**ANNEX 1**

## Part 1 - Description of the Development

The Development comprises a wind-powered electricity generating station known as Tangy IV Wind Farm, with a generating capacity exceeding 50MW, located 3 Kilometers north of Kilchenzie, Kintyre, in the Argyll and Bute Council planning area as specified in the Variation Application and accompanying Environmental Impact Assessment report submitted o~~o~~n 19 ~~06 September 201~~June 2026 ~~8~~. ~~and Additional Information submitted by the Company on October 2018.~~

The components of the wind farm and related ancillary developments will comprise:

- 16 turbines of up to, but not exceeding, 200~~149.9~~m tip height with external transformers;
- hardstanding area at each turbine base with an approximate permanent area of 2126~~1,800~~m$^2$;
- three permanent meteorological masts and associated hardstand areas;
- one site substation and operations control building with parking and welfare facilities~~up to two site substations~~;
- ~~one operations control building with parking and welfare facilities;~~
- a total 12.1km ~~11km~~ of onsite access tracks with associated watercourse crossings;
- onsite underground cabling;
- temporary construction compound and laydown areas;
- temporary meteorological masts;
- temporary telecoms infrastructure;
- forest removal and subsequent replanting;
- dismantling of existing turbines and associated reinstatement; ~~and~~
- up to 4 borrow pits; and
- any other associated ancillary works required.

## Annex 2 – Part 1 - Conditions attached to the Section 36 consent.

### 1. Commencement of Development

(1) Development shall be commenced no later than 5 years from the date of this S.36c consent, or in substitution such period as the Scottish Ministers may hereafter direct in writing.
(2) Written confirmation of the intended date of Commencement of Development shall be provided to the Planning Authority and Scottish Ministers as soon as practicable after deciding on such a date.

**Reason:** *To avoid uncertainty and ensure that consent is implemented within a reasonable period, and to allow the Planning Authority and the Scottish Ministers to monitor compliance with obligations attached to this consent and deemed planning permission as appropriate.*

### 2. Non-Assignation of Consent

(1) This consent may not be assigned without the prior written authorisation of the Scottish Ministers. The Scottish Ministers may authorise the assignation of the consent (with or without conditions) or refuse assignation as they may, in their own discretion, see fit. The consent shall not be capable of being assigned, alienated or transferred otherwise than in accordance with the foregoing procedure.

(2) The Company shall notify the local Planning Authority in writing of the name of the assignee; principal named contact and contact details within 14 days of written confirmation from the Scottish Ministers of an assignation having been granted.

**Reason:** *To safeguard the obligations of the consent if transferred to another company.*

## 3. Serious Incident Reporting

In the event of any breach of health and safety or breach of environmental obligations relating to the Development 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.

**Reason**: *To keep the Scottish Ministers informed of any such incidents which may be in the public interest.*

## 4. Long Term Forest Plan

No felling associated with the Development shall commence until the finalised Long Term Forest Plan ('LTFP'), detailing felling and restocking of the woodland within the development is finalised, submitted to, and approved in writing by, the Scottish Ministers. Unless and until otherwise approved in writing by the Scottish Ministers, the approved LTFP shall be implemented in full.

**Reason**: *To ensure the consented felling and restocking of woodland within the Development 'felling boundary' is carried out in accordance with the UK Forestry Standard.*

**Annex 2 - Part 2 - Conditions to be attached to deemed planning permission**

**Planning permission is deemed to be granted under section 57 of the Town and Country Planning (Scotland) Act 1997 for the development described in Annex 1 is subject to the following conditions.**

**5. Implementation in accordance with approved plans and requirement of the section 36 consent**

The Development shall be implemented in accordance with the details specified in the Variation Application and accompanying Environmental Impact Assessment Report ~~dated~~ submitted in~~06~~ ~~September~~ June ~~2018~~2026~~, and additional information submitted by the Company on 10th October 2018~~. The Company and subsequent operators shall at all times construct and operate the Development hereby permitted in accordance with the mitigation measures identified in the 2026 Environmental Impact Assessment Report and shall not omit any mitigation measures within the 2026 Environmental Impact Assessment Report.

**Reason**: *To ensure that the development is implemented in accordance with the approved details.*

**6. Financial Guarantee**

(1) No development shall commence unless and until a bond or other form of financial guarantee in terms reasonably acceptable to the Planning Authority which secures the cost of performance of all decommissioning, restoration and aftercare obligations referred to in Condition 8 is submitted to the Planning Authority.

(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 8.

(3) The financial guarantee shall be maintained in favour of the Planning Authority until the date of completion of all decommissioning, restoration and aftercare obligations referred to in Condition 8.

(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 no less than every five years and increased or decreased to take account of any variation in costs of compliance with decommissioning, restoration and aftercare obligations and best practice prevailing at the time of each review. Following each review and at least 28 days prior to the expiry of the existing financial guarantee the Company shall submit for the written approval of the Planning Authority a replacement guarantee in favour of and in terms acceptable to the Planning Authority for the value agreed.

**Reason:** *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.*

**7. Redundant Wind Turbines**

(1) Unless otherwise agreed in writing by the Planning Authority, if one or more wind turbines fails to generate electricity for a continuous period of twelve months a scheme setting out how the relevant wind turbine(s) and associated infrastructure will be removed from the site and the ground restored shall be submitted for the written approval of the Planning Authority no later than one month after the date of expiry of the twelve month period.

(2) The approved scheme shall be implemented within six months of the date of its approval, to the satisfaction of the Planning Authority.

**Reason**: To ensure that any redundant wind turbine is removed from site, in the interests of safety, amenity and environmental protection.

**8. Decommissioning Requirements**

(1) No development shall commence unless and until a draft decommissioning, restoration and aftercare strategy has been submitted to, and approved in writing by, the Planning Authority (in consultation with SNH and SEPA).

(2) In the event of the Development not generating electricity on a commercial basis to the grid network for a continuous period of 12 months, (except where generation is restricted by curtailment, regulatory limitation or restrictions or such other reasonable circumstances) the Company must immediately notify the Planning Authority in writing of that situation and shall, if the Planning Authority in consultation with Scottish Ministers direct, decommission the Development.

(3) No later than 12 months prior to the expected decommissioning of the Development, or 12 months after being directed to decommission the Development a detailed decommissioning, restoration and aftercare plan, based upon the principles of the approved draft decommissioning, restoration and aftercare strategy, shall be submitted for the written approval of the Planning Authority in consultation with SNH and SEPA. 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 include (but is not limited to):

(a) a site waste management plan (dealing with all aspects of waste produced during the decommissioning, restoration and aftercare phases);
(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;

(c) a dust management plan
(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;
(e) a pollution prevention and control method statement, including arrangements for the storage and management of oil and fuel on the site;
(f) details of measures for soil storage and management
(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;
(h) details of measures for sewage disposal and treatment;
(i) temporary site illumination;
(j) the construction of any temporary access into the site and the creation and maintenance of associated visibility splays;
(k) a traffic management plan (TMP) which provides for the arrangements in respect of traffic associated with the decommissioning of the Development which mirrors the relevant provisions approved in the TMP for the construction of the Development;
(l) details of watercourse crossings; and,
(m) 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.

(4) The Development shall be decommissioned, the site restored and aftercare undertaken in accordance with the approved plan, unless and until otherwise agreed in writing in advance with the Planning Authority (in consultation with SNH and SEPA).

**Reason**: *To ensure the decommissioning and removal of the Development in an appropriate and environmentally acceptable manner and the restoration of the site and in the interests of safety, amenity and environmental protection.*

## 9. Wind Turbine Locations and Micro-sitting

(1) All wind turbines, buildings, masts, areas of hardstanding and tracks shall be constructed in the locations shown on plan reference Figure ~~4.1c~~1.3 save for the ability to vary without further recourse to the Planning Authority, the indicated position of any turbine, track, or associated infrastructure by up to 50 metres.

(2) Unless otherwise agreed with the Planning Authority in consultation with SNH and SEPA, any such micro- siting, permitted by part (1) of this condition, shall not encroach further into any buffer areas identified in respect of water courses, or nature conservation or historic environment interests as set out in Chapter ~~9~~ 6 to 10~~3~~ inclusive of the 2026 Environmental Impact Assessment Report.

(3) Any such micro-siting shall be carried out under the supervision of the Ecological Clerk of Works (ECOW) required to be employed pursuant to condition ~~24~~ 23 of this permission and shall be informed by the outcome of the Peat Management Plan required pursuant to condition ~~13~~ 12 and shall avoid areas of deep peat.

(4) No later than one month after the date of Final Commissioning an updated site 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's approval (if applicable).

**Reason**: *For the avoidance of doubt and to take account of local ground conditions, for the protection of amenity.*

~~**10. Decommissioning Method Statement - Tangy I and Tangy II**~~

~~No development shall commence until an outline Decommissioning Method Statement (DMS) for the dismantling of the existing 22 wind turbines and their associated infrastructure which form part of the Tangy I and Tangy II developments and any associated ground restoration works as described as a principal operation at Chater 5.4 of the EIA Report, is submitted and approved in writing by, the Planning Authority.~~

~~**Reason**: *To ensure that all decommissioning 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 are fully implemented.*~~

**~~11.~~10. Site Investigation Works**

No Site Investigatory Works shall commence until a programme of Site Investigation Works, detailing the extent and area of pre-commencement felling and detailed other ground investigation works has been submitted to the Planning Authority for their written approval.

**Reason:** *To ensure that all Site Investigatory 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.*

**~~12.~~11. Construction and Environmental Management Plan**

(1) No Development, other than Site Investigatory Works, shall commence until a full site-specific Construction and Environmental Management Plan (CEMP) is submitted for the written approval of the planning authority in consultation with SEPA and SNH. This shall provide details, mitigation measures and timetabling in respect of the following:

a) Pollution prevention and control measures;
b) Dust management, including cleaning of the junction between the site access and the trunk road;
c) Arrangements for on-site storage of fuel and other chemicals;
d) SuDS design philosophy including run-off and sediment control measures including measures for the blocking of existing drains, if required);

e) Details of foul drainage arragements;
f) Site specific waste management proposals;
g) Ecological monitoring over construction period including all necessary pre-construction surveys and a species protection plan to clearly identify measures to minimise risk to water vole, badger, otter and any other protected mammal species during construction;
h) Details of the methods to be adopted to reduce the effects of noise occurring during the construction period to the lowest practicable level in accordance with BS5228;
i) Post-construction restoration/reinstatement of the working areas;
j) Details of temporary site illumination;
k) Details, following SIW's, of the site-specific mitigation measures based on the Watercourse and Aquatic Habitat Pollution Prevention Measures outlined in the ~~Section 10.6.10 of 36c~~ 2026 Environmental Impact Assessment Report ~~the EIA Report~~;
l) Provision of a Geotechnical Risk Register with details of updated peat landslide mitigation measures, following SIW's, to demonstrably reduce hazard rankings associated with all infrastructure;
m) Details of proposed watercourse crossings and engineering works in water environment vicinities; and
n) Details of proposed measures during cable installation to prevent the creation of drainage runs in cable trenches.

(2) The CEMP shall be adhered to throughout the construction and site restoration phases unless otherwise agreed in writing by the Planning Authority.

**Reason**: *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 accompany the application, or as otherwise agreed in respect of SSSI's or other sensitive habitats, are fully implemented.*

## ~~13.~~12. Peat Management Plan

(1) No development shall commence until a detailed Peat Management Plan, addressing all areas to be disturbed by construction, has been submitted to and approved in writing by the Planning Authority in consultation with SEPA. This shall include:

(a) Volumes, depth and location of any peat disturbed;
(b) Details of any proposed re-use of the peat within the site, including a plan showing volumes, location and usage;
(c) Details of any disposal of peat proposed, including volumes, detailed disposal proposals and details of how peat usage has been limited to undisturbed ground; and
*(d)* Details of storage and handling of excavated peat, including a plan showing proposed storage areas.

(2) All works on site must be undertaken in accordance with the approved Peat Management Plan unless otherwise agreed in advance in writing by the Planning

Authority.

**Reason**: *In the interests of ensuring the conservation of peat resources and the protection of Tangy Loch SSSI.*

### ~~14.~~13. Shadow Flicker

(1) No development shall commence unless and until a scheme for the avoidance or mitigation of any shadow flicker at residential properties situated at a distance which is the same as ten rotor diameters of any wind turbine forming part of the Development, which lawfully exist or for which planning permission has been granted at the date of the S~~s~~ection 36c consent, has been submitted to, and approved in writing by, the Planning Authority.

(2) The approved mitigation scheme shall be implemented in full.

**Reason**: *To offset impacts of shadow flicker on residential and commercial property amenity.*

### ~~15.~~14. Traffic Management Plan

(1) No development shall commence unless and until a traffic management plan has been submitted to, and approved in writing by, the Planning Authority, and in consultation with Transport Scotland. The traffic management plan shall include (but is not limited to):

(a) the proposed routing for any abnormal loads associated with the Development;
(b) the accommodation measures required including the removal of street furniture, junction widening and traffic management;
(c) details of materials, plant, equipment and labour required during the construction period; and
(d) Details of any temporary diversions of access routes and associate signage.

(2) The approved traffic management plan shall be implemented in full, unless and until otherwise agreed in advance in writing with the Planning Authority.

**Reason**: *To minimise interference and maintain the safety and free flow of traffic on the Trunk Road as a consequence of traffic moving to and from the development.*

### ~~16.~~15. Road Improvement Scheme

(1) No development shall commence until a scheme for improvements to the public road between the junction with the trunk road and the private access serving the site has been submitted to and has been approved in writing by the Planning Authority in consultation with the Council's Roads Engineers this shall include but not be limited to:

(a) the provision of new passing places;

(b) the improvement of existing passing places;
(c) the location of temporary carriageway widening and reinstatement measures; and,
(d) a programme for the implementation of the improvements.

(2) The duly approved improvement measures shall be carried out in full in accordance with the programme for implementation, unless any variation thereof is agreed in writing in advance by the Planning Authority.

**Reason**: *In the interests of road safety.*

## ~~17.~~16. Road Condition Surveys

(1) No development shall commence until a detailed condition survey of the public road between the junction with the trunk road and the private access serving the site has been carried out and submitted to the Planning Authority for their Roads Engineers written approval. This condition survey should include:

(a) video and photographs and an identification of areas of road which will be vulnerable to the proposed traffic loading; and,
(b) an assessment of any culverts or other structures, and the identification of measures to mitigate against any likely damage.

(2) During the construction period the section of the public road in question shall be the subject of inspection on a weekly basis, in accordance with a method to be agreed in writing in advance by the Planning Authority's Roads Engineers, and any damage arising from abnormal traffic associated with the construction of this development shall be reinstated either upon significant damage being identified during the course of construction works, or following a final inspection upon completion of construction works, whichever is the sooner.

**Reason**: *In the interests of road safety.*

## ~~18.~~17. Temporary Road Signage and Traffic Control Measures

During the delivery period of the wind turbine construction materials any additional signing or temporary traffic control measures deemed necessary due to the size or length of any loads being delivered or removed must be undertaken by a recognised "QA traffic management consultant" to be approved by the Planning Authority in consultation with Transport Scotland before delivery commences.

**Reason:** *To ensure that the transportation will not have any detrimental effect on the road and structures along the road.*

## ~~19.~~18. Public Road Cleansing

Prior to the commencement of deliveries to the site, measures to ensure that all affected public roads are kept free of mud and debris arising from the development shall be agreed with the Planning Authority.

**Reason:** *To ensure that material from the site is not deposited on the trunk public roads to the detriment of road safety.*

### ~~20.~~19. Water Quality and Fish Monitoring Programme

(1) No development shall commence until an Water Quality and Fish Monitoring Programme (WQFMP) has been submitted and approved by the Planning Authority. The WQFMP must take account of the Scottish Government's Marine Scotland Science's response and must include:

(a) ~~(a)~~ Water quality and fish monitoring programme (carried out at least 12 months prior to construction and decommissioning of the existing turbines taking place, during construction and for up to 12 months, after construction is complete, subject to survey results and in agreement with the Planning Authority and Marine Scotland);
~~(a)~~(b) Mitigation measures detailed in the 2026 Environmental Impact Assessment Report.

(2) Thereafter, the WQFMP must be implemented in full and in accordance with the timescales set out in the plan. No changes to the WQFMP shall take place unless they are with prior written approval of the Planning Authority.

**Reason:** *To ensure compliance with all commitments made in the Environmental Impact Assessment Report.*

### ~~21.~~20. Habitat Management Plan

(1) No development shall commence until a detailed Habitat Management Plan (HMP) has been submitted to, and approved in writing, by the Planning Authority in consultation with SNH. The HMP shall include measures to secure the restoration of peatland outlined ~~in Appendix 10.6 of~~ in Chapter 7 of the 2026 Environmental Impact Assessment Report~~EIA report~~.

(2) All works on site must be undertaken in accordance with the approved Habitat Management Plan unless otherwise agreed in writing by the Planning Authority and the identified measures shall be implemented in accordance with the methods approved and for the durations identified in the approved HMP.

**Reason:** *To secure the restoration of peatland.*

### ~~22.~~21. Construction Hours

(1) Construction work which is audible from any noise-sensitive receptor shall only take place on the site between the hours of 07.30 to 19.00 on Monday to Friday inclusive and 08.00 to 16.00 on Saturdays, with no construction work taking place on a Sunday or on a Bank Holiday or Public Holiday. Outwith these specified hours, development on the site shall be limited to turbine delivery and erection, commissioning, maintenance, dust suppression, and pouring of concrete foundations (provided that the developer retrospectively notifies the Planning Authority of the works within 24 hours if prior notification is not possible). In addition, access for security reasons, emergency responses or to effect any necessary environmental controls is permitted outwith these hours.

(2) Movements of heavy good vehicles (HGV) to and from the site during construction of the development shall be limited to 0700 hours to 1900 hours Monday to Friday and 0800 to 1600 hours on Saturdays and no vehicular access during these periods shall take place on Sundays or Bank Holidays, unless previously approved in writing by the Planning Authority.

**Reason:** *In the interests of local amenity.*

### ~~23.~~22. Construction and Decommissioning Hours Within 1 Kilometre of Tangy Loch

During construction and decommissioning all works within 1 kilometre of Tangy Loch are restricted to between the hours starting from one hour after dawn to one hour before dusk during the goose roosting season (30 September – 30 April).

**Reason**: *To avoid risk of disturbance to the over wintering population of Greenland white fronted goose.*

### ~~24.~~23. Ecological Clerks of Works

(1) No development shall commence until the Planning Authority has approved in writing the terms of appointment by the Company of an independent Ecological Clerk of Works (ECoW) in consultation with SNH and SEPA. The terms of appointment shall;

(a) Impose a duty to monitor compliance with the ecological and hydrological commitments provided in the EIA Report and other information lodged in support of the application, the Construction and Environmental Management Plan, and other plans approved in terms of condition 26 (“the ECoW works”);
(b) Require the EcoW to report to the Company’s nominated construction project manager any incidences of non-compliance with the ECoW works at the earliest practical opportunity;
(c) Require the ECoW to submit a monthly report to the Planning Authority summarising works undertaken on site; and,
(d) Require the ECoW to report to the Planning Authority any serious environmental incidences resulting as a consequence of non-compliance with the ECoW Works at the earliest practical opportunity.

(2) The EcoW shall be appointed on the approved terms throughout the period from the commencement of development, throughout any period of construction activity and during any period of post construction restoration works approved in terms of conditions 8 and 12.

### ~~25.~~24. Environmental Clerk of Works Decomissioning

No later than 12 months after being directed to decommission the Development, the Company shall submit details of the terms of appointment by the Company of an independent ECoW throughout the decommissioning, restoration and aftercare phases of the Development to the Planning Authority for approval in consultation with SNH and SEPA. The ECoW shall be appointed on the approved terms throughout the decommissioning, restoration and aftercare phases of the Development.

**Reason**: *To* secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the Development.

### ~~26.~~25. ECoW Works

No development shall commence until a pre–construction survey shall be carried out by the Ecological Clerks of Works (ECOW), in respect of the areas to be affected by development work, to establish any presence of otter, water vole, badger and other protected mammal species. In the event of any evidence of such mammals being present, the appropriate licensing process should be concluded prior to continuing works and any measures identified in the Construction Environmental Management Plan (CEMP) required in terms of condition 12 to safeguard this protected species should be implemented for the duration of construction activities on the site.

**Reason**: *In order to safeguard protected species the interests of nature conservation.*

### ~~27.~~26. Breeding Bird Protection Plan

No development shall commence until a Breeding Bird Protection Plan is submitted to and approved in writing by the Planning Authority in consultation with SNH. Thereafter the development shall be implemented in accordance with the duly approved plan or any subsequent variation thereof as may be approved in writing in advance by the Planning Authority.
**Reason:** I*n the interests of nature conservation.*

### ~~28.~~27. Design of Substation and Ancillary Development

No development shall commence until final details of the external appearance, dimensions, and surface materials of the substation building, associated compounds, any construction compound boundary fencing, external lighting and parking areas have been submitted to and approved in writing by the Planning Authority. The substation building, associated compounds, fencing, external lighting and parking areas shall be constructed in accordance with the approved details.

**Reason**: *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 Environmental Impact Assessment Report and in the interests of the visual amenity of the area.*

**~~29.~~28. Design and Operation of Wind Turbines**

(1) No development shall commence unless and until full details of the proposed wind turbines (including, but not limited to, the power rating and sound power levels, the size, type, external finish and colour which should be non-reflective pale grey semi-matt), any anemometry masts and all associated apparatus have been submitted to and approved in writing by the Planning Authority.

(2) The wind turbines shall be constructed and operated in accordance with the approved details and maintained in the approved colour, free from external rust, staining or discolouration, until such time as the wind farm is decommissioned.

(3) All wind turbine blades shall rotate in the same direction.

**Reason**: *To ensure that the environmental impacts of the turbines forming part of the Development conform to the impacts assessed in the Environ*mental Impact Assessment Report and in the interests of the visual amenity of the area.

**~~30.~~29. Site Inspection Plan**

(1) Prior to the Date of Final Commissioning the Company must submit a draft Site Inspection Strategy (SIS), for the written approval of the Planning Authority. This shall set out details for the provision of site inspections and accompanying Site Inspection Reports (SIR) to be carried out every 25 years of operation from the Date of Final Commissioning and every 5 years thereafter. At least one month in advance of submitting the SIR, the scope of content shall be agreed with the Planning Authority. The SIR shall include, but not be limited to:

(a) Requirements to demonstrate that the infrastructure of the Development is still fit for purpose and operating in accordance with condition 29 and condition 34; and
(b) An engineering report which details the condition of tracks, turbine foundations and the wind turbine generators and sets out the requirements and the programme for the implementation for any remedial measures which may be required.

(2) Thereafter, the SIS and SIR shall be implemented in full unless otherwise agreed in advance in writing by the Planning Authority.

**Reason**: *To ensure the condition of the infrastructure associated with the Development is compliant with the 2026 EIA report, condition ~~29~~ 28 and condition ~~34~~ 33 and is to ensure the*

*Development is being monitored at regular intervals throughout its operation.*

### ~~31.~~30. Aviation Safety

(1) No development shall commence until the Company has provided the Planning Authority, Ministry of Defence, Defence Geographic Centre and NATS with the following information, and has provided evidence to the Planning Authority of having done so;

(a) the date of the expected commencement of each stage of construction;
(b) the height above ground level of the tallest structure forming part of the Development;
(c) the maximum extension height of any construction equipment; and
(d) the position of the turbines and masts in latitude and longitude.

**Reason**: *In the interests of aviation safety.*

### ~~32.~~31. Aviation Lighting

(1) No wind turbine forming part of the Development shall be erected until, the Company has submitted a scheme for aviation lighting for the Development to the Planning Authority for written approval. The scheme shall include details of Red Aviation Warning Lighting ~~or~~ and infra-red aviation lighting to be applied. No lighting other than that described in the scheme may be applied at the site, other than as required for health and safety, unless otherwise agreed in advance and in writing by the Planning Authority.

(2) No turbines shall be erected on site until the scheme has been approved in writing. The Development shall thereafter be operated fully in accordance with the approved scheme.

**Reason:** *In the interests of aviation safety.*

### ~~33.~~32. Forestry - Compensatory Planting

(1) No development (other than Site Investigatory Works) shall commence unless and until a compensatory planting (CP Scheme) to compensate for the removal of ~~31~~33.~~73~~ 79 hectares of existing woodland has been submitted to and approved by, the Planning Authority in consultation with Scottish Forestry Perth & Argyll Conservancy.

(2) The CP Scheme shall comply with the requirements set out in the UK Forestry Standard (Forestry Commission, Edinburgh 2017, ISBN 978-0-85538-999-4) and the guidelines to which it refers, or such replacement standard as may be in place at the time of submission of the CP Scheme for approval. The CP Scheme shall include:

(e) details of the location of the area to be planted;
(f) details of owners and occupiers of the land to be planted.

(g) the nature, design and specification of the proposed woodlands to be planted;
(h) details of all consents required for delivery of the CP Scheme;
(i) the phasing and associated timescales for implementing the CP Scheme;
(j) proposals for the maintenance of the CP Scheme, including annual checks, replacement planting, fencing, ground preparation and drainage; and
(k) proposals for reporting to the Planning Authority on compliance with timescales for obtaining the necessary consents and implementation of the CP Scheme.

(3) The approved CP Scheme shall be implemented in full, unless otherwise agreed in writing by the Planning Authority after consultation with Scottish Forestry, Perth & Argyll Conservancy.

**Reason**: *To secure replanting to mitigate against effects of deforestation arising from the Development.*

**~~34.~~33. Noise**

(1) The rating level of noise immissions from the combined effects of the wind turbines hereby permitted (including the application of any tonal penalty) when determined in accordance with the attached Tables and Guidance Notes appended to this condition, shall not exceed the values for the relevant integer wind speed set out in, or derived from, the tables attached to these conditions at any dwelling which is lawfully existing or has planning permission at the date of this permission, and

(a) The wind farm operator shall continuously log power production, wind speed and wind direction, all in accordance with guidance Note 1(d). These data shall be retained for a period of not less than 24 months. The windfarm operator shall provide this information in the format set out in Guidance Note 1(e) to the Local Planning Authority on its request, within 14 days of receipt in writing of such a request.

(b) No electricity shall be exported until the wind farm operator has submitted to the Local Planning Authority for written approval to a list of proposed independent consultants who may undertake compliance measurements in accordance with this condition. Amendments to the list of approved consultants shall be only with the prior written approval of the Local Planning Authority.

(c) Within 21 days from receipt of a written request from the Local Planning Authority following a complaint to it from an occupant of a dwelling alleging noise disturbance at that dwelling, the wind farm operator shall, at its expense, employ a consultant approved by the Local Planning Authority to assess the level of noise immissions from the wind farm at the complainant's property in accordance with the procedures described in attached Guidance Notes. The written request from the Local Planning Authority shall set out at least the date, time and location that the complaint relates to and any identified atmospheric conditions, including wind direction, and include a statement as to whether, in the opinion of the Local Planning Authority, the noise giving rise to the complaint contains or is likely to contain a tonal component.

(d) The assessment of the rating level of noise immissions shall be undertaken in accordance with an assessment protocol that shall previously have been submitted to and approved in writing by the Local Planning Authority. The protocol shall include the proposed measurement 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 Local Planning Authority under paragraph (c), and such others as the independent consultant considers likely to result in a breach of the noise limits.

(e) Where a dwelling to which a complaint is related is not listed in the tables attached to these conditions, the wind farm operator shall submit to the Local Planning Authority for written approval proposed noise limits selected for those listed Tables to be adopted at the complaint's dwelling for compliance checking purposes. The proposed noise limits are to be those limits selected from the Tables 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 dwelling. The rating level of noise immissions resulting from the combined effects of the wind turbines when determined in accordance with the attached Guidance Notes shall not exceed the noise limits approved in writing by the Local Planning Authority for the complainant's dwelling.

(f) The wind farm operator shall provide to the Local Planning Authority the independent consultants assessment of the rating level of noise immissions undertaken in accordance with the Guidance Notes within 2 months of the data written request of the Local Planning Authority for compliance measurements to be made under paragraph (c), unless the time limit is extended in writing by the Local 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 Guidance Notes 1(e) of the Guidance Notes. The instrumentation used to undertake the measurements shall be calibrated in accordance with Guidance Notes 1(a) and certificates of calibration shall be submitted to the Local Planning Authority with the independent consultant's assessment of the rating level of noise immissions.

(2) Where a further assessment of the rating level of noise immissions from the wind farm is required pursuant to Guidance 4(c), the wind farm operator shall submit a copy of the further assessment within 21 days of submission of the independent consultant's assessment pursuant to paragraph (d) above unless the time limit has been extended in writing by the Local Planning Authority.

**Reason**: *To minimise the adverse impact of noise generated by the operations on the local community.*