

Consent Number: 03399442

**THE ENVIRONMENTAL IMPACT ASSESSMENT (FORESTRY)
(SCOTLAND) REGULATIONS 1999 ("the Regulations")**

**DETERMINATION OF AN APPLICATION UNDER REGULATION 4 OF
THE REGULATIONS FOR CONSENT TO CARRY OUT A RELEVANT
PROJECT**

Applicant:

Forest Enterprise Scotland
Cowal & Trossachs Forest District
Aberfoyle
Stirling
FK8 3UX

Location:

Cruach Tarbeirt Forest on Loch Lomondside.

Brief Particulars of Relevant Project:

- Construction of ten kilometres of forest road. This equates to 10 hectares.
- 0.5ha. of quarries.

Date of Application:

5th of February 2013.

Application Reference Number: 03399442

The Forestry Commissioners, having taken into consideration the Environmental Statement, dated 6 November 2015, submitted by the applicant and all other environmental information submitted by the applicant, all representations received by them in relation to the above application and all other material considerations including in particular their assessment of the direct and indirect effects of the relevant project on the environmental factors specified in Schedule 4 to the Regulations HEREBY:

CONSENT to the carrying out of the relevant project within the boundaries set out in Map 1 of Volume 6 (ES Maps) of the applicant's Environmental Statement ("the project").

This consent is subject to the conditions listed in Schedule 1 and compliance with the Environmental Statement.

The reasons and considerations on which this decision is based are given in Schedule 2 of this consent.



Cameron Maxwell

Conservator
Forestry Commission Scotland
Perth and Argyll Conservancy

For and on behalf of the Forestry Commissioners

Date: 21 December 2015

IMPORTANT NOTICES TO APPLICANT

You have the right to appeal to the Scottish Ministers against any of the conditions attached to this consent. The appeal must be in writing and made to the Ministers within 28 days of the date you receive this consent unless the Ministers agree within that period of 28 days to extend the period within which the appeal may be lodged.

Appeals (and applications for extension of the period for lodging an appeal) should be addressed to:

The Scottish Minister
ARFC RPID
Saughton House
Broomhouse Drive
Edinburgh
EH11 3XD

Annexed to consent to relevant project number 03399442.

Conditions of consent

General

1. Work in relation to the project shall commence within 5 years of the date of this consent.
2. No work shall be carried out in relation to the project after the expiry of 10 years from the date of this consent.

Landscape

3. An Ecological Clerk of Works and a Landscape Clerk of Works, approved in advance by Forestry Commission Scotland, will be appointed by the applicant before operations commence.
4. Monitoring procedures for project implementation will be carried out in accordance with that set out for monitoring in Volume 1 of the Environmental Statement - Chapter 6: Mitigation Measures.
5. Mitigation relating to landscape and other aspects of the project will be delivered as set out in Volume 1 of the Environmental Statement (dated 6 November 2015) - Chapter 6: Mitigation Measures.
6. The roadline, which will be no greater than 10km in length and will follow that set out in Map 1, Volume 6 (ES Maps) of the Environmental Statement, using the natural topography to screen the road or break up its impact.
7. All forest roads will be constructed in accordance with Appendix 3 (Forest road construction: specifications, guidelines & plans) of Volume 3 (Scoping Responses and Technical Appendices) of the Environmental Statement.
8. Road-lines can be moved up to 60m either side of the approved line without seeking approval from Forestry Commission Scotland, if this has been appropriately assessed for landscape, visibility and visual amenity purposes and does not breach any other conditions.
9. The location of quarries, passing places and turning points to be constructed as part of the project are identified on Map 8 in Volume 6 of the Environmental Statement. Any alterations proposed must be approved in advance of construction by Forestry Commission Scotland.
10. The total area of quarries within the approval area will be no greater than 0.5 ha.

11. Quarries no longer required to provide stone for construction or maintenance of the road will be re-instated. Quarry management and reinstatement will be carried out according to the Quarry Management Appendix in Volume 8 (Post Consultation Feedback) of the Environmental Statement together with the mitigation measures for quarries set out in Volume 1 of the Environmental Statement - Chapter 6: Mitigation Measures.

12. In respect of the road construction works, the mitigation measures set out in:

- Volume 1 of the Environmental Statement - Chapter 6: Mitigation Measures; and
- Volume 2 of the Environmental Statement - Landscape and Visual Impact Assessment, in particular Chapter 9 - Landscape and Visual Assessment: Mitigation Measures together with maps D, E, F and G in that Volume;

will be applied.

This includes the hydro-seeding of all sections of road-line marked as having high or medium-high visual significance as set out in those maps, or other areas of such significance identified during the road construction process.

On natural rock outcrops, small randomly positioned horizontal rock shelves will be cut into the rock and topsoil cast over the rock to promote vegetation.

Where ground is liable to slumping, built rock outcrops emulating natural rock formations will be constructed and topsoil cast over to promote vegetation.

13. All works will be carried out in accordance with Forest Enterprise Scotland's Cruach Tarbeirt Forest Design Plan 2015-2025 approved by Forestry Commission Scotland on 18 December 2015 as set out in Volume 5 of the Environmental Statement, or any subsequent or revised plan approved by Forestry Commission Scotland.

14. Restocking must be undertaken in accordance with Map 7 of Forest Enterprise Scotland's Forest Design Plan in Volume 5 of the Environmental Statement and as set out in the section "Future habitats and Species" of that plan.

15. An area of up to 2 hectares of new native woodland creation is identified in Map G of Volume 2 (Landscape and Visual Assessment) of the Environmental Statement. This planting must be carried out within two years of completion of construction of phase 2 of the road and the trees must be established within 10 years of planting.

Natural heritage

16. Mitigation measures for the natural heritage will be carried out in accordance with those for natural heritage set out in Volume 1 of the Environmental Statement - Chapter 6: Mitigation Measures.

Water quality

17. All watercourses that cross the road will be culverted. Water quality mitigation measures will be carried out in accordance with those set out in Volume 1 of the Environmental Statement - Chapter 6: Mitigation Measures.

Peat

18. Where the road line crosses areas of deep peat, as identified in Volume 6, Map 8 of the Environmental Statement, or any other area of deep peat on the road-line, the road will be floated over the deep peat, negating the requirement to remove the peat, in accordance with the text set out in Volume 3 of the Environmental Statement.

Access and recreation

19. The recreational path network will be managed as set out in the Recreation Plan in Appendix 3 of Volume 3 of the Environmental Statement together with the mitigation measures set out in Volume 1 of the Environmental Statement - Chapter 6: Mitigation Measures.

Communities

20. Working hours during road construction (including quarrying) operations in the area south of the summit of Cruach Tarbeirt is restricted to 0800 – 1800 hours each day, with no Sunday working.