

PLANNING PERMISSION IN PRINCIPLE

Reference No: 13/01689/PIP

To:
Port Of Ardersier Limited
C/o Agent

Per:
Savills (UK) Limited
Alastair Wood
8 Wemyss Place
Edinburgh
EH3 6DH

**Town & Country Planning (Scotland) Act 1997 as amended by the Planning Etc.
(Scotland) 2006 Act**

DECISION NOTICE

Establish a port and port related services for energy related uses, including marine channel dredging, quay realignment, repair and maintenance, erection of offices, industrial and storage buildings and associated infrastructure, delivery and export of port related cargo, marine channel dredging, quay realignment, repair and maintenance, erection of offices, industrial and storage buildings and associated new road access, parking, infrastructure, services, temporary stockpiling of dredged material, re-grading and upfilling of landward areas and landscaping.

Former Fabrication Yard, Ardersier, Nairn.

The Highland Council in exercise of its powers under the above Acts **grants planning permission in principle** for the above development in accordance with the particulars given in the application and the following plans/drawings:

Type of Plan	Plan Number	Version No.	Date Plan Received
General Plan	CA4393/706	E	29.10.2013
General Plan	CA4393/704	F	29.10.2013
General Plan	CA4393/722	D	29.10.2013
Location Plan	CA4393/721		03.05.2013

This permission is granted subject to the following conditions: -

- (1.) Planning Permission in Principle is hereby granted for a development to establish a port and undertake port related services for energy related uses as set out within Table 1 and developed in general accordance with the Indicative Master Plan (Drawing No. CA4393/704 Rev F).

Dated: 30th January 2014



Head of Planning and Building Standards

Table 1

Facility	Area (maximum)
Commissioning area	12,000m2
Turbine storage area	108,000m2
Pre-assembly/offshore equipment storage area	54,750m2
Heavy lifting gantry	54,000m2
Production area	83,300m2
Completed towers and nacelle storage area	138,700m2
cable spooling area	122,250m2
concrete batcher	10,000m2
bulk materials storage	10,000m2
stores/workshops	12,500m2
office area	24,000m2
car park	33,052m2
harbour office/point operations	10,000m2
offshore support base	54,000m2
security office	4,000m2
Dredged material storage area	
6 renewable energy research/production units	
Pump station	
Transportation barge or floating barge	

Reason: In order to clarify the terms of permission.

- (2.) No development, other than the works permitted by the Harbour Revision Order, shall commence until a Phasing Plan, which details the proposed sequence of development, has been submitted to, and approved by, the Planning Authority. The development shall be undertaken in accordance with the agreed Phasing Plan, or in Sub-Phases as may be approved by the Planning Authority. A Sub-Phase means any part of any Phase of Development the subject of an Approval of Matters Specified in Conditions issued by the Council following an application in that behalf, or otherwise subject of any equivalent planning approval following an application in that behalf.

Reason: To ensure that the development proceeds in an appropriate manner and that the necessary elements of the development are provided at the appropriate stages.

- (3.) No development, other than the works permitted by the Harbour Revision Order, shall commence until a draft Decommissioning and Restoration Plan (DRP) for the site has been submitted to, and approved by, the Planning Authority in consultation with SNH and SEPA.

Thereafter:

- i. No later than 3 years prior to the decommissioning of the development, the draft DRP shall be reviewed by the operator and a copy submitted to the Planning Authority for their written approval, in consultation with SNH and SEPA; and
- ii. No later than 12 months prior to the decommissioning of the development, a detailed DRP, based upon the principles of the approved draft plan, shall be submitted to, and

Dated: 30th January 2014

Head of Planning and Building Standards

approved in writing by, the Planning Authority, in consultation with SNH and SEPA. For the avoidance of doubt, the DRP shall include the removal of all aboveground elements of the development, all new access tracks, the treatment of disturbed and/or contaminated ground surfaces, management and timing of the works, environmental management provisions and a traffic management plan to address any traffic impact issues during the decommissioning period. The detailed Decommissioning and Restoration Plan shall be implemented as approved.

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

(4.) No development, other than the works permitted by the Harbour Revision Order, shall commence within each Phase, or sub-Phase, until an application, or applications, for the approval of matters specified in conditions as they relate to or are relied upon by that Phase or sub-Phase has been submitted to, and approved by, the Planning Authority in respect of the following matters, insofar as they relate to the details of the proposed development taking full account of the Indicative Master Plan referred to in Condition 1 above:-

- a) a detailed Master Plan using the principles set out in the Indicative Master Plan and Environmental Statement;
- b) the siting, design and external appearance of all buildings and other structures;
- c) details of finished site and floor levels;
- d) details of sustainable design considerations including possible use of solar gain design, solar energy use, grey water recycling and rain water harvesting, external lighting to minimise sky glow, and energy conservation generally;
- e) the layout of the site;
- f) road layout including the road hierarchy, junction layouts and design;
- g) the provision of car parking;
- h) means of dealing with commercial waste in accordance with the Highland Council's 'Managing Waste in New Developments' Supplementary Planning Guidance' (or any superseding guidance prevailing at the time of submission) including provision of communal composting and recycling facilities.

Reason: To enable the planning authority to consider these aspects of the development in detail.

(5.) No development shall commence on a particular Phase, or sub-Phase, until full details of surface water drainage provision within the relevant Phase or sub-Phase (which should accord with the principles of the SUDS Manual (CIRIA C697)) have been submitted to, and approved by, the Planning Authority. Thereafter, only the approved details shall be implemented and all surface water drainage provision for the relevant phase or sub-phase shall be completed prior to the final occupation of the relevant phase or sub-phase.

Reason: To ensure that surface water drainage is provided timeously and complies with the principles of SUDS; in order to protect the water environment and reduce the risk of flooding.

(6.) No development shall commence until a Construction Environmental Management Document has been submitted to, and approved by, the Planning Authority in consultation with SNH and SEPA. The Document shall include:

Dated: 30th January 2014

Head of Planning and Building Standards

- An updated Schedule of Mitigation (SM) including all mitigation proposed in support of the planning application, other relevant agreed mitigation (e.g. as required by agencies) and set out in the relevant planning conditions
- Processes to control / action changes from the agreed Schedule of Mitigation
- The following specific Construction and Environmental Management Plans (CEMP):
 - (i) Habitat management plan that will:
 - protect water bodies from marine non-native species
 - minimise the risk of spreading freshwater invasive species
 - (ii) Spit habitat protection and enhancement plan that will be designed to avoid disturbance to key roost sites on the spit and the bay to the west of the site and provide opportunity to create new roost sites
 - (iii) Marine mammal protection plan, including measures to protect marine mammals from on-shore activity
 - (iv) Pollution prevention plan
 - (v) Dust management plan
 - (vi) Noise and vibration mitigation plan (including hours of operation)
 - (vii) Site waste management plan
 - (viii) Sediment transport monitoring plan
- Details of the appointment of an appropriately qualified Environmental Clerk of Works with roles and responsibilities.
- Methods of monitoring, auditing, reporting and communication of environmental management on site and with the client, Planning Authority and other relevant parties.
- Statement of responsibility to 'stop the job / activity' if in potential breach of a mitigation or legislation occurs.

Reason: To protect the environment and amenity from the construction of the development.

- (7.) No development shall commence on site until a community liaison group has been established by the developer, in collaboration with The Highland Council and local Community Council(s). The group shall act as a vehicle for the community to be kept informed of project progress and, in particular, should allow advanced dialogue on the provision of all mitigation measures and to keep these under review. The liaison group shall be maintained for the duration of construction activity on each Phase.

Reason: To assist with the provision of mitigation measures to minimise the effects on road users, including pedestrians, and neighbouring occupiers.

- (8.) No development shall commence on site until a comprehensive scheme for understanding the potential fragmentation impact on the bottlenose dolphin resulting from underwater noise associated with construction operations has been submitted to, and approved by, the Planning Authority in consultation with Scottish Natural Heritage. The scheme shall include proposals for monitoring and reporting of underwater noise and dolphin activity at the entrance to Ardersier Port and at Chanony Point prior to and during construction activities. The approved scheme shall be implemented.

Reason: In order to understand the fragmentation impact on the bottlenose dolphin qualifying feature of the Moray Firth SAC.

Dated: 30th January 2014


 Head of Planning and Building Standards