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From: Kerr, Richard <richard.kerr@argyll-bute.gcsx.gov.uk>
Sent: 19 June 2014 17:06
To: MS Marine Licensing
Subject: Sound of Islay Tidal Array
Attachments: 1401152 RK to MS 200614.docx

Please find attached the Council's consultation response in respect of the above proposal.

Richard Kerr
Team Leader – Major Applications
Development Management
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20TH JUNE 2014

Our Ref. : 14/01152/S36

Your Ref. : 002/TIDE/SPR - 2

Contact : Richard Kerr

Direct Line : 

Marine Scotland
Marine Planning & Policy Division
Scottish Government Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

FAO: Alexander Ford

Dear Mr Ford

**ELECTRICITY ACT 1989 AS AMENDED)
MARINE SCOTLAND ACT 2010
TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)
SOUND OF ISLAY TIDAL ARRAY**

I refer to your consultation of 26th May 2014 in respect of the above proposal. Following consultation with relevant bodies, the details of this proposal were considered by the Council's Planning Protective Services & Licensing Committee at its meeting of 18th June 2014.

I am able to confirm that the Council does not wish to raise any objection to either the marine or the terrestrial elements of the proposal, provided that conditions are attached relative to any deemed planning permission which may be given as part of the consenting process, in order to address those matters which are set out in the appendix to this letter.

You will note that the matters required to be the subject of conditions are set out in outline form only as final wording may well be influenced by views expressed by other bodies which you have consulted separately. Given that the Council will become the responsible enforcing authority for such conditions, it would wish that the intended wording of those conditions should be the subject of prior consultation prior to the issuing of any consent. I would be happy to be party to the drafting of such or alternatively to review any draft wording which you care to suggest.

Yours sincerely



Richard Kerr
Team Leader – Major Applications

APPENDIX A

RECOMMENDED MATTERS TO BE SECURED BY CONDITION IN THE EVENT DEEMED PLANNING PERMISSION IS GRANTED

1. Development to be implemented in accordance with Mitigation and Monitoring measures identified in the applicant's Environmental Report April 2014.
2. Ecological Clerk of Works to be employed for the duration of the construction of the sub-station and the access thereto.
3. No access improvement or access construction, no vehicular access to the site, and no construction works in respect of the sub-station site to be undertaken between the beginning of January and the end of August in any year unless otherwise agreed in advance with Scottish Natural Heritage. Outwith this period access and construction works should be compliant with a Construction Method Statement.
4. Hours of any vehicular movements to and from the sub-station site to be limited to 0730 to 1800 hours Monday to Fridays and 0800 to 1300 hours Saturdays only (excluding public holidays), other than with the prior written agreement of the Planning Authority.
5. Removal and reinstatement of the temporary construction compound following the commissioning of the development.
6. Details of improvement works to the existing access route from the public road and construction of the extension thereto to be submitted and agreed in advance, including details of construction, surfacing, watercourse crossings and means of reinstatement of excavated margins.
7. Details of the proposed finished level of sub-station compound relative to an identifiable fixed datum outwith the application site, with verification to be supplied by a suitably qualified surveyor in advance of construction proceeding on the control building or the installation of any of the electrical equipment within the compound.
8. Details of the proposed design and colour of the proposed perimeter fencing to the compound.
9. Samples and or full details of the proposed external materials including the roofing material of the sub-station building.
10. Submission of proposed contours of the ground re-modelling along the front of the sub-station compound, including a cross-section(s) demonstrating the relationship with the proposed finished level of the sub-station compound and the height of the building and external structures within the compound.
11. Proposed tree planting scheme including species, sizes, numbers, locations, planting distances, ground preparation, timing of planting, monitoring during establishment period and replanting in the event of failures.
12. Details of the means for reinstating those areas disturbed by the laying of underground cabling.
13. No external lighting to be installed during the construction, operational or decommissioning phases of the development without prior approval.

14. Removal of the sub-station building and all external equipment and reinstatement of the land in the event electricity generation was to cease for more than 18 months.
15. A requirement for a decommissioning programme at the end of the consent period providing for removal of the sub-station building and all external equipment and reinstatement of the land.
16. Submission of a Traffic Management Plan and Method Statement indicating the means of delivery of components to and the construction traffic associated with the development, operation and decommissioning of the substation site.
17. A pre-commencement video/photographic survey of the section of public road between the A846 at Ballygrant and the estate road access to the sub-station site along with a report on areas vulnerable to traffic loading, including an assessment of culverts and other structures, and a programme of weekly inspections during the construction period to ensure that the carriageway remains in a safe condition.
18. Proposals for carriageway widening and the provision/improvement of passing places and the reinstatement of any temporary works required in respect of the section of public road between the A846 at Ballygrant and the estate road access to the sub-station site.