

Appendix 2 Terms of modification of section 75 legal agreement and draft reasons for decision for application 2014/0317/DET

The Agreement shall be modified by the addition of the following underlined words to the end of the definition of “**Consent**” in the Definitions and Interpretation section 1.1 of the Agreement:-

“being the planning permission granted by the Park Authority under reference 2011/0166/MIN and the application reference 2014/0285/DET made under s42 of the Act which relates to underground mining of gold and silver at the Application Site with associated service and production building, plant, storage area, Tailings Management Facility, recirculation pond and gauging station, diversion of burn, access roads, bridge and car parking;”

Draft reason for decision:

This application is to modify the legal agreement associated with planning permission 2011/0166/MIN to also refer to application 2014/0285/DET made under section 42. The changes proposed are required in order to ensure that the planning obligations still apply should the original permission (2011/0166/MIN) or the new permission (2014/0285/DET) be implemented. In these circumstances it is therefore appropriate to modify the planning obligation as requested.