

## CROOK MOSS CONDITIONS

Author	Brian Stanford	Conditions	4 March 2014
Revised	Eddie Jordan	10, 11, 14, 16 & 17	4 April 2014
Revised	Eddie Jordan	10, 11, 12, 14, 15, 16 & 17	3 September 2014
Revised	Eddie Jordan	8, 14, 16 & 17	26 September 2014
Revised	Eddie Jordan	13 & 15	5 May 2015
Revised	Eddie Jordan	8, 10, 11, 12, 13, 14, 15 & 16	18 August 2015

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.

2. Prior to any further work taking place on the site and within 2 months of the date of this planning consent [10/12/13], the applicant shall submit details of a suitable SUDS scheme, to be implemented alongside the foul drainage infrastructure, all for the approval of the Planning Authority.

4 Mar **Submitted and approved**

3. Within 2 months of the date of this planning consent [10/12/13] the vehicular access shall be formed and permanently maintained in accordance with specification Type C, Fig 5.7 access detail to the satisfaction of the Planning Authority.

4 Mar **Access geometry is satisfactory but not kerbed.**

4. Within 2 months of the date of this planning consent [10/12/13] the access shall be provided with a bitumenously bound surface and maintained as so to the satisfaction of the Planning Authority

4 Mar **partially implemented**

5. The gradient of the access shall not exceed 3% for the first 5 metres measured back from the edge of the carriageway and the access shall be constructed so that no surface water is discharged to the public road.

4 Mar **discharged**

6. Within 2 months of the date of this consent[10/12/13] turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear and shall be permanently maintained so to the satisfaction of this council as planning authority.

4 Mar **discharged**

7. Within 2 months of the date of this consent [10/12/13] a minimum of 2 No. car parking spaces per pitch shall be provided within the site and shall be permanently maintained so to the satisfaction of this council as planning authority.

4 Mar **discharged for existing plots**

8. The area of land directly adjacent and to the north of the application site which is within the applicants' ownership and indicated as a paddock area, shall remain as such and shall not be used for any other purpose unless otherwise agreed in writing with the Planning Authority.

4 Mar **Ongoing requirement**

26 Sep **Alleged breach investigated; 1 mobile home parked on paddock, vehicle is for sale and is not being used for living accommodation. Informed residents that vehicle must not be used as living accommodation. Monitor.**



18 Aug **Paddock area has been sub-divided into 3 more gypsy traveller pitches. The paddock area is no longer in the ownership of the existing residents and as such is being pursued as unauthorised. Temporary Stop Notice to prevent further Change of Use or development has been served as well as s272 Notice requiring information as to the interest in land of the 1 caravan occupying the sub-divided paddock area. It is our intention to pursue formal enforcement in relation to the paddock area to have this reinstated as such.**

9. The wastewater treatment facility and associated drainage, storage and pumping installations shall be designed, operated and maintained such that noise and/or odour, therefrom, are not perceptible in any nearby domestic property.

4 Mar **Ongoing requirement**

10. A water supply complying with the appropriate British Standard and in accordance with Scottish Water Byelaws currently in force, or where applicable the Private Water Supply (Scotland) Regulations 2006, shall be provided on the site as soon as practicable. Water supply to caravans shall be supplied through pipes not less than 12.5mm in diameter and approved by the Planning Authority.

4 Mar **subject to implementation of condition 9.**

4 Apr **BCN to be served 9/4/14, compliance period 9 months.**

3 Sep **Notice served, compliance date 09/01/15.**

18 Aug **Subject to ongoing discussion between residents and Scottish Water**

11. With regard to the residential caravans, a supply of pure and wholesome water complying with the Water Supply (Water Quality) Regulations 2000, or where applicable the Private Water Supply (Scotland) Regulations 2006, shall be provided and shall be connected to all washing and sanitary facilities within the residential caravans as soon as is practicable to the satisfaction of the Planning Authority. Adequate precautions shall be taken (or cause to be taken) to protect all service water pipes between the connection to the water main and fittings within the caravans, all to the satisfaction of the Planning Authority –

4 Mar **subject to implementation of condition 9.**

4 Apr **BCN to be served 9/4/14, compliance period 9 months.**

3 Sep **Notice served, compliance date 09/01/15.**

18 Aug **Subject to ongoing discussion between residents and Scottish Water**

12. All plant or equipment associated with operation of the site shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 20 between 2300 and 0700 hours daily, within any neighbouring residential premises, with all windows slightly open, when measured and/or calculated and plotted on a rating curve chart.

4 Mar **ongoing possible breach under investigation.**

3 Sep **case closed, monitor and act as appropriate.**

18 Aug **We understand a further complaint in this regard is under investigation by colleagues in Environmental Health and that noise monitoring equipment is to be installed at neighbouring residence.**

13. Each of the five gypsy/traveller pitches should have in place a suitably enclosed and acoustically insulated fixed housing unit in which to install any generator brought onto site to the satisfaction of the Planning Authority. This should be installed within 3 months of the date of this consent [10/01/14] unless otherwise agreed in writing with the Planning Authority.

4 Mar **in breach but discretion in relation to condition 12.**

5 May **identified breach with residents and requested acoustic barrier for generators.**

18 Aug **As generators are identified as being in breach, each breach is being remedied.**



14. The private waste water treatment plant and surface water discharge proposals shall be carried out in accordance with Resource & Environmental Consultants Ltd Drainage Assessment dated May 2013 and carried out within the timescale indicated under condition 16 of this consent, that is only after the foul drainage infrastructure has been installed at Harelaw Farm, all to the satisfaction of the Planning Authority.

4 Mar **not implemented within timescale –**  
4 Apr **BCN to be served 9/4/14, compliance period 6 months.**  
3 Sep **Notice served, compliance date 09/10/14.**  
26 Sep **Notice likely to be breached. Install tank as soon as licence is approved.**  
18 Aug **SEPA have confirmed CAR application has been withdrawn.**

15. The landscaping proposals including tree and hedge planting shall be implemented within 6 months of the date of this consent [10/04/14] or within the first planting season and thereafter maintained to the satisfaction of the Planning Authority.

4 Mar **Partially implemented but currently not in breach**  
3 Sep **In breach, no plans for enforcement action at this time.**  
5 May **Individual pitches have begun landscaping.**  
18 Aug **Landscaping works are ongoing.**

16. The foul drainage infrastructure capable of achieving not less than 125% phosphorus mitigation as outlined in the Drainage Assessment attached to this consent carried out by REC and dated May 2013 and confirmed by SEPA and SNH as satisfactory shall be installed at Harelaw Farm prior to the foul drainage infrastructure becoming operational at the development site and within 3 months of the date of this consent [10/01/14]. For the avoidance of doubt the installed drainage infrastructure at the development site as approved shall be retained thereafter all to the reasonable satisfaction of the Planning Authority.

4 Mar **not implemented but no foul drainage infrastructure at the site**  
4 Apr **BCN to be served to permit implementation concurrently with C14 9/4/14, compliance period 6 months.**  
3 Sep **Notice served, compliance date 09/10/14.**  
26 Sep **Notice likely to be breached. Install tank as soon as licence is approved.**  
18 Aug **SEPA have confirmed CAR application has been refused. Residents are investigating connection to mains sewer.**

17. Prior to the drainage infrastructure becoming fully operational at the development site the applicant shall submit to the Planning Authority an approved CAR licence under the Water Environmental (Controlled Activities)(Scotland) Regulations 2011 for the drainage infrastructure associated with this project and that the Planning Authority has confirmed receipt of this licence in writing.

4 Mar **not implemented but no foul drainage infrastructure at the site and therefore NOT in breach**  
4 Apr **covering letter accompanying BCN's to ensure this condition is not breached.**  
3 Sep **CAR Licence application with SEPA.**  
26 Sep **Licence application for Harelaw Farm still with SEPA, not yet approved. Licence application for Crook Moss has been withdrawn and re-submitted.**