

Bhlaraidh Wind Farm Extension Section 36C Variation

Technical Appendix 3.6: Planning Conditions Summary

Scottish Government - Energy Consents Unit - Application
Details

Bhlaraidh Wind Farm Extension

Technical Appendix 3.6: Planning Conditions Summary

As part of the Section 36C application, the Applicant is seeking to vary the wording of certain conditions contained in Annex 2 of the current Section 36 Consent and deemed planning permission conditions to reflect the changes to the Description of the Development and the Section 36C EIAR.

The Consented Development was awarded Section 36 planning consent in August 2022 and by 2023 the Applicant had progressed with ground investigations and detailed design of both the Site Enabling Works and the main wind farm. Site Enabling Works were completed in 2024.

Documents required to satisfy pre-commencement elements of several planning conditions, for either the Enabling Works or Main Works, were submitted to The Highland Council over the course of 2023 and 2024.

As the Proposed Varied Development construction methodology and mitigation remain largely unchanged, the majority of the information and documents submitted to satisfy the conditions will also not change. It is therefore considered that these documents will remain valid for the Proposed Varied Development and, on this basis, some conditions will remain 'satisfied'.

Correspondence (letters and emails) from The Highland Council (ref: Ref: 21/04080/S36/PSCON) confirming the discharge status of each condition are contained as Annex 1 to this document, and are listed as follows:

Annex 1	Document
SatCon Letter 1	Satisfaction of Conditions Letter, dated 2 February 2023
SatCon Letter 2	Satisfaction of Conditions Letter, dated 13 March 2023
SatCon Letter 3	Satisfaction of Conditions Letter, dated 26 May 2023
SatCon Letter 4	Satisfaction of Conditions Letter, dated 15 January 2024
SatCon Email 1	Satisfaction of Conditions Email dated 18 July 2023 (re satisfaction of Condition 14)
SatCon Email 2	Satisfaction of Conditions Email dated 7 June 2023 (re satisfaction of Condition 27)

The planning satisfaction documents which have been used or referenced in support of any part of the Section 36C comparative environmental assessment, are also included as Technical Appendices to the EIAR. While some additional documents have been submitted to satisfy conditions (e.g. Outdoor Access Plan and Community Liaison Plan), these have not been included in the EIAR as they have not been used for reference or in support of the S36C comparative environmental assessment and they will not change for the Proposed Varied Development. The included planning satisfaction documents are listed as follows:

Technical Appendix	Title
3.6a	Habitat Management Plan (HMP) (WSP, September 2024)
3.6b	Biogenic Carbon Report (WSP, June 2024)
3.6c	Biodiversity Net Gain (BNG) Assessment Report (WSP, September 2024)
3.6d	Deer Management Plan (DMP) (WSP, June 2024)
3.6e	Construction Environmental Management Plan (CEMP) (SSE, May 2024)
3.6f	Private Water Supply (PWS) Risk Assessment (Natural Power, June 2024)
3.6g	Water Quality and Fish Monitoring Plan (WQFMP) (Natural Power/RPS/SSE, July 2024)
3.6h	Species Protection Plan (Natural Power, Nov 2022)
3.6i	Breeding Bird Protection Plan (Natural Power, Nov 2022) CONFIDENTIAL

Table 3.6A, below, provides a summary of the current status of the planning conditions relevant to this EIAR and whether the conditions are to be reworded.

Table 3.6A: Planning Condition Status and Supporting Document Summary

	Planning Condition	S36C Condition Wording Change?	Pre-commencement Condition Status	Supporting Document
1	Notification of Date of First Commissioning & Date of Final Commissioning	No change	Not satisfied - compliance prior to commissioning	n/a
2	Commencement of Development	Varied wording to be requested (extended implementation period).	Not satisfied – compliance prior to commencement.	n/a
3	Non-Assignment	No change.	Compliance condition.	n/a
4	Serious Incident Reporting	No change.	Compliance condition.	n/a
5	Implementation in accordance with approved plans	Varied wording to be requested (updated reference to S36C EIAR and site layout plan)	Compliance condition.	Revised site plan to be referred to in amended condition: S36C EIAR, Volume 2, Figure 1.2
6	Site Enabling Works	No change.	Satisfied.	SatCon Letter 3
7	Design and Operation of Wind Turbines	No change.	Condition was previously satisfied ; however, the applicant will rescind the information submitted should consent for the varied development be achieved as alternative turbine details will apply.	SatCon Letter 4

Planning Condition	S36C Condition Wording Change?	Pre-commencement Condition Status	Supporting Document
8 Signage	No change	Compliance condition.	n/a
9 Design of Sub-station, Ancillary Buildings and other Ancillary Development	No change	Satisfied. No change to substation plans is anticipated for the Proposed Varied Development, therefore the plans submitted (Figures 2.5 and 2.6) remain valid and are provided in the S36C EIAR for information.	SatCon Letter 4 S36C EIAR, Volume 2, Figure 2.5 & 2.6.
10 Micro-siting	Varied wording requested (updated reference to S36C EIAR figures).	Compliance condition.	Revised site plans to be referred to in amended condition: S36C EIAR, Volume 2, Figure 1.2 and Figures 10.2a-d.
11 Borrow Pit – Blasting	No change.	Compliance condition.	n/a
12 Ecological Clerk of Works (“ECoW”)	Varied wording to be requested (include reference to S36C EIAR).	Satisfied. Terms of reference have been approved therefore the pre-commencement part of this condition is satisfied.	SatCon Letter 1.
13 Construction Environmental Management Plan (“CEMP”)	Varied wording requested (updated reference to S36C EIAR figure).	Satisfied. The CEMP may require to be updated prior to construction to account for any changes to guidance or regulation (e.g. CAR regulations superseded by EASR).	SatCon Letter 3 & 4. S36C EIAR, Volume 4, Technical Appendices:- <ul style="list-style-type: none"> • 3.6e: CEMP • 3.6f: Private Water Supply Risk Assessment • 3.6h: Species Protection Plan

Planning Condition	S36C Condition Wording Change?	Pre-commencement Condition Status	Supporting Document
			<ul style="list-style-type: none"> 3.6i: Breeding Bird Protection Plan CONFIDENTAL <p>S36C EIAR, Volume 2, Figure 2.10: Environmental Constraints.</p>
14 Watercourse Design	Varied wording requested (change reference to Proposed Varied Development updated watercourse crossing schedule).	Satisfied	SatCon Email 1
15 Access Standard	No Change	Satisfied	SatCon Letter 4
16 Construction Traffic Management Plan (“CTMP”)	No change.	Condition is not satisfied – updated CTMP will be required for the Proposed Varied Development to satisfy the condition.	<p>Updated CTMP and Abnormal Indivisible Load (AIL) reports are provided in:</p> <p>S36C EIAR, Volume 4, Technical Appendices 12.1 and 12.2.</p>
17 Peat Management Plan	No change	Satisfied for Consented Development layout, however updated volume calculations have been provided for the S36C application. These volumes are based on post ground investigation and detailed design information and therefore it is expected that the S36C EIAR PMP will	<p>SatCon Letter 4.</p> <p>S36C EIAR, Volume 4, Technical Appendix 10.1: Peat Management Plan</p>

Planning Condition	S36C Condition Wording Change?	Pre-commencement Condition Status	Supporting Document
		be sufficient to re-satisfy the pre-commencement requirement of this condition.	
18 Habitat Management Plan	No change.	Satisfied.	SatCon Letter 4. S36C EIAR, Volume 4, Technical Appendices: <ul style="list-style-type: none"> - 3.6a: HMP - 3.6b: Biogenic Carbon Report - 3.6c: BNG Report - 3.6d: DMP
19 Borrow Pits – Scheme of Works	No change	Satisfied.	SatCon Letter 4
20 Deer Management Plan	No change.	Satisfied.	SatCon Letter 4. S36C EIAR, Volume 4, Technical Appendix 3.6d: DMP
21 Redundant Turbines	No change.	Compliance condition.	n/a
22 Aviation Safety – Lighting	No Change	Condition was previously satisfied; however, the lighting scheme is superceded by the revised proposals contained in the S36C application.	SatCon Letter 4 S36C EIAR, Volume 4, Technical Appendix 15.1 & 15.2.
23 Aviation Safety	No change.	Compliance condition.	n/a

Planning Condition	S36C Condition Wording Change?	Pre-commencement Condition Status	Supporting Document
24 Site Decommissioning, Restoration and Aftercare	No change	Satisfied.	SatCon Letter 2.
25 Financial Guarantee	No Change	Not satisfied	N/a
26 Outdoor Access Plan	No Change	Satisfied	SatCon Letter 4
27 Community Liaison Group	No Change	Satisfied	SatCon Email 2
28 Site Inspection Strategy	No Change	Not satisfied. Compliance prior to final commissioning.	n/a
29 Water Quality and Fish Monitoring Plan	No change	Satisfied	SatCon Letter 1 and 4. S36C EIAR, Volume 4, Technical Appendix 3.6g: WQFMP.
30 Noise	No change	Not satisfied. Compliance prior to first commissioning.	n/a

Annex 1: Satisfaction of Conditions Correspondence