

SCHEDULE OF PROPOSED CONDITIONS

This permission is subject to the following planning condition(s). Note: Failure to comply with planning conditions may result in enforcement action.

- DURATION**
- Condition 1** The Development to which this planning permission relates must be commenced not later than the expiration of FIVE years beginning with the date on which this permission is granted.
- Reason* To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- TIME-LIMITED CONSENT, DECOMMISSIONING, AND REDUNDANCY**
- Condition 2** This permission shall endure for a period of 40 years from the date on which the Development first connects to the Grid network; within this period the development shall cease to operate and the site shall be restored in accordance with a detailed decommissioning, restoration and aftercare statement to be first approved in writing by the Planning Authority. Written confirmation of the date of first connection to the grid network shall be provided to the Planning Authority within 12 months of this occurrence. For the avoidance of doubt, the detailed decommissioning, restoration and aftercare plan shall provide 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 provision which shall include waste management proposals.
- Reason* To ensure that the development is removed at the end of its use and to ensure the satisfactory restoration of the site.
- Condition 3** If the Development fails to export electricity via the Grid Network for a continuous period of twelve months, then it shall be deemed to be redundant. If the Development has been deemed to be redundant, no later than twelve months from the date the Development has been deemed to be redundant, a plan for the removal of the Development, the treatment of ground surfaces, the management and timing of the works and environment management provision which shall include waste management proposals, shall be submitted for the written approval of the Planning Authority.
- Reason* To ensure that if the Development becomes redundant the equipment is removed from the site, in the interests of safety, amenity and environmental protection.
- FINALISED DEVELOPMENT DETAILS**
- Condition 4** Except as otherwise required by the terms of this consent, the Development shall be undertaken in accordance with the Application, the planning drawings and all documentation lodged in support of the Application.
- Reason* To ensure that the Development is carried out in accordance with the approved details.
- Condition 5** No development shall commence unless and until the following details have been submitted to and agreed in writing by the Comhairle as Planning Authority:
- a) finalised details of the battery storage technology, associated plant and infrastructure and finalised site layout;
 - b) the finalised design and appearance of all buildings and equipment to be installed within the site including their external material finish and colour; and
 - c) the finalised design and appearance of all fences, barriers and gates including their material finish and colour.
- Thereafter, the Development shall be constructed, maintained, and operated in accordance with the approved details, unless otherwise agreed in writing by the Comhairle as Planning Authority.

Reason To ensure the development respects the historic character and amenity of the area.

OPERATIONAL AND NOISE AND LIGHTING

Condition 6 Notwithstanding the submitted details, no development shall commence until full details – including the appearance, construction material, design and acoustic performance have been submitted to and agreed in writing by the Comhairle as Planning Authority in consultation with the Environmental Health Authority. Thereafter the approved details shall be implemented prior to the first use of the site hereby approved and maintained for the lifetime of the Development.

Reason To mitigate the risk to local residents from noise arising from the Development.

Condition 7 The total noise from any mechanical and electrical plant shall not exceed NR35 during daytime and NR25 during night-time within any adjacent residential property (the noise measurements shall be taken with the windows open at least 5cm). For the avoidance of doubt NR35 is applicable for the period 07.00 to 23.00 hours and NR25 are applicable for the period 23.00 to 07.00 hours.

Reason The applicant's noise assessment has stated the noise from the application will be the same 24/7 and they are meeting the NR25 at night therefore this should also be met during the day.

Condition 8 Prior to the commencement of development to which this planning permission relates, a lighting scheme shall be submitted for approval by the Comhairle as Planning Authority in consultation with the Environmental Health Authority. The scheme shall contain details of all proposed external lighting to the development, including security lighting. The approved details shall then be implemented and maintained throughout the lifetime of the development to the satisfaction of the Comhairle as Planning Authority.

Reason To protect local residents from light nuisance due to the use of the development.

CONSTRUCTION PERIOD

Condition 9 Hours of operation during the construction period should be restricted to 07.00 – 19.00 Monday to Friday, 08.00 – 13.00 on Saturdays and no Sunday or Bank Holiday working.

Reason To protect the amenity at noise sensitive premises.

Condition 10 A method statement should be submitted to the Planning Authority outlining what dust mitigation measures will be put in place for the duration of the construction phase. Should any complaints be received in respect of dust, the developer shall fully investigate these complaints to establish dust levels at any affected property.

Reason To protect the amenity at dust sensitive premises.

Condition 11 No works shall commence on site until a Construction Traffic Management Plan has been submitted to and approved in writing by the Comhairle as Planning Authority, in consultation with the Roads Authority. The Construction Traffic Management Plan shall include the following information:

- a) construction programme and duration of the works;
- b) hours of construction operations;
- c) HGV transport routes for site preparation works including expected number of daily HGV trips;
- d) anticipated schedule for delivery of bulk loads (Battery and ancillary plant) and transport routes;
- e) traffic management measures to be put in place during works including off-street parking for contactor vehicles;

- f) A summary of key issues to be addressed in driver briefings, to include driver awareness of periods of high risk for pedestrian (school in/out times and hours of darkness);
- g) protocol for communication with neighbouring houses and businesses in respect of any traffic disruptions likely to be associated with the development.

The CTMP shall be implemented in accordance with the approved details.

Reason To mitigate the impacts of construction traffic on businesses and residences.

ROADS AND PARKING

Condition 12 Unless otherwise agreed in writing with the Comhairle as Planning Authority, no part of the development to which this planning permission relates shall be operated until the accesses, parking and turning provision all as shown and detailed on Approved Plan 03A, have been fully implemented and made operational. The accesses, parking and turning provisions shall then be retained throughout the life of the development to the satisfaction of the Comhairle as Planning Authority.

Reason In order to secure the satisfactory development of the site in the interests of road safety.

Condition 13 Prior to the commencement of development to which this planning permission relates, a finalised soft landscaping scheme shall be submitted for approval by the Comhairle as Planning Authority.

The scheme shall contain:

- a) details of all shrubs and trees including distribution, species and maturity.
- b) details of areas to be seeded with grass and areas identified for wildflower planting.
- c) a statement on how the landscaping will contribute to the enhancement of biodiversity.

Thereafter the scheme shall be implemented in accordance with these approved plans within the first planting season upon completion of the development. Any trees or plants which (within a period of 5 years from the planting) die, are removed or become seriously damaged or diseased shall be replaced in the following planting season with others of similar size, number and species unless the Comhairle as Planning Authority gives written consent to any variation of the scheme.

Reason In order to ensure the external spaces will sit suitably in the landscape, in the interests of visual amenity and to enhance the biodiversity of the site.

Condition 14 Drainage provision shall be made to ensure surface water does not flow from the site on to the mutual access road.

Reason In the interests of road safety.

HEALTH AND SAFETY

Condition 15 Prior to the first installation of any battery at the site to which this planning permission relates, the Developer shall submit an outline Operational Stage Health and Safety Management Plan including any protocol agreed with the Scottish Fire and Rescue Service.

Reason In order to demonstrate that as a minimum the health and safety measures set out in the submitted Health and Safety Statement dated 06 September 2024 have been implemented as proposed or strengthened in line with Health and Safety Regulations pertaining at that time.

TEMPORARY UNIT

Condition 16 The shipping container hereby approved, together with any associated fixtures, shall be removed from the site before 31 December 2034, unless planning permission for its retention has been granted beforehand.

Reason In order to safeguard the amenity and character of the area.