 - British Standards institution 'The Investigation of Potentially Contaminated Sites - Code of Practice'.
- (b) If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model must be formulated and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages using site specific assessment criteria will require to be submitted.
- (c) If the risk assessment identifies any unacceptable risks as defined under Part IIA of the Environmental Protection Act, a detailed remediation strategy will be submitted to and approved in writing by the Council as Planning Authority. No works other than investigative works shall be carried out on site prior to receipt of the Council's written approval of the remediation plan.

- 11 That at all times the developer shall adhere to the requirements of the Mitigation Measures within Section 6 of the Corus Bing Ecological Assessment Report by JE

Jacobs and Atkins (Ref:M74DD/R/171). In particular, the 100 metres exclusion zone around all identified otter places of rest/shelter shall be established and clearly demarked prior to any on-site works commencing. No development activities or storage of materials of any nature shall take place within this exclusion zone without the prior written approval of the Council as Planning Authority.

- 12 That prior to work commencing an additional exclusion zone shall be established and clearly demarked at a minimum of 10 metres inside the application site boundary where it runs adjacent to unsurveyed areas of the adjacent river banks. No development activities or storage of materials of any nature shall take place within this exclusion zone without the prior written approval of the Council as Planning Authority.
- 13 That prior to work commencing the otter survey area shall be rechecked for evidence of otter places of rest or shelter. If additional holts, couches or lie-ups are recorded, works in the adjacent areas shall be postponed until an appropriate scheme of mitigation can be approved in writing by the Council as Planning Authority.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 To ensure that the works are undertaken within the agreed time limits to minimise nuisance to adjoining neighbours.
- 3 To ensure that the works are undertaken within the agreed time limits to minimise nuisance to adjoining neighbours.
- 4 To ensure that the works are implemented in accordance with the approved plans and to ensure that the authority is notified of, and approved, any amendments to these plans.
- 5 To ensure that the works are implemented in accordance with the approved plans and to ensure that the authority is notified of, and approved, any amendments to these plans.
- 6 These details were not submitted at the time of the application and are required to ensure that the proposal is satisfactory.
- 7 To safeguard the residential amenity of the area.
- 8 To reflect what has been applied for and to allow the Planning Authority to regulate the nature of any material which may be required to be imported for restoration works.
- 9 To reflect what has been applied for and to allow the Planning Authority to regulate the nature of any material to be exported.
- 10 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 11 To safeguard the environment.
- 12 To safeguard the environment.
- 13 To protect otters

For information only

For information only

