

Appendix 1 Conditions for 2017/0254/MIN

Development of an underground mine to extract gold and silver with associated service and production building, plant, storage areas, Tailings Storage Facility (TSF), settlement pond and gauging station, bridge and car parking (Further revision of 2014/0285/DET)

1. **Time Limit for Construction, Operation and Decommissioning:** All mining operations and decommissioning shall cease not more than 17 years from the date of commencement of the development (as indicated on the 'Notification of Initiation of Development', or date of commencement of development as determined by the Planning Authority). The 17 years includes construction, mining operations, restoration, decommissioning and all ancillary development and does not include aftercare of the mine site.

REASON: To reflect the nature of development contained in the planning application, and considered in the Environmental Statement, and to limit the length of time proposed for mine operations and decommissioning in order to minimise the adverse landscape and visual impact in this sensitive landscape within the National Park.

2. **Notification of cessation of operations, mine abandonment & restoration:** If at any time after the commencement of mining extraction, mining operations cease for more than 4 weeks the developer must notify the Planning Authority in writing within one week, and thereafter notify the Planning Authority in writing of the date of re-commencement of mining operations, within one week of the date of re-commencement. If at any time after the commencement of mining extraction the site is not used for mining operations for a period of 12 continuous months then the mine shall become an abandoned mine. The applicant will be required to submit details of a revised Decommissioning and Final Restoration Plan (in accordance with Condition 32) for the written approval of the Planning Authority, within 6 months of the mine being declared abandoned by the Planning Authority. The applicant shall decommission and restore the site in accordance with the approved revised Decommissioning and Final Restoration Plan no later than 2 years from the date the Planning Authority approved such a scheme.

REASON: To minimise the adverse landscape and visual impact and ensure that the site is restored to a satisfactory standard in this sensitive area of the National Park.

3. **Construction Period & Pre-deposition Decommissioning and Restoration:** All works associated with the construction of the surface workings including the ponds, fencing, site drainage, water tanks, parking, turning and storage areas, processing building, bund, and footprint of stack 1 (as shown on Drawing Figure 3.4, received on 10th August 2017) shall be completed within 12 months of the date of commencement of development (as indicated on the 'Notification of Initiation of Development', or date of commencement of development as determined by the Planning Authority) and mining operations shall thereafter commence within the following three months, unless otherwise agreed in writing by the Planning Authority.

If mining operations do not occur by the end of such period (15 months from the date on the 'Notice of Initiation of Development' or date of commencement of development as determined by the Planning Authority or the aforementioned revised date agreed in writing by the Planning Authority) the applicant will be required to submit details of

a revised Decommissioning and Final Restoration Plan (in accordance with Condition 32 and including: the complete removal of the 'barren' rock from the basal drainage layer of Stack 1 which shall be returned to the underground mine; removal of the processing building and associated infrastructure; removal, regrading and re-vegetation of the former mine platform including area of 'sedi-bags'; and narrowing of the track from the farm to mine platform to 2.5 metres wide, 3 metres wide at bends, and formation of a centrally vegetated strip) for the written approval of the Planning Authority within 6 months after the end of the period (21 months from the date on the 'Notice of Initiation of Development' or date of commencement of development as determined by the Planning Authority or 6 months from the aforementioned revised date agreed in writing by the Planning Authority). The applicant shall decommission and complete restoration of the site in accordance with the approved revised restoration plan no later than 2 years from the date the Planning Authority approved such a scheme.

REASON: To minimise the adverse landscape and visual impact and ensure that the site is restored to a satisfactory standard in this sensitive area of the National Park.

4. **Extraction Limits:** The total volume of mineral to be extracted from the mine shall not exceed 553,000 tonnes (346,000 m³) of ore and 172,332 tonnes (86,200m³) of "barren" rock and this shall be recorded through the requirements of condition 55.

REASON: To ensure that the mine operations do not exceed the volumes of extraction assessed within the Environmental Statement.

5. **Tailings Storage Facility (TSF) Limitations:** The number of stacks shall not exceed ten and the location of Tailings Storage Facility (TSF) stacks shall be as shown on Figure 13.1 'Development Mine Waste Storage Plan' received on 10th August 2017. The maximum height of the stacks shall not exceed 10 metres above existing ground level.

REASON: To accurately define the extent of development that was assessed within the Environmental Statement and to minimise the visual impact of the development in this sensitive landscape within the National Park.

6. **Tailings Storage Facility (TSF) Total Storage Capacity Limit:** The storage capacity of the Tailings Storage Facility (TSF) shall not exceed 553,000 tonnes of extractive waste (tailings).

REASON: To accurately define the extent of development that was assessed within the Environmental Statement and to minimise the visual impact of the development in this sensitive landscape within the National Park.

7. **Extent of Underground Mining and Underground Waste Facility:** The underground mining operations including the Underground Waste Facility shall not advance beyond the "Extent of Mine" area shown outlined in turquoise on Drawing Figure 13.1, received on 10th August 2017.

REASON: For the avoidance of doubt and to accurately define the extent of development that was assessed within the Environmental Statement.

8. **Entrance to Mine:** Unless otherwise agreed in writing with the Planning Authority, mine entries or accesses to the underground operations shall be limited to the mine portal shown on Drawing Figure 3.10, received on 10th August 2017, and there shall be no new or additional entries or accesses.

REASON: To minimise the visual impact of the development in this sensitive landscape within the National Park

9. **Widening of the Adit:** Prior to the commencement of development on site, a plan showing elevations of the proposed widening of the adit (at a minimum scale of 1:100) shall be submitted to, and approved in writing by, the Planning Authority. Thereafter all works shall be carried out in accordance with the approved plan.

REASON: To minimise the visual impact of the development in this sensitive landscape within the National Park.

10. **Mine Water Abstraction:** No dewatering of the mine shall take place until a mine water abstraction scheme has been submitted to, and approved in writing by, the planning authority in consultation with SEPA.

REASON: To protect the water environment.

11. **Surface Workings:** The surface extent of the application site including the Tailings Storage Facility (TSF) stacks, the road access, buildings, plant and machinery shall only be used for works in connection with the extraction of minerals within the area shown on Drawing Figure 1.1, received on 10th August 2017 and no extractive waste or waste materials of any other nature shall be brought onto the application site.

REASON: To ensure that the waste facility and associated plant and machinery is not used by other mine extraction work, which would result in traffic movements and other environmental impacts that have not been assessed.

12. **Permitted Development:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), no fixed plant or machinery, buildings, structures or erections, or private ways shall be erected, extended, installed, replaced, repaired or altered within the site unless approved in writing by the Planning Authority.

REASON: To ensure that no further buildings, tracks, structures or machinery are erected that have the potential to cause additional adverse landscape and visual impact in this sensitive landscape within the National Park.

13. **Worker's Accommodation:** Notwithstanding Class 15 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), there shall be no worker's accommodation in the form of static or touring caravans provided within the development site.

REASON: To ensure that no static or touring caravans are provided that have the potential to cause additional adverse landscape and visual impact in this sensitive landscape within the National Park.

14. Limitation of Working Hours: The working hours for each element of the development hereby approved shall be limited as follows:

(a) surface working operations relating to construction, decommissioning and post-production restoration: between 0600hrs and 2100hrs Monday to Saturday and not on Sundays or recognised Scottish Public Holidays;

(b) underground working: 24 hours;

(c) processing building to operate, including vehicle movements within the site: 24 hours Monday to Saturday and not on Sundays or recognised Scottish Public Holidays;

(d) surface working operations (including vehicle movements) relating to progressive construction of the stacks and restoration: between 0600hrs and 2100hrs Monday to Saturday and not on Sundays or recognised Scottish Public Holidays;

(e) haulage of minerals from the site or acceptance of deliveries to the site along the Cononish Access road from Dalrigh and Station Road Lower: between 0800hrs and 1800hrs Monday to Saturday and not on Sundays or recognised Scottish Public Holidays;

No works or vehicle movements shall be undertaken outwith the time periods listed above, excluding emergencies, unless otherwise agreed in writing, in advance, with the Planning Authority. There shall also be:

- No construction activities within 350m of Cononish Farm during the period 0600-0700hrs; and
- No surface drilling operations between 0600-0700hrs and 1800-2100hrs.

REASON: To ensure that there is no activity on site on Sundays and recognised Scottish Public Holidays to conserve the tranquillity of the glen for recreational users; to minimise noise disturbance to nearby residents at Cononish Farm, particularly during night-time hours; to ensure there is no disturbance from lorries during the night in this sensitive glen and to residential properties at Station Road and Dalrigh.

15. Noise Limit: During the construction and operational phase of the mine, the noise shall not exceed 55dB at any time at Cononish Farm and the footpath to Ben Lui (locations as shown on Drawing 9.1 received 10th August 2017). At Cononish Farm, internally, the following standards should be met (with windows closed) - during the day 40dB LAeq, 1hr, at night 30dB LAeq, 15min. In addition, the proposed Noise Control Measures stated in Section 9.2.10 of the Environmental Statement, received on 10th August 2017, shall be implemented on the site to the satisfaction of the Planning Authority.

REASON: To minimise potential noise disruption to residents and members of the public.

Construction

16. Construction Environmental Management Plan (CEMP): At least two months prior to the commencement of the development hereby permitted, a revised Construction Environmental Management Plan (CEMP) containing Construction Method Statements (CMSs) for the Tailings Storage Facility (TSF) 'stacks', settlement pond and all other surface workings (including temporary track construction, Crom Allt bridge, car park extension, the processing building and bund, pipelines, culverts, and borrow pit(s)) shall be submitted for the consideration of the Planning Authority. The written approval of the Planning Authority for the CEMP must be received prior to the

commencement of development on site. Thereafter all works shall be carried out in accordance with the approved CEMP and accompanying appendices and plans and any revisions shall first be submitted to, and approved in writing by, the Planning Authority. The CEMP should include the information submitted in the Environmental Statement Appendix 6 received on 14th August 2017, and shall be amended to include the following:

- a) Names, email addresses and phone numbers of the personnel as appointed;
- b) Construction phasing plans (scaled at 1: 2500 at A3) accompanied by a comprehensive timeline for the different operations;
- c) Mitigation measures as set out in Appendix 3 of the Environmental Statement Addendum, received on 7th December 2017;
- d) Plan(s) (at a minimum scale of 1:2500) showing access points, identified working corridors, routes to be marked out for site traffic and exclusion zones (including the protection of identified ground water dependant terrestrial ecosystems (GWDTE) – M6 flush habitats, to be set up and monitored by the Ecological Clerk of Works (ECoW)) with the aim of minimising damage from either vehicle tracking or materials storage and limiting the area that is required to be restored;
- e) Revised Species Protection Plan details including:
 - i. mitigation and timing of any works taking place next to, or over, streams or rivers, clearly stating that the works would avoid salmon spawning, or migration period of October to June, when redds are occupied or alevins present; and
 - ii. Breeding birds protection plan (see condition 26).

The CEMP shall also include the Dust Management Plan (condition 42), Noise Management Plan (condition 41), Traffic Management Plan (condition 20), Turf Management Plan (condition 28) and Peat Management (condition 23), plus the roles of the Ecological Clerk of Works (condition 35) and Landscape Clerk of Works (condition 36).

REASON: The details within the CEMP and CMSs are considered of importance in securing an environmentally sensitive standard of development consistent with National Guidance and the first statutory aim of the National Park.

- 17. Details of Overground Structures/Fencing:** Prior to the commencement of development hereby permitted, the details (including colours, type, siting and materials) of the processing plant building, fencing, security cabin, water tanks, pipes, substation and any other ancillary structures which are not wholly contained in the processing plant, shall be submitted to, and approved in writing by, the Planning Authority. Thereafter, the respective structures shall only be constructed or installed in accordance with the approved details.

REASON: For avoidance of doubt and to ensure that all structures are finished in a suitable colour and sited in an appropriate location to reduce their landscape and visual impact during the operation of the mine.

- 18. Details of new Crom Allt Bridge:** Prior to the installation of the new Crom Allt Bridge hereby approved, notwithstanding the details shown on the Crom Allt bridge

upgrade drawing figure 3.7ii Bridge Layout, received 14th August 2017, a detailed drawing of the bridge, at a minimum scale of 1:500, shall be submitted to, and approved in writing by, the Planning Authority. The plan shall detail the materials for the bridge. Thereafter the bridge shall be built in accordance with the approved drawings.

REASON: For avoidance of doubt and to ensure the bridge details are appropriate for the sensitive rural location within the National Park.

19. **CMS and details of temporary bridge over Allt Eas Anie burn:** Prior to the installation of the temporary Allt Eas Anie bridge hereby approved, a Construction Method Statement (CMS) and drawing of the temporary bridge (at a minimum scale of 1:500) shall be submitted to, and approved in writing by, the Planning Authority. The plan shall detail the materials for the bridge. Thereafter the bridge shall be built in accordance with the approved drawings and CMS.

REASON: For avoidance of doubt and to ensure the construction working method and bridge details are appropriate for the sensitive rural location within the National Park.

Roads and Access

20. **Traffic Management Plan:** The traffic management details associated with the construction, operation, decommissioning and restoration of the mining works (which includes the timings and use of the junction in Tyndrum and Dalrigh, and access roads within Cononish Glen, including the requirement for workers to commute by minibus) shall be managed at all times in accordance with the Traffic Management Plan (Ref 537\TMP 2017 Dalgleish Associates LTD) and Temporary Traffic Management Scheme (TTMS) "Scheme Proposals" December 2012, received on 14th August 2017), unless minor amendments are otherwise approved in writing with the Planning Authority, in consultation with the Trunk Roads Authority.

REASON: To ensure that traffic associated with the establishment, operation and decommissioning of the mining operation does not adversely impact on the safety and free flow of traffic on the A82 Trunk Road and to ensure that the workers are commuted to the site as outlined in the proposal to reduce the impact of traffic on the Cononish Glen access track.

21. **Trunk Road Junction:** Prior to the commencement of the development hereby permitted, the existing access joining the A82 shall be upgraded by the applicant in accordance with the details set out in the Traffic Management Plan (Ref 537\TMP 2017 Dalgleish Associates LTD) and Temporary Traffic Management Scheme (TTMS) "Scheme Proposals" December 2012, received on 14th August 2017, to the satisfaction of the Planning Authority, in consultation with the Trunk Roads Authority.

REASON: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the A82 trunk road is not diminished.

22. **Road Condition Survey:** No development shall commence until:
(a) a survey of Cononish Road, from its junction with the A82(T), over its adopted distance of 58m has been carried out and submitted to the planning authority; and

(b) any defects within this section of road identified in said survey shall have been agreed by the Roads Authority in writing.

A further survey to the written satisfaction of the Roads Authority shall be undertaken upon completion of the construction/site establishment works or 12 months after commencement of development (whatever is sooner) to identify any deterioration in the road caused by site traffic during the construction works. Any defects identified outwith the initial survey shall be repaired / reinstated at the cost of the developer within a year of the further inspection survey.

REASON: To ensure that the road surface does not fall into disrepair as a result of the development and result in health and safety concerns for other users.

Ecology

23. **Peat Management Plan:** Prior to commencement of development, a revised Peat Management Plan (PMP), based on the version prepared by Dalgleish Associates, received on 24th October 2017 and the Environmental Statement Addendum, received on 7th December 2017, shall be submitted to and approved in writing by, the Planning Authority. The plan shall be revised to clearly state that no peat shall be a component of the processing plant bund except for acrotelmic peat and turves for revegetation of the surface and the plan shall state that blending saturated peat with consolidated peat or granular material shall only be used in exceptional circumstances and subject to being pre-agreed with the planning authority in writing. Any minor amendments to the PMP must be submitted to, and approved in writing by, the planning authority. Thereafter, the approved PMP must be complied with.

REASON: For avoidance of doubt and to ensure that the screening bund does not consist of peat as a peat bund of this size and slope would not be appropriate for permanent or long-term landscaping as the peat would dry out and lead to potential erosion.

24. **Draining of Existing Lagoons:** Prior to commencement of development, the methodology for draining the existing lagoons and providing an alternative waterbody or waterbodies shall be submitted to, and approved in writing by, the Planning Authority. The details shall include timescales (excluding the period of between February and September inclusive unless detailed mitigation measures that are submitted to and agreed in writing by the planning authority, are being followed), and details of how the new waterbody or feature would support similar amphibian and aquatic invertebrates. Any minor amendments to the details must be submitted to, and approved in writing by, the planning authority. Thereafter the approved details must be complied with.

REASON: To ensure replacement habitats for amphibians and invertebrates is provided and to ensure the resident amphibian population disperses before ponds are lost.

25. **Scheme for collection of Brash etc.:** Prior to the commencement of development on site a scheme setting out a methodology for the collection of brash or other vegetation propagules for habitat creation purposes from areas outside the development site shall be submitted to, and approved in writing by the Planning Authority. Thereafter collection of brash or other vegetation propagules from areas

outwith the development site shall be carried out in accordance with the approved Scheme.

The plan shall include a vegetation survey using the NVC methodology along with an appraisal of potential impacts upon protected species and other sensitive ecological receptors.

REASON: To ensure that vegetation restoration materials are both appropriate for use within the development site and to ensure no adverse impact will occur as a result of the process.

26. **Breeding Birds Protection Plan:** Prior to commencement of development, a breeding birds protection plan shall be submitted to, and approved in writing by, the Planning Authority. This shall include the following:

- a) The Ecological Clerk of Works (ECoW) shall regularly check the construction corridors and footprints of proposed stacks for signs of breeding bird activity;
- b) Toolbox talks shall be given to all personnel to alert them to wildlife legislation and breeding bird signs;
- c) Methods for keeping the construction corridor clear of breeding activity; and
- d) Procedures to be followed in the event of a nest being located within the construction corridor.

The breeding birds protection plan shall be implemented in its entirety to the satisfaction of the Planning Authority.

REASON: To ensure the proposed works are not carried out in a manner liable to contravene Nature Conservation laws relating to a protected species and to accord with the first statutory aim of the National Park to conserve and enhance the natural heritage of the area.

27. **Details of seeding mix:** Seeding will only be undertaken after consultation with the Planning Authority. Prior to the use of any seed mix within the development site details shall be submitted to, and approved in writing by, the Planning Authority.

REASON: To ensure seed mix is only used when required and that the seed mix is indigenous to Scotland and appropriate for the habitat that it will be used within.

Progressive and Final Restoration and Decommissioning

28. **Turf Management Plan:** Prior to the commencement of development hereby permitted, a revised Turf Management Plan shall be submitted to, and approved in writing by, the Planning Authority, based on the plan within Environmental Statement 2017 Appendix 6 Construction Environmental Management Plan (CEMP) received on 14th August 2017, with the following addition:

- A statement that turf recovery shall be maximised from within the footprint of each proposed stack and then to maximise recovery of divots for translocation, prior to utilisation of mulch for restoration purposes.

Thereafter all works shall be carried out in accordance with the approved plan, unless minor amendments are otherwise approved in writing by the Planning Authority.

REASON: In order to ensure the maximum recovery of turves and thereby minimise the time taken to restore the habitats and to minimise adverse visual and landscape

impact in this sensitive area of the National Park and to accord with the first statutory aim of the National Park to conserve and enhance the natural heritage of the area.

29. **Stack Specific Restoration Plan:** Prior to the stripping of vegetation from the footprint of each Tailings Storage Facility (TSF) Stack, in preparation for the deposition of rock which would form the basal drainage layer, a Stack Specific Restoration Plan shall be submitted to, and approved in writing by, the Planning Authority in consultation with SEPA and SNH. Thereafter all works on that stack shall be carried out in accordance with the approved plan, unless minor amendments are otherwise approved in writing by the Planning Authority.

The Stack Specific Restoration Plan shall include:

- a) A plan at a minimum scale of 1:1250 showing the habitat survey (NVC data) of the existing site within the footprint of the proposed stack, including stack periphery (within at least 10 metres of the stack). Areas where whole turves can be lifted should be marked on this plan and areas where divots can be lifted should also be marked;
- b) A plan at a minimum scale of 1:1250 clearly showing the proposed target habitat types within the footprint of the stack, including stack periphery (within at least 10 metres of the stack) including tree planting where relevant and a focus on the protection and restoration of GWDTE;
- c) A plan at a minimum scale of 1:1250 clearly showing the footprint of the proposed stack, the defined working corridor, temporary turf, divot, mulch and soil storage areas, exclusion zones and any temporary access roads and drainage ditches (existing and proposed);
- d) Details of the stack specific restoration and monitoring (to continue 5 years (or until 75% of the area has achieved the target habitat) following the completion of each stack and area) and thresholds for further intervention should techniques be only partially successful, based on the restoration toolkit in Figure 8.1 of the Environmental Statement Addendum received 7th December 2017. This shall include the specific intervention measures such as weed treatment, additional seeding, drainage etc. to be used on that specific stack. The changes requested by SEPA consultation letter (dated 29th January 2018) shall be incorporated into the individual stack restoration plans;
- e) A cross-section of the proposed stack indicating the proposed profile, annotated with the maximum height of the stack above existing ground level;
- f) A plan at a minimum scale of 1:1250 showing details of any 'Habitat enhancement areas' within 10 metres of the stack; and
- g) A 'Lessons learned' section setting out what has been learnt in any previous stack construction, particularly with regard to restoration techniques, and what additional steps will be taken in the construction and restoration of the proposed stack.

REASON: To provide a framework for restoration of each stack, allowing for current best practice techniques to be implemented and to provide a clear audit of lessons learnt through experiences on site, in order to ensure improvements to restoration techniques are incorporated in the development of the subsequent stacks.

- 30. Review of Stack Restoration prior to Stack no.3:** Prior to the stripping of vegetation from the footprint of Tailings Storage Facility (TSF) Stack no. 3 (shown on Figure 3.5 'Development Mine Site Layout Stacks 1-6' received on 10.08.2017) in preparation for the deposition of rock which would form the basal drainage layer, a review in terms of the appropriate stack specific restoration plan shall be carried out of the construction and restoration of stack no. 1 [Note: stack no.2 does not have to be complete at this point]. The review shall be submitted for the approval of the planning authority, and no vegetation shall be stripped from the footprint of TSF Stack no.3 until that written approval of the Planning Authority is received by the applicant.

The review of the construction and restoration of stack no. 1 shall include:

- a) Copies of the CQA reports for the creation of the stack, and documentation from a responsible person confirming that the stack has been correctly constructed;
- b) A plan at a minimum scale of 1:1250 clearly showing the proposed target habitat types within the footprint of the stack and a quantitative assessment of progress in establishing the target habitat types with an explanatory narrative;
- c) A cross-section of the stack indicating the final profile, annotated with the maximum height of the stack above existing ground level;
- d) Photographs of the construction and restoration of the stack using aerial drone footage and/or fixed point photography and time lapse photography; and
- e) A 'Lessons learned' section to be incorporated in future Stack Specific Restoration Plans.

REASON: To take account of the uniqueness of the waste management restoration solution in this particular environment and ensure lessons learned are being incorporated into the ongoing restoration. To ensure that the site is successfully restored and to ensure that the site can be integrated as best as possible into the surrounding landscape and ecology in this sensitive area of the National Park to accord with the first statutory aim of the National Park to conserve and enhance the natural heritage of the area.

- 31. Review of Stack Restoration prior to Stack no.7:** Prior to the stripping of vegetation from the footprint of Tailings Storage Facility (TSF) Stack no. 7 (shown on Figure 3.6 'Development Mine Site Layout Stacks 1-10' received on 10.08.2017) in preparation for the deposition of rock which would form the basal drainage layer, a review in terms of the appropriate stack specific restoration plans shall be carried out of the construction and restoration of stacks no. 3, 4 and 5 [Note: stack no.6 does not have to be complete at this point]. The review shall be submitted for the approval of the planning authority, and no vegetation shall be stripped from the footprint of TSF Stack no.7 until that written approval of the Planning Authority is received by the applicant.

The review of the construction and restoration of stacks no. 3, 4 and 5 shall include:

- a) Copies of the CQA reports for the creation of each stack, and documentation from a responsible person confirming that each stack has been correctly constructed;
- b) A plan at a minimum scale of 1:1250 clearly showing the target habitat types within the footprint of each stack and a quantitative assessment of progress in establishing the target habitat types with an explanatory narrative;

- c) A cross-section of the each stack indicating the final profile, annotated with the maximum height of the stack above existing ground level;
- d) Photographs of the construction and restoration of the stack using aerial drone footage and/or fixed point photography and time lapse photography; and
- e) A 'Lessons learned' section to be incorporated in future Stack Specific Restoration Plans.

REASON: To take account of the uniqueness of the waste management restoration solution in this particular environment and ensure lessons learned are being incorporated into the ongoing restoration. To ensure that the site is successfully restored and to ensure that the site can be integrated as best as possible into the surrounding landscape and ecology in this sensitive area of the National Park to accord with the first statutory aim of the National Park to conserve and enhance the natural heritage of the area.

32. **Decommissioning and Final Restoration Plan:** Prior to commencement of the development hereby approved, a detailed and standalone Decommissioning and Restoration Plan (DRP) shall be submitted to, and agreed in writing by, the Planning Authority, in consultation with SNH. Thereafter, the approved plan shall be implemented and any revised versions shall be submitted to and approved in writing by the planning authority.

The Decommissioning and Restoration Plan shall include the following details:

(a) Objectives for Restoration: The plan shall set out the objectives for restoration of the site including the length of the aftercare period, an Indicative Restoration Plan, and reference to the restoration toolkit:

- (i) The aftercare period of active management for the mine site is 20 years post mine closure;
- (ii) An revised Indicative Restoration Plan of the mine site at a minimum scale of 1:1250 which shows the mine site once it has been decommissioned and fully restored;
- (iii) Clearly set out target habitats for restoration for each part of the site (taking account of topography) including details of the proportions of each habitat with the objective of achieving a composition which reflects the surrounding landscape. This shall cover areas outwith the Tailings Storage Facility (TSF) stack footprints including the processing building platform, mine platform, screening bund, access tracks, laydown areas and any other ground which will be disturbed within the site. An overview of the target habitats for restoration within the stack footprints shall also be included; and
- (iv) The restoration toolkit within the Environmental Statement Addendum received 7th December 2017.

(b) Sequencing of Restoration: The plan shall include a timeline for the restoration of the site for both production scenarios (3,000 tonnes per month and 6,000 tonnes per month):

- (i) Detailed timeline for restoration [see Appendix 2 of Environmental Statement Addendum received 7th December 2017] of the development site.

(c) Planting within the Site: The plan shall include details of proposed planting for the final restoration of the site:

- (i) A detailed tree planting programme within the site including plan(s) of the site at a minimum scale of 1:1250 showing the location of tree planting within the site; and
- (ii) Details of any other planting, including seeding (see condition 27) to take place in accordance with the restoration toolkit within the Environmental Statement Addendum received 7th December 2017.

(d) Decommissioning and final restoration: The plan shall include details of all the site elements, including ancillary features, to be removed and restored in accordance with mitigation/restoration, to include:

- (i) Appropriate closure details of the mine, including mine adit, ventilation shafts and all other openings
- (ii) Removal of processing building and associated infrastructure
- (iii) Removal and regrading of processing building platform and bund
- (iv) Landscaping of former mine platform, including area of 'sedi-bags'
- (v) Removal of water circulation infrastructure
- (vi) Regrading open drains
- (vii) Removal of Allt Eas Anie bridge structure off site
- (viii) Removal of base of oil/fuel storage area, to licensed facility
- (ix) Narrowing of the track from the farm to mine platform to 2.5 metres wide, 3 metres wide at bends, and formation of a centrally vegetated strip by scarifying the track
- (x) Car parking and laydown areas
- (xi) Security fencing
- (xii) Observation wells
- (xiii) Gauging station
- (xiv) Settlement pond

(e) Aftercare: Details of the proposed aftercare monitoring regime, including the number, type and frequency of visits.

(f) Monitoring Reports for Decommissioning and Aftercare: Reporting requirements shall include:

- (i) A detailed programme setting out the frequency/intervals for submission of monitoring reports, and frequency of LCoW and ECoW visits, during the aftercare phase.
 - At a minimum the submission of reports should be quarterly for years 0 to 5, twice a year for years 5 to 10 and annually for years 10 to 20.
 - Any subsequent amendments to the programme shall be agreed in writing with the Planning Authority.
 - Thereafter, the monitoring reports shall be submitted in writing to the Planning Authority, in accordance with the agreed intervals setting out the success of restored habitats and landscape and how all other conditions of the permission are being adhered to on site.
 - Each report shall contain an update on de-commissioning and aftercare progress, up-to-date photographs and an update from the ECoW and LCoW, including evidence of and from their site visits and including their photographic record (which shall include drone aerial photographs and/or fixed point photography). It shall contain a list of issues identified and the subsequent report should explain how the issue has been addressed and evidence the remedial works have been undertaken (for example through photographic evidence).
- (ii) Geotechnical monitoring (see condition 56);
- (iii) Water sampling (see condition 39); and

(iv) Monitoring of groundwater (see condition 40).

(g) Other matters. The following details will be included within the Decommissioning and Restoration Plan:

- (i) How on-going monitoring for health and safety/engineering purposes will be undertaken to prevent vehicle tracking over restored areas;
- (ii) The grazing regime post restoration (including type of stock, intensity or season of grazing); and
- (iii) Timeline for removal of fences once tree and vegetation establishment targets have been met.

(h) Appendices:

- (i) Construction Environmental Management Process (CEMP) in accordance with Condition 16
- (ii) Stack Specific Restoration plans in accordance with Condition 29
- (iii) Waste Management Plan (Condition 50)

REASON: To ensure a stand-alone document covering decommissioning is produced and ease future reference. To ensure that the site is successfully restored and to ensure that the site can be integrated as best as possible into the surrounding landscape and ecology in this sensitive area of the National Park to accord with the first statutory aim of the National Park to conserve and enhance the natural heritage of the area.

33. Greater Cononish Glen Management Plan: Prior to the commencement of the development hereby permitted, a detailed Greater Cononish Glen Management Plan (GCGMP), based on the draft GCGMP and drawings (in Appendix 11 of the Environmental Statement received 14th August 2017) shall be submitted to, and approved in writing by, the Planning Authority, in consultation with SNH. The approved Greater Cononish Glen Management Plan shall be implemented in accordance with the timescale set out within the plan. The GCGMP shall also incorporate the following principles as set out in the Ben Lui SAC Habitats Regulations Assessment requirements:

- 1) there will be no planting of trees on the wet heath SAC qualifying habitat and all planting locations shall be agreed by the Planning Authority in liaison with SNH and informed by a detailed botanical survey of these areas to be undertaken by the Applicant;
- 2) there will be no natural regeneration onto the wet heath SAC qualifying habitat within the deer fenced area; and
- 3) no areas of wet heath SAC qualifying habitat will be fenced off in a way that excludes all grazing or other management and results in a loss of condition.

REASON: To ensure the timely submission of the Greater Cononish Glen Management Plan document which will detail the range of offsite mitigation measures in the Greater Cononish Glen in order to minimise the visual impacts of the development and to provide other positive landscape improvements which aim to compensate for the negative impact created within the development site. To also ensure no adverse impacts on the qualifying habitat within the Ben Lui SAC by reflecting the mitigation principles set out in the HRA.

34. **‘Sedi-bag’ Area Restoration:** The restoration of the area containing ‘sedi-bags’ from the Bulk Processing Trial shall be covered with a suitable medium for vegetation as first submitted to and agreed in writing by the Planning Authority, and carried out to the Planning Authority’s written satisfaction within 12 months of the date of commencement of the processing of ore hereby permitted, unless this timescale is otherwise agreed in writing by the Planning Authority.

REASON: To ensure the timely restoration of the area with ‘sedi-bags’ in order to minimise the visual impacts.

Monitoring

35. **Ecological Clerk of Works (ECoW):** No works shall commence on the development hereby approved until a suitably qualified, independent, Ecological Clerk of Works (ECoW) with upland ecology survey and restoration expertise, has been appointed by the developer, in consultation with the Planning Authority, to oversee the ecological aspects of the implementation of the planning conditions, the Construction Environmental Management Plan (CEMP), Construction Method Statements, the Decommissioning and Restoration Plan and the Greater Cononish Glen Management Plan (GCGMP) during the construction, production, ongoing restoration, decommissioning, final restoration and aftercare phases of the development. The ECoW shall carry out all works in accordance with the ‘ECoW Scope of Works’ received 14th August 2017, and shall continue to monitor ecological restoration of the site and the GCGMP during the aftercare period. If the scope of works is amended it shall be first submitted to, and approved in writing by, the Planning Authority.

REASON: To ensure adequate ecological mitigation, as set out in the Environmental Statement received 10th August 2017, and by condition, is carried out in all phases of the development; that the ecological objectives of the GCGMP are achieved; to avoid an adverse effect on the integrity of the Ben Lui, NNR, SSSI and SAC and the River Tay SAC; to ensure the site is successfully restored as best as possible by reflecting the mosaic of habitats in the area; and to accord with the first statutory aim of the National Park to conserve and enhance the natural heritage of the area.

36. **Landscape Clerk of Works (LCoW):** No works shall commence on the development hereby approved, until a suitably qualified, independent, Landscape Clerk of Works (LCoW) has been appointed by the developer, in consultation with the Planning Authority, to advise upon the landscape and visual impacts of the application site through its integration into the wider setting by the implementation of the planning conditions, the Construction Environmental Management Plan (CEMP), Construction Method Statements, the Decommissioning and Restoration Plan and the Greater Cononish Glen Management Plan (GCGMP) during the construction, production, ongoing restoration, decommissioning, final restoration and aftercare phases of the development. The LCoW shall carry out all works in accordance with ‘LCoW Scope of Works’ received 14th August 2017, and shall continue to monitor landscape restoration of the site and the GCGMP during the aftercare period. If the scope of works is amended it shall be first submitted to, and approved in writing by, the Planning Authority.

REASON: To ensure adequate landscape mitigation, as set out in the Environmental Statement received 10th August 2017, and as required by condition, is carried out in all phases of the development; that the landscape objectives of the GCGMP are

achieved; and to minimise the landscape and visual impact of the development within this sensitive area of the National Park and to accord with the first statutory aim of the National Park to conserve and enhance the natural heritage of the area.

- 37. Construction and Operational Monitoring Reports:** No development shall commence until a detailed programme setting out the frequency/intervals of monitoring reports and LCoW and ECoW visits, during the construction, operational and de-commissioning periods has been submitted to, and agreed in writing by, the Planning Authority. As a minimum the reporting interval should be four times a year. Any subsequent amendments to the programme shall require agreement in writing with the Planning Authority. Thereafter, the monitoring reports shall be submitted in writing to the Planning Authority, in accordance with the agreed intervals setting out how the requirements of the CEMP and all other conditions of the permission are being adhered to on site. Each report shall contain an update on construction or restoration progress, up-to-date photographs and an update from the ECoW and LCoW including evidence of and from their site visits and including their photographic record (which shall include drone aerial photographs and/ or fixed point photography). It shall contain a list of issues identified and the subsequent report should explain how the issue has been addressed and evidence the remedial works have been undertaken (for example through photographic evidence).

REASON: To ensure the development is undertaken in accordance with the conditions and CEMP and issues can be identified and addressed quickly to minimise the impacts of the development with this sensitive area of the National park and to accord with the first statutory aim of the National park to conserve and enhance the natural heritage of the area.

- 38. Monitoring Surveys:** The Planning Authority shall be provided with an up-to-date topographic survey referenced to the Ordnance Survey Datum at no more than 12 monthly intervals, during the operation of the mine, showing the extent of development at each survey date. The survey shall accurately record:
- a) the up-to-date extent (laterally and vertically) of underground mining operations;
 - b) the up-to-date extent (laterally and vertically) of the Tailings Storage Facility (TSF) stacks;
 - c) volume and achieved density of tailings material stored in each TSF stack;
 - d) an accurate record of the total extent of land that has been disturbed through the permitted operations; and
 - e) volume of 'barren rock' temporarily stored in the underground mine Waste Management Facility.

REASON: To ensure the development is being undertaken in accordance with the approved plans given the development is complex and large scale.

- 39. Groundwater and Surface Water Flow Monitoring Plan:** Prior to the commencement of development hereby permitted a detailed Groundwater and Surface Water Monitoring Plan shall be submitted to, and approved in writing by, the Planning Authority in consultation with SEPA and Scottish Water. The scope of the monitoring plan is detailed in SEPA's consultation responses (dated 29th September 2017 and the 29th January 2018), Scottish Water's consultation responses (dated 18th September 2017 and 24th January 2018) and within Appendix 3: para 7.6 of the Environmental Statement received 14th August 2017. Implementation of the Monitoring Plan shall commence prior to the commencement of development on site

and shall continue throughout the operational, decommissioning and aftercare periods of the site. The positions of the monitoring boreholes shall remain accessible throughout the life of the development. Any changes to the monitoring plan must be submitted to, and approved in writing by, the Planning Authority in consultation with SEPA and Scottish Water.

REASON: To ensure the groundwater is protected from any potential contamination and in order to understand the flow regime, particularly at low flows, in order to adequately control the mine's discharges to the water environment and ensure the protection of the River Cononish Drinking Water Protected Area (DWPA) downstream.

40. **Storage of 'barren' rock underground:** If 'barren' rock is to be stored underground within the mine beyond the operational phase of the development hereby approved, a monitoring plan shall be submitted to, and approved in writing by, the planning authority in consultation with SEPA and Scottish Water. The plan shall include a risk assessment of groundwater within the bedrock aquifer and a system of monitoring to demonstrate compliance.

REASON: To ensure groundwater is protected from any potential contamination in the long term.

41. **Noise Monitoring Scheme:** Prior to the commencement of development hereby permitted, a Noise Monitoring Scheme, to monitor the noise levels from the site, shall be submitted to and approved in writing by the Planning Authority. The scheme which shall be implemented as approved by the Planning Authority, shall include the following details:
- (a) Noise monitoring locations;
 - (b) Details of monitoring equipment to be used;
 - (c) Monitoring periods;
 - (d) Frequency of monitoring; and
 - (e) The recording of the monitoring results, including provision for the results to be made available to the Planning Authority and to the Environmental Health Service of Stirling Council on request.

REASON: To minimise potential noise disruption.

42. **Dust Monitoring and Mitigation:** The dust generated from the site shall be mitigated and monitored in accordance with a scheme as set out in the Dust Management Strategy as described in Section 9.3.6.1 and Section 9.3.6.3 of the Environmental Statement received 10th August 2017 unless minor amendments are otherwise approved in writing by the Planning Authority.

REASON: To minimise potential dust.

43. **Blast/Vibration Monitoring Programme:** The blasting operations shall comply with the proposed criteria set out in section 9.4.5 of the Environmental Statement received 10th August 2017 and the blast/vibration monitoring programme and warning system contained within the 'Blast/Vibration Monitoring Programme and Warning System' received 14th August 2017, unless minor amendments are otherwise approved in writing by the Planning Authority. Records of blast monitoring shall be made available

to the Planning Authority and to the Environmental Health Service of Stirling Council upon request.

REASON: To demonstrate compliance with the proposed criteria, as set out in section 9.4.5 of the Environmental Statement received 10th August 2017 and to mitigate the effects of blasting on adjacent properties or members of the public within the area.

Recreational Access

44. **Blast Warning System:** Prior to the commencement of development, a scheme of mitigation of the effects of blasting on the users of the Eas Anie waterfall ice climb shall be submitted to, and approved in writing by the Planning Authority. The details shall be in accordance with Appendix 8 of the Environmental Statement received 14th August 2017: Blasting Report, section 9.3. No blasting shall take place except in accordance with the approved details. The details shall be amended to include details of how members of the public shall be informed, including use of digital information (website/social media).

REASON: To ensure an adequate system is in place to warn members of the public who may be in sufficient proximity of the mine to be affected by audible and ground source vibration arising from blasting. This in order to ensure the safety of the public and to ensure the third aim of the National Park, which is to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public, is upheld and not diminished.

45. **Blasting Limitation During Ice Climbing Periods:** During periods when the Eas Anie ice waterfall is in condition (frozen) no blasting must take place:
- a. in the east section of the mine (within 300 metres of the waterfall) unless the climb is clear [of climbers],
 - b. in the east section of the mine (within 300 metres of the waterfall) after 1900 hours on a Friday, until after 1900 hours on a Monday evening when the climb is clear [of climbers], and
 - c. during the remaining weekday evenings (Tuesday, Wednesday and Thursday) in the east section of the mine (within 300 metres of the waterfall) after 2200 hours;

Unless in exceptional circumstances as otherwise agreed in writing with the Planning Authority and where warning can be adequately provided.

REASON: To regulate the environmental effects of blasting on recreational users at the Allt Eas Anie ice climb.

46. **Signage Details:** Prior to the commencement of development hereby approved, details of the signage to be used during the construction, operation, decommissioning, restoration and aftercare periods, to be used to instruct members of the public exercising their open access rights, shall be submitted to, and approved in writing by, the Planning Authority. Details shall include wording, size, colour, location and duration of time to be displayed. Thereafter, the signs shall be maintained and sited as approved.

REASON: To ensure adequate and appropriate signage is used to inform the public during all phases (construction, operation, decommissioning and restoration) and to

ensure the third aim of the National Park, which is to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public, is upheld.

47. **Access Management Plan:** The Access Management Plan, received on 14th August 2017 (ref 537/AMP) shall be implemented throughout the construction, operation and decommissioning phases of the development hereby approved. Any subsequent minor amendments to the Access Management Plan shall be first submitted to and approved in writing by the Planning Authority.

REASON: To ensure access is, where reasonably possible, maintained and that public access rights are also upheld in order to secure the third aim of the National Park which is to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public.

48. **Archaeology:** No development shall take place within the development site, as outlined in red on the approved plan, until the developer has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation which has been submitted to, and approved in writing by, the Planning Authority in consultation with the West of Scotland Archaeology Service. Thereafter the developer shall ensure that the approved programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

The scheme shall include the following details:

- Procedures for the implementation of a watching brief during the removal of topsoil and for appropriate recording of any features of archaeological interest that may be uncovered.
- Proposals for the production of a report and archive deposition and wider publication.

REASON: To ensure that appropriate steps are taken to carry out archaeological recording in advance of the development.

49. **External Lighting:** The measures outlined in Section 3.3.1.17 of the Environmental Statement, received on 10th August 2017, shall be implemented throughout the construction, operation and decommissioning phases of the development hereby approved. Light intrusion from vehicles must also be mitigated through operational measures and suitable screening.

REASON: In order to minimise the effect of light pollution and minimise visual impact in this sensitive landscape within the National Park.

Management of Extractive Waste Conditions

50. **Waste Management Plan (WMP):** The extractive waste at this site shall be managed in accordance with the Waste Management Plan (WMP) received 24th October 2017 approved with this consent, or an amended WMP as may be approved pursuant to The Management of Extractive Waste (Scotland) Regulations 2010.

REASON: To meet the requirements of Regulation 14(a) of The Management of Extractive Waste (Scotland) Regulations 2010.

51. **Extractive Waste Operator:** The identity of the operator of the waste facilities as are shown in the Waste Management Plan shall be **SGZ CONONISH LIMITED** a company incorporated in Scotland under the Companies Acts (Company No. SC569264). No other operator shall be permitted without prior written authorisation of the Planning Authority. The Planning Authority may grant consent (with or without conditions) or refuse such authorisation as it may at its own discretion see fit. The consent shall not be capable of being assigned, alienated or transferred otherwise than in accordance with the foregoing procedure.

REASON: To identify the operator of the waste facilities in accordance with Regulation 13(4) of The Management of Extractive Waste (Scotland) Regulations 2010 and to safeguard the obligations of the consent if transferred to another company.

52. **Review of Waste Management Plan (WMP):** The Waste Management Plan (WMP) hereby approved shall be reviewed by the operator and updated:
- (a) at least every 5 years from the date of consent, or no later than every fifth year following the date of the last review; and
 - (b) in the event of substantial changes to either the surface waste facility (Tailings Storage Facility (TSF)) or the underground mine waste rock storage facility (Underground Waste Facility (UWF) as shown on Drawing Figure 13.1, received on 10th August 2017); or to the characteristics, either physical or geochemical, of the waste deposited in either facility.

NOTE: It should be noted that the term "substantial changes" referred to in 2 (b) above will include the following:

- i) A decrease in as-placed dry density for the tailings within the TSF of greater than 10% from the value assumed in the WMP.
- ii) A proposal to increase the height of any individual stack within the overall TSF by more than 1 metre.
- iii) A proposal to increase the maximum slope inclination of any individual stack within the overall TSF above a value of 1V:3H.
- iv) Any evidence of the development of acidic rock drainage (ARD) from the TSF, whether this evidence be visual or is determined from any sampling and testing programme of seepage water quality, regardless of whether any visual inspection or sampling and testing is carried out as part of an approved monitoring plan or is an *ad hoc* event.

Any amendments made to the WMP, whether as a result of a review or otherwise, shall be notified in writing to the Planning Authority.

REASON: To meet the requirements of Regulations 16 of The Management of Extractive Waste (Scotland) Regulations 2010.

53. **Review and Update of Planning Permission:** The operator shall notify the Planning Authority of any substantial change in the operation of either the surface waste facility (Tailings Storage Facility (TSF)) or the underground mine waste rock storage facility (Underground Waste Facility (UWF)); or to the characteristics, either physical or geochemical, of the waste deposited in either facility as set out in the

Waste Management Plan, along with such details as are required to allow the Planning Authority to review the requirements imposed in pursuance of The Management of Extractive Waste (Scotland) Regulations 2010 in respect of this planning permission.

REASON: To meet the requirements of Regulation 17 of The Management of Extractive Waste (Scotland) Regulations 2010.

- 54. Construction and Management submission of documented schemes:** The surface waste facility (Tailings Storage Facility (TSF)) as shown in the Waste Management Plan shall not be used for deposition of waste until documented schemes have been submitted to, and approved in writing by, the Planning Authority, confirming how the TSF will be suitably constructed, managed and maintained to ensure its physical stability and to prevent pollution or contamination of soil, air, surface water or groundwater in the short and long term perspectives as well as to minimise as far as possible damage to the landscape. These documented schemes shall include a Detailed Design Report, a Construction Quality Assurance (CQA) Plan and an Operational Manual.

Note - The Detailed Design Report shall include analysis of specific cross-sections that take into account scenarios where peat is present in the toe areas of the stacks as depicted in Figure PEAT1 of Appendix 5 to the Environmental Statement (2017) received 19th September 2017.

REASON: To meet the requirements of Regulation 22(1)(d) of the Management of Extractive Waste (Scotland) Regulations 2010 and to ensure that any design and construction requirements are in place to ensure the stability and safe operation of the TSF and that Best Applicable Practice will be adopted.

- 55. Records of waste and construction materials:** Up-to-date records of all waste management operations, including tonnages and volumes (metres cubed) of i) tailings, ii) "barren" rock used in the construction of the Tailings Storage Facility (TSF) and iii) "barren" rock stored in the Underground Waste Facility should be kept and made available for inspection by the Planning Authority on request.

REASON: To meet the requirements of Regulation 22 (1) (f) of the Management of Extractive Waste (Scotland) Regulations 2010.

- 56. Monitoring and Inspection:** There shall be suitable plans and arrangements provided for the regular monitoring and inspection of the waste facilities, inclusive of the water treatment facilities, by competent persons, including details for taking action in the event of results indicating instability or water or soil contamination. The records must be kept up-to-date and made available for inspection by the Planning Authority on request.

REASON: To meet the requirements of Regulation 22 (1) (e) and 22 (2) of The Management of Extractive Waste (Scotland) Regulations 2010.

- 57. Inspection of Waste Facilities:** There shall be no deposition of waste within each waste facility (the surface waste facility (Tailings Storage Facility (TSF)) or the underground mine waste rock storage facility (Underground Waste Facility (UWF))

until the Planning Authority has inspected that waste facility (which in the case of the TSF means each individual stack) and notified the operator that it is satisfied that the operator is complying with the conditions of this planning permission and implementing the Waste Management Plan.

REASON: To meet the requirements of Regulation 24 of The Management of Extractive Waste (Scotland) Regulations 2010.

List of Plans

Title	Reference	Date Received
Location Plan	1.1	10/08/17
Mine Site Location	1.1i	10/08/17
Dalrigh Location Plan	1.1ii	10/08/17
Existing Mine Site	3.1	10/08/17
Existing Dalrigh Layout	3.1i	10/08/17
Development Mine Site Layout	3.2	10/08/17
Development Cross-sections A, B and C	3.3	10/08/17
Development Mine Site Layout Stacks 1-2	3.4	10/08/17
Development Mine Site Layout Stacks 1-6	3.5	10/08/17
Development Mine Site Layout Stacks 1-10	3.6	10/08/17
Development Dalrigh Site Layout	3.7	10/08/17
Car Park Layout	3.7i	10/08/17
Bridge Layout, Elevation and Sections	3.7ii	14/08/17
Indicative Restoration Plan	3.8	10/08/17
Planting Building Layout and Isometric View	3.9	10/08/17
Development Plant Building Area	3.10	10/08/17
Plant Building Elevations	3.11	14/08/17
Existing Mine Site Hydrology	7.2	10/08/17
Development Mine Site Hydrology	7.3	10/08/17
Potential Receptors, Noise, Dust and Blasting	9.1	10/08/17
Mine Waste Storage Plan	13.1	10/08/17
Underground Mine Waste	13.2	10/08/17
Access Management Plan	537/AMP	14/08/17
Traffic Management Plan		14/08/17
Blast/Vibration Monitoring Programme and Warning System		14/08/17
Noise Management Scheme		14/08/17
ECoW Scope of Works		14/08/17
LCoW Scope of Works		14/08/17
Waste Management Plan v.1		24/10/17
ES Addendum Appendix 3 Mitigation Measures		07/12/17

Informatives

It should be noted:

- 1 **Extractive Waste Regulations:** In accordance with Regulation 13(4) (b) of The Management of Extractive Waste (Scotland) Regulations 2010 the Planning Authority confirm:

A: In accordance with Regulation 8(2) of The Management of Extractive Waste (Scotland) Regulations 2010 the Planning Authority waive any further

requirements of the Regulations in respect of the management of unpolluted soil and peat.

B: This planning permission includes the extractive waste areas shown in the Waste Management Plan (WMP) contained in the above application and noted below:

- (i) Waste Facility (inert) for the deposition of extractive waste within Stacks 1-10 in the areas outlined in brown on approved plan Figure 13.1, the surface waste facility (Tailings Storage Facility (TSF)) and
- (ii) Waste Facility (inert) for the deposition of extractive waste underground in the area outlined with a blue line on approved plan Figure 13.1, the Underground Waste Facility (UWF).

- 2 **Waste Management Plan:** The Waste Management Plan (WMP) approved with this planning decision, unless otherwise reviewed or updated in accordance with The Management of Extractive Waste (Scotland) Regulations 2010, comprises the amended Chapter 13 of the Environmental Statement with the appendices referred to in that Chapter 13, together with the drawing reference Figure 13.1, all of which are included in the table of plans and documents below.
- 3 **Duration of Permission:** In accordance with section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of 3 years beginning from the date of this permission, unless the development to which this permission relates is begun before that expiration.
- 4 **Notification of Initiation of Development:** Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. We recommend this is submitted 2 weeks prior to the start of work. A failure to submit the notice, included in the decision pack, would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 5 **Notification of Completion of Development:** As soon as practicable after the development is complete, the person who completes the development is required by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give written notice to the Planning Authority of the completion of the building works. As before, there is notice for you to complete for this purpose included in the decision pack. In larger, phased developments, a notice of completion is to be submitted as soon as practicable after each phase is finished by the person carrying out the development.
- 6 **Display of Notice while development is carried out:** The developer must, for the duration of the development, display a sign or signs containing certain information. A notice has been included in the decision pack. The notice must be displayed in a prominent place at or in the vicinity of the site of the development; readily visible to the public; and printed on durable material. It would constitute a breach of planning control not to display such a notice for this type of proposal.
- 7 **Protected Species in Vicinity:** Peregrine falcon are known to nest in the area and as an Annex 1 species under the Wildlife and Countryside Act, updated by the Nature Conservation (Scotland) Act 2003, it is an offence to: kill, injure or take any wild bird; take, damage, destroy or otherwise interfere with the nest of any wild bird while that nest is in use or being built; or obstruct or prevent any wild bird from using its nest.

- 8 **CAR Licence:** Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs). You may need to apply for a construction site licence under CAR for water management across the whole construction site. These will apply to sites of 4ha or more in area, sites 5 km or more in length or sites which contain more than 1ha of ground on a slope of 25 degrees or more or which cross over 500m of ground on a slope of 25 degrees or more. It is recommended that you have pre-application discussions with a member of the regulatory team in your local SEPA office Strathearn House, Broxden Business Park, Lamberkine Drive, Perth, PH1 1RX (tel: 01738 627989).
- 9 **GCGMP:** Preparing a management plan: In accordance with condition 33 a detailed Greater Cononish Glen Management Plan should be produced. For each key element of works, namely: tree planting both on the SAC /NNR and on and around the development site; selective felling and re-planting around the hill parks; track improvements including culverts and batters; interpretation and access provision and painting of the farm buildings; the following needs to be provided:
- Long term aims and objectives
 - A clear plan and timescale for how this will be achieved
 - Where appropriate, details on initial survey work and how results from this will be used to refine future work
 - Details on consultation, as applicable with SNH, LLTNPA and the role of a qualified landscape architect in refining designs.
 - Method statements, detailing working methods, plant and equipment, exact specifications (including products and preparation where applicable), exclusion areas, storage areas, working corridors, access points, any 'hold triggers' such as wet weather and the lifetime maintenance as applicable
 - Maps detailing key features such as access points, working corridors, exclusion areas etc
 - Details of ongoing monitoring and intervention 'triggers' and maintenance to be applied, where applicable.
 - Details for who is responsible for ongoing maintenance/management and how this will be taken forward.
 - Details for how and when temporary features such as tree guards and deer fences will be removed and who will be responsible for this.

For the stock proof fence, to aid upland management of the SAC/NNR, a map should be produced to detail the line and to achieve best landscape fit for this fence. Method statements as detailed above should also be included.

- 10 **Section 75 Agreement:** This decision notice is granted subject to the Agreement in terms of section 75 of the Town and Country Planning (Scotland) Act 1997 as amended, between LLTNPA, JOHN HALLY BURTON, IAN HALLY BURTON and DAVID DOUGLAS BURTON, SGZ CONONISH LIMITED AND THE CROWN ESTATE COMMISSIONERS dated <DATE> registered in the land register under title number XXX and recorded GRS (Perth) XXX all dates XX relating to XX hectares or thereby and related Management Plan and planting areas all at Cononish, Tyndrum, Argyll and a modification decision notice is being Sasine recorded and Land registered to that effect.

- 11 **Rail crossing:** The use of both Tyndrum Lower Station Level Crossing and Underbridge 312/172 for construction traffic and operational traffic will have to be fully agreed with Network Rail prior to works commencing on site. The developer must contact Network Rail Asset Protection Engineers regarding the above matters, contact details below:

Network Rail Asset Protection Engineer
151 St. Vincent Street, GLASGOW, G2 5NW
Tel: 0141 555 4087
E-mail: AssetProtectionScotland@networkrail.co.uk

- 12 **Private water supply:** The development shall have no adverse impact on the quantity or quality of private water supplies in the vicinity of the site.
- 13 **River Cononish Drinking Water Protected Area:** Scottish Water abstracts from the River Cononish catchment to supply Tyndrum Water Treatment Works. See Annex 1 of Scottish Water's response:
- Detailed Construction Environmental Management Plans, Construction Method Statements, Risk Assessments, Pollution Prevention and Contingency Plans shall be submitted to Scottish Water at least three months prior to the works commencing (precaution 8 of Annex 1). These plans and associated documents should include the Scottish Water Customer Helpline Number 0800 0778 778 and the local contact details (precaution 21 of Annex 1).
 - In the event of an incident occurring that could affect Scottish Water, we should be notified without delay using the above Customer Helpline number and local contact (see precaution 3 of Annex 1).
- 14 **Peatland ACTION project:** Contact should be made with the Peatland ACTION project (administered by Scottish Natural Heritage) to seek advice on the best current available techniques for habitat restoration and for the restoration of areas of degraded bog. Techniques include the effective use of Sphagnum propagules via mechanical methods to aid in the development of target vegetation communities.
- 15 **Gas:** Suitable gas mitigation measures should be incorporated into buildings on the site to protect them from potential ground gases.
- 16 **Road opening permit:** The applicant will require to apply to Stirling Council Localities and Infrastructure section for a Section 56 Road Opening Permit prior to works commencing on the proposed junction improvements.