

Agenda Item	6.1
Report No	PLS 004/18

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 30 January 2018

Report Title: 17/05202/FUL: Liberty Aluminium Lochaber Limited
Liberty Aluminium Lochaber Ltd, North Road, Fort William PH33 6TH

Report By: Area Planning Manager – South/Major Developments

Purpose/Executive Summary

Description: Alloy wheel manufacturing facility, alterations and improvements to existing secondary plant access and associated access arrangements, hard standing, landscaping, car parking, and ancillary development

Ward: 21 Fort William and Ardnamurchan

Development category: Major

Reason referred to Committee: Major Development

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

Recommendation

Members are asked to agree the recommendation to **GRANT** as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

- 1.1 It is proposed to erect a large building on the site to accommodate an alloy wheel manufacturing facility. The proposed building is approximately 288m long and 120m wide, with a floor area of 31,300 sqm. The building is 19.6 metres to the highest point and 15.5m to the lowest point. The building is in the form of four mono pitched, long rectangular sections orientated on a similar axis to the adjacent smelter cell room building. The finished floor level of the building is 19.0m AOD, similar in level to the adjacent smelter site (approx. 2 metre difference). External materials proposed to finish the building are a mix of aluminium cladding and concrete blockwork, with contrasting materials and textures to highlight design features.
- 1.2 The proposal also includes the alterations and upgrading of an existing access road which joins with the Ben Nevis Industrial Estate to provide an exit route for HGVs and alternative pedestrian/cycle route for staff/visitors; the provision of car parking for 150 cars; areas of hardstanding; and landscaping in and around the site. Surface water drainage is to be managed on site with the SUDS basins being incorporated into the landscaping features at the front of the building. Connection is proposed to the public water supply and public sewer.
- 1.3 Pre Application Consultation: Formal pre-application consultation was undertaken for this proposal. Two public events took place; 28 September 2017 and 2 November 2017. A pre application consultation report has been submitted which summarised the events and outcomes.
- 1.4 Supporting Information: Environmental Impact Assessment Report; Transport Assessment; Drainage Impact Assessment; Design and Access Statement; Planning Statement; and Pre Application Consultation Report have all been submitted in support of the application – additional clarifications have been provided during the course of the application in relation to air quality, transport, land contamination, drainage and woodland.
- 1.5 Variations: Change from private foul drainage connection to public foul drainage connection

2. SITE DESCRIPTION

- 2.1 The site area extends to 24ha and lies between the existing Smelter complex and the Ben Nevis Industrial Estate and Glen Nevis Business Park. The proposed building lies between the old access road between the Smelter and the Industrial Estate (which joins the Industrial Estate adjacent to the recycling centre) and a line extending from the rear of the existing smelter buildings to Stob Bhan House car park in the Business Park. The northern portion of the site, between the old road and the front of the proposed building, has evidence of previous developments, and was the site of the former Carbon factory which has since been demolished. This northern part of the site will be redeveloped to form the entrance, landscaping and SUDs for the development. The site of the building is largely a mix of conifer plantation and semi natural broadleaf woodland, with underlying peat, and previously disturbed ground. A larger area of land to the rear of the proposed building has been included in the site area. This area, a mixture of blanket bog, shrub heath, and marsh grassland, with areas of semi natural broadleaf woodland and conifer

plantation, will largely remain undisturbed and will be subject to compensatory planting in suitable areas. The railway line which serves the Smelter runs between the Smelter complex and the proposed building

- 2.2 The existing aluminium smelter was built in the 1920s and has developed and changed over the years. The existing smelter operates 24 hours a day, 7 days a week, and produces around 48,000 tonnes of aluminium ingots per annum. The Smelter is currently accessed from a spur off a new roundabout on the A82 North Road and the access road to the Smelter crosses two railway lines (one bridge, one crossing).

3. PLANNING HISTORY

- 3.1 The existing smelter has a lengthy planning history, however the information below is focused on the proposed site of the alloy wheel manufacturing facility

3.2	1.3.17	17/00680/PAN – Proposal of Application Notice for alloy wheel manufacturing plant	Response issued
3.3	2.5.17	17/01124/PREAPP – Pre-application enquiry for alloy wheel manufacturing plant	Response Issued
3.4	18.10.17	17/04269/SCOP – Scoping Opinion for alloy wheel manufacturing plant	Scoping opinion issued
3.5	12.12.17	17/04792/FUL - Erection of temporary offices on the smelter site for construction of the new wheel plant	Granted (Temporary)

4. PUBLIC PARTICIPATION

- 4.1 Advertised: Yes – EIA, Neighbour Notification and Schedule 3
Date Advertised: 10.11.17 (Edinburgh Gazette) and 16.11.17 (Oban Times)
Representation deadline: 16.12.17 (overall)

Timeous representations: 7

Late representations: 1

- 4.2 Material considerations raised are summarised as follows:

- a) Welcome the creation of jobs
- b) Support for the significant investment in the Lochaber community
- c) Potential loss of archaeology and cultural heritage

Comment – See sections 8.81-87

- d) Aggravation development will create for emergency services and through traffic on the already congested A82

Comment – See sections 8.16-35

- e) Additional traffic through Ben Nevis Industrial Estate will cause more traffic

congestion. At peak times the junctions cannot cope with the volumes of cars at this present time and the roads are not suitable to maintain large heavy vehicles.

Comment – See sections 8.16-35

- f) If Ben Nevis Industrial Estate is to be used as an exit route it should be conditional on upgrading the road and junctions within the Industrial Estate which would be impacted by increased traffic flow.

Comment – See sections 8.16-35

- g) The existing road infrastructure between Torlundy and Fort William is totally inadequate for existing traffic volumes. The planned development will only exacerbate the situation. Approval of this application must be directly linked to an agreement to develop a bypass road between An Aird and Torlundy.

Comment – See sections 8.16-35

- h) Concerns raised that the development has the potential to add further anthropogenic pressure to the Loch Linnhe system. Whilst Loch Linnhe is not classified as 'shellfish water protected area' Loch Eil is, and due to the enclosed nature of the loch system any pressure put on Loch Linnhe results in additional pressures on Loch Eil. Assurances sought that there will be no additional pressures put onto the water body through either: the new development; or any potential changes to the existing discharge consents for the existing development.

Comment – Support for the proposal is subject to conditions requiring that any new foul and process discharges from the site connect to the Scottish Water public sewage system. Scottish Water will need to ensure that their system can accommodate the additional inputs and meet the requirements of their Water Environment (Controlled Activities) Regulation authorisation from SEPA. This authorisation includes conditions to ensure that the water environment is adequately protected. Any private drainage discharge from the development would be authorised by SEPA under the Pollution Prevention and Control (PPC) regulations. If required the permit would also include conditions to ensure that the water environment is adequately protected.

- i) RSPB agree with SNH advice that Appropriate Assessment be undertaken

Comment – Appropriate assessment has been undertaken.

- j) RSPB highlight the importance of peatlands as an important carbon store – highlights need for assessment to extend to emissions, and minimisation of peat disturbance and recommends conditions in relation to Peat Management.

Comment – See sections 8.53-54 and 8.109-119 and proposed conditions.

- k) The development needs to have an archaeologist supervising the site clearance due to it being part of the site of both battles of Inverlochy.

Comment – This would be a requirement of the archaeological works required by condition.

- l) There should be no usage of 'Corpach Harbour' due to noise nuisance issues as well as light and marine pollution.

Comment – *This is not proposed as part of the current proposal. Future developments would be assessed on their own merits as part of a planning application, if such an application were required.*

- m) Ideally the proposed development will have a phased introduction of assembly lines to allow the incoming workforce to settle in over a number of years.

Comment – *The application highlights an intention to phase the operation of the facility.*

- n) Whilst creation of new employment opportunities in Lochaber is a welcome prospect, this proposal comes at a time of prolonged, government imposed austerity for public agencies. This new development will require substantial investment of public money, to improve the road network, possibly develop a port facility, to build 400 new homes and accommodate 400 extra families within the education and health infrastructure – where is the developer contribution towards the tax payers burden? How is it fair that this expansion can proceed without a significant developer contribution to the necessary public infrastructure growth required to support it?

Comment – *See section 8.15*

- o) Any artefacts found would help map battlefields and expect would be welcome moved to Fort museum.

Comment – *See sections 8.81-87*

- 4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam.

5. CONSULTATIONS

- 5.1 **Inverlochy and Torlundy Community Council** – No response

- 5.2 **Fort William Community Council** (neighbouring) – supportive of proposal. Note of caution to ensure the local infrastructure has all the support required to cope with the increased demand, and that due consideration will be given to the long term needs of the area.

- 5.3 **Kilmallie Community Council** (neighbouring) – No response

- 5.4 **Caol Community Council** (neighbouring) – No response

- 5.5 **Flood Risk Management Team** – Response dated 7.12.17. No objection subject to conditions.

- 5.6 **Forestry Officer** – Response dated 29.11.17 and 10.1.18. No objection subject to conditions.

- 5.7 **Archaeologist** – Response dated 6.12.17. No objection subject to condition.

- 5.8 **Environmental Health Officer** – Response dated 21.12.17. No objection subject to condition.

- 5.9 **Contaminated Land Team** – Response dated 15.12.17. No objection subject to condition.
- 5.10 **Development Plans Team** – Response dated 5.12.17. Support for proposal, subject to conditions.
- 5.11 **Access Officer** – Response dated 15.11.17. No objection subject to condition seeking Access Plan.
- 5.12 **Transport Planning Team** – Response dated 21.11.17 and 9.1.18. No objection subject to conditions.
- 5.13 **Scottish Environment Protection Agency** - Responses dated 6.12.17 and 12.1.18. Have advised the facility appears to be potentially consentable under Pollution Prevention and Control Regulations and have no objection subject to conditions.
- 5.14 **Scottish Natural Heritage** – Responses dated 7.12.17 and 12.1.18. No objection *update when air quality response received
- 5.15 **Scottish Water** – Response dated 19.12.17. Support for the proposals, subject to necessary consents from Scottish Water.
- 5.16 **Historic Environment Scotland** – Response dated 11.1.18. Have not objected to the proposal however consider the assessment of the impact on the historic environment is limited
- 5.17 **Health and Safety Executive** – Response dated 14.11.17. Consultation not required.
- 5.18 **Network Rail** – Response dated 5.12.17. No objection subject to conditions.
- 5.19 **Transport Scotland** – Response dated 19.12.17. Conditions recommended.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012 (HwLDP)

- 28 - Sustainable Design
- 29 - Design Quality & Place-making
- 30 - Physical Constraints
- 31 - Developer Contributions
- 34 - Settlement Development Areas
- 41 - Business and Industrial Land
- 42 - Previously Used Land
- 51 - Trees and Development
- 52 - Principle of Development in Woodland
- 55 - Peat and Soils
- 56 - Travel
- 57 - Natural, Built & Cultural Heritage

58 - Protected Species
59 - Other important Species
60 - Other Importance Habitats
61 - Landscape
62 - Geodiversity
63 - Water Environment
64 - Flood Risk
65 - Waste Water Treatment
66 - Surface Water Drainage
70 – Waste Management Facilities
71 - Safeguarding of Waste Management Sites
72 - Pollution
73 - Air Quality
74 – Green Networks
77 - Public Access

6.2 **West Highland and Islands Local Plan 2010 (as continued in force 2012) (WHILP)**

Proposals Map Insert 30: Fort William

The site is situated within the Fort William Settlement Development Area where HwLDP Policy 34 applies. The only exception to this is a marginal area to the south east of the site which extends into the Wider Countryside where HwLDP Policy 36 applies. The site also occupies the majority of WHILP site allocation B6: Glen Nevis Business Park which is identified for business and industrial uses, including waste management facilities. The developer requirements associated with this allocation are as follows:

"Development to be dependant on the approval of a master plan for the site, which should address access, layout and distribution of uses, and design principles, including landscaping and boundary treatment, having particular regard to the impact of the development from the principal Glen Nevis public viewpoints."

The residual areas of the development site lie outwith any other WHILP adopted site allocations.

6.3 **West Highland and Islands Local Development Plan – Proposed Plan (WestPlan)**

The Lochaber elements of the West Highland and Islands Local Development Plan (WestPlan) Proposed Plan were agreed by Members at their meeting on 18 January 2017. The Proposed Plan was then published for consultation from 5 May 2017 to 21 July 2017. This document represents the emerging 'settled view' of the Council and is a material planning consideration in making planning decisions.

The emerging Proposed Plan strongly supports the principle of development which fits with the Fort William Placemaking Priorities which focus on expanding existing businesses, attracting and retaining a skilled workforce with improved services and providing ample housing options. The Proposed Plan allocates the vast majority of the development site and the wider aluminium smelter area for a combination of industrial and business uses.

The development site occupies the western area of industrial allocation FW26 Aluminium Smelter and Adjoining land identified and almost the entirety of business allocation FW21 Glen Nevis Business Park. Residual areas of the development site which extend beyond these allocations generally fall within the SDA boundary and only marginal peripheral areas of the site form part of the identified green network.

7. OTHER MATERIAL CONSIDERATIONS

7.1 Highland Council Supplementary Planning Policy Guidance

Construction Environmental Management Process for Large Scale Projects
(August 2010)

Developer Contributions (March 2013)

Flood Risk & Drainage Impact Assessment (Jan 2013)

Green Networks (Jan 2013)

Highland Historic Environment Strategy (Jan 2013)

Highland's Statutorily Protected Species (March 2013)

Managing Waste in New Developments (March 2013)

Physical Constraints (March 2013)

Public Art Strategy (March 2013)

Standards for Archaeological Work (March 2012)

Sustainable Design Guide (Jan 2013)

Trees, Woodlands and Development (Jan 2013)

7.2 Scottish Government Planning Policy and Guidance

7.3 National Planning Framework 3 (NPF3)

The NPF3 is a long term strategy for Scotland and is the spatial expression of the Scottish Government's Economic Strategy and plans for development and investment in infrastructure. NPF3 Para 1.6 outlines that the spatial strategy focuses on sustainable growth and development across rural Scotland with Para 2.2 stating the Scottish Government Economic Strategy aims to stimulate economic activity and investment across all of Scotland's communities. This includes encouragement for business innovation, job creation and increasing population growth which is vital to sustaining many rural communities and reversing the trend of continued out-migration of young people from rural areas.

7.4 Scottish Planning Policy (SPP)

SPP sets out a presumption in favour of development that contributes to sustainable development and aims to direct the right development to the right place. SPP paras 92-93 set out support for business and employment uses and explains that planning should enable key opportunities for investment to be realised. As well as providing safeguards and enhancements for the natural and built environment, SPP also seeks to ensure that the planning system supports the diverse needs of different sectors and sizes of business through the provision of allocated sites and the application of a flexible approach which accommodates changes in circumstances, giving due weight to net economic benefits of development proposals.

Planning Advice Note 51 – Planning, Environmental Protection and Regulation
Planning Advice Note 60 – Natural Heritage
Planning advice Note 61 – Sustainable Urban Drainage Systems
Planning Advice Note 66 – Planning Applications Affecting Trunk Roads
Planning Advice Note 68 – Design Statements
Planning Advice Note 69 – Flood Risk (+update June 2015)
Planning Advice Note 75 – Planning for Transport
Planning Advice Note 78 – Inclusive Design
Planning Advice Note 79 – Water and Drainage
Planning Advice Note 1/2011 – Planning and Noise
Planning Advice Note 2/2011 – Planning and Archaeology
Planning Advice Note 1/2013 – Environmental Impact assessment
Planning and Waste Management Advice
Historic Environment Scotland: Policy Statement 2016
Historic Environment Scotland: Managing Change in the Historic Environment
Guidance Note – Historic Battlefields 2016
Scottish Government Policy on Control of Woodland Removal

8. PLANNING APPRAISAL

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

Determining Issues

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

Planning Considerations

8.3 The key considerations in this case are:

- a) compliance with the development plan and other planning policy
- b) Public service provision
- c) Servicing and Infrastructure
- d) Physical Constraints (include assessment within individual topics)
- e) Use of brownfield land
- f) Waste management
- g) Individual and community residential amenity

- h) Impact on non-renewable resources
- i) Impact on natural, built and cultural heritage and resources
- j) Impact on Species and Habitat
- k) Landscape impact
- l) Siting and design
- m) Public art
- n) Community safety and security
- o) Accommodate all sectors of the community
- p) Economic and social development of the community
- q) Peat and soils
- r) Water environment
- s) Flooding and drainage
- t) Any other material considerations.

Principle of Development

8.4 The proposed wheel manufacturing facility involves an investment in excess of £130 million which would sustain and create a significant number of jobs at the last remaining aluminium smelter in the UK. Investment of this scale has wide ranging benefits for Fort William and the Highland economy, meeting several of the adopted (and proposed) Local Development Plan objectives, including expanding business opportunities at locations that have an economic advantage and the creation of skilled job opportunities. The proposed development would also provide a value added product for the UK motor vehicle manufacturing industry and could reduce reliance on overseas supply chains. The proposal forms the first phase of other potential industrial processes that could evolve at the site, including a rolling mill plant and research and development facility. These future developments would be subject of separate planning applications and environmental assessment, however, scope for their potential longer term provision has been outlined within the application submission. The development site is ideally located, within the Fort William Settlement Development Area, with the vast majority of the site being allocated for strategic business and industrial uses. The existing smelter benefits from on-site hydro-electricity power supply with additional bio-diesel units. The Highland wide Local Development Plan Policy 41, in the first instance, directs such strategic proposals towards larger existing and allocated employment sites. The principle and broad location of the proposal is therefore in accordance with the development plan.

8.5 In addition to this area being identified as a strategic business and industry development site (Policy 41 of the HwLDP), the area is identified for a new waste management site. Policies 70 and 71 of the HwLDP safeguards existing and proposed strategic waste management sites (which includes Glen Nevis Business Park) from alternative forms of development that would be likely to adversely affect the present or future operation of the facility. The operational and access arrangements for the neighbouring recycling centre should not be compromised by

the proposed development and it is understood there are to be separate discussions with the applicant/landowner regarding the possible expansion of this facility.

- 8.6 The proposal is also well aligned with National Planning Framework 3 and Scottish Planning Policy in having a significant positive socio-economic impact in terms of investment, employment and attracting people of working age to Fort William. This also fits with the Proposed WestPlan Vision and Spatial Strategy, particularly in terms of growing communities in larger settlements and employment creation which is diverse and sustainable.
- 8.7 A significant proportion of the site is also allocated in the Proposed WestPlan for industrial uses surrounding the existing aluminium smelter and although the development site also comprises Proposed Plan allocation FW21 which is identified for business use only, this is due to the former landowners, Highlands and Islands Enterprise (HIE) previously insisting that this land remain reserved for Class 4 use. Although industrial use across this smaller business allocation would technically be a minor departure from the Proposed Plan, there are overriding positive benefits the development would bring in terms of job creation and in meeting wider economic objectives.
- 8.8 The principle of industrial development at this location is therefore well established and supported in both the adopted and emerging development plan and the proposals are also well aligned with the Scottish Government's economic strategy as expressed through NPF3 and SPP.
- 8.9 Although the principle of the development is supported by Policy, the detailed proposal requires to be assessed in terms of its compliance with the overarching development plan policy on sustainable design (Policy 28) and the individual policies of the adopted development plan, together with the associated supplementary guidance.
- 8.10 Policy 28 of the Highland wide Local Development Plan states that the Council will support developments which promote and enhance the social, economic and environmental wellbeing of the people of Highland. Proposed developments will be assessed on the extent to which they:
- Are compatible with public service provision;
 - Are accessible by public transport, cycling and walking as well as car;
 - Maximise energy efficiency in terms of location, layout and design, including utilisation of renewable sources of energy and heat;
 - Are affected by physical constraints;
 - Make use of brownfield sites, existing buildings and recycled materials;
 - Demonstrate they have sought to minimise the generation of waste during the construction and operational phases;
 - Impact on individual and community residential amenity;
 - Impact on non-renewable resources;
 - Impact on habitats, freshwater systems, species, marine systems, landscape, cultural heritage, scenery and air quality;
 - Demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environment and in making use of

- appropriate materials;
- Promote varied, lively and well used environments which will enhance community safety and security and reduce fear of crime;
- Accommodate the needs of all sectors of the community;
- Contribute to the economic and social development of the community.

Economic and Social Development

- 8.11 The EIA report includes an assessment of the Socio-economic impact of the proposed alloy wheel manufacturing facility, including the direct, indirect and induced impacts from the construction of the facility, the operation of the facility and the impact as a result of increase viability of the existing smelter. The report also considers the wider impact and issues arising from the proposed development, for example the implied demand for housing.
- 8.12 The existing Aluminium Smelter is a significant employer within Lochaber, currently directly employing 170 staff and supporting a further 75 jobs through indirect and induced impact in the Lochaber area, with additional jobs and benefits across Highland and Scotland wide. The Smelter has a turnover of £80 million and spends approximately £57 million on supplies, with a direct Gross Value Added (GVA) impact of £23 million, with a further £3.6 million GVA through indirect and induced impacts in Lochaber.
- 8.13 Within Lochaber the proposed alloy wheel facility is predicted to create 400 direct jobs, 37 indirect jobs and 120 induced impact jobs, together with providing security for the existing jobs at the smelter. This would represent a 6.6% increase in employment for the Lochaber area. The EIA Report estimates the positive economic benefits as a result of the alloy wheel facility. This covers various scenarios covering the differences in impacts as a result of workforce displacement. In short, it is predicted that the positive impact, measured as GVA for the Lochaber area, could be between £22m and £31.5m (direct impact) or between £41m and £54m (total direct, indirect and induced impact). As a result, this is a very significant economically positive development for the Lochaber area, which will also see employment benefits across Highland and, albeit to a lesser degree, Scotland wide.
- 8.14 Within Lochaber there is a low level of unemployment and as a result there will need to be a strategy for recruiting people to the local area to meet the jobs created by the proposed facility and to backfill any displacement of the current workforce. Attracting new workers to the area will also require the building of new homes to meet this new demand.
- 8.15 If population were to increase in line with employment, this could represent an increase in population of around 1,100 people in Lochaber. There is currently sufficient land allocated within the Fort William area to meet housing need. Forward planning work is being undertaken by the Council, its partners and the applicant to explore the options for additional houses should the alloy wheel facility be approved. The Council is also looking at how to address such issues through the next stage of WestPlan. Currently it is difficult for firm commitments on housing to be put in place without permission secured for the alloy wheel facility as this will provide the catalyst for housing delivery at an increased rate. Should permission be granted for the proposed facility, further applications for housing development are likely to follow

and would be assessed in terms of their compliance with the development plan and would include an assessment of the services and infrastructure required to support such housing development.

Access and Travel

8.16 Policy 56 of the Highland wide Local Development Plan states that development proposals that involve travel generation must include sufficient information with the application to enable the Council to consider any likely on and off site transport implications and should:

- Be well served by the most sustainable modes of travel availability in the locality from the outset
- Maximise opportunities for encouraging walking and cycling
- Be designed for the safety and convenience for all potential users
- Incorporate appropriate mitigation on site and/or off site, provided through development contributions where necessary, which might include improvements and enhancements to the walking/cycling network and public transport services, road improvements and new roads; and
- Incorporate an appropriate level of parking provision

8.17 The EIA report covers Access, Traffic and Transport and the application is supported by a Transport Assessment and a Travel Plan. The supporting information examines the current and future transport matters associated with the proposed development site and considers all modes of travel. It assesses the vehicular access requirements and parking. It presents an analysis of any anticipated off-site transport impacts as a result of the proposed development and considers whether the existing transportation network is suitable to accommodate the proposed development without detriment to existing users.

8.18 Existing (typical) daily traffic movements: At present there are approximately 170 employees who work shifts at the smelter. There are two shifts per day: day shift 07:00 to 19:00 and night shift 19:00 to 07:00 and staff generally undertake three shifts per week and approx. 80% travel to work by car on their own. There are currently 104 car parking spaces at the Smelter. There are estimated to be 40 trips (80 two way movements) of Light Goods Vehicles (LGV) (contractors/deliveries) and on average 12 Heavy Goods Vehicles (HGV) (24 two way movements) generally associated with export of finished aluminium product.

The table below shows the Average Annual Daily Flow (AADF) of traffic at the seven traffic counter locations. The projected figures do not include the proposed manufacturing facility.

Counter Location	2017 Base Year AADF*	2017 Base Year HGVs	2019 Projected AADF	2019 Projected HGVs
1. Smelter Access Road	437	33	447	34
2. Ben Nevis Drive	3376	362	3457	370
3. A82 Industrial Estate	17944	1692	18482	1743

4. A830	10516	1236	10831	1273
5. A82 Fort William	19826	1745	20421	1797
6. A82 North (Torlundy)	5811	417	5983	429
7. A82 South (Onich)	8300	411	8545	423

- 8.19 The proposed Alloy Wheel Manufacturing Plant is anticipated to employ approximately 400 staff (phased increase of staff as the plant achieves maximum proposed production of up to 2 million wheels per year). The supporting information has predicted the impact the development would have on the road network at both construction phase and operational stage.
- 8.20 The predictions have been made on a 'worst case' basis to address some unknowns (for example, using 100% road haulage for export, and high percentage of staff car usage and on a single occupancy – modal shift is likely to reduce these figures).
- 8.21 The construction phase of development is anticipated to take 65-70 weeks, with an estimated period of 8 weeks for peat removal prior to construction. Based on proposals to remove 30,000m³ of peat, it is predicted that 40 HGV loads per day will be required for 8 weeks (80 two way movements per day). After this, HGVs will be used to transport construction materials to the site (13 loads per day – 26 two way). It should be noted that the higher figure of 80 HVG movements per day has been used for predicting the traffic impacts for the duration of the construction period. In addition there will be approximately 150 to 175 staff on site at any one time involved in the construction works (predicted 350 two way movements per day).
- 8.22 As there are current unknowns as to the direction of construction traffic arriving and departing from the Smelter Access Road, a figure of 75% of traffic has been applied to each of the routes. This covers more traffic than will actually be generated, but covers the likely impacts on each route – for example, if 75% of the traffic went south on the A82, there is only 25% of traffic left to be distributed along the other routes, but the assessment has looked at 75% of traffic on each of the routes. This needs to be borne in mind when looking at the percentage increases. Table 8.8 in the EIA Report sets out the predicted construction traffic impacts – using the baseline figures in the table above, the percentage increases on these routes are summarised as follows:

Counter Location	2017 Base Year AADF	Baseline AADF + development HGVs & development staff (% increase)	2017 Baseline HGV count	Baseline HGV Count + Development HGV trips (% Increase)
1. Smelter Access Road	437	867 (98%)	33	113 (242%)
2. Ben Nevis Drive	3376	3376 (0%)	362	362(0%)
3. A82 Industrial Estate	17944	18267 (2%)	1692	1752 (4%)

4. A830	10516	10839 (3%)	1236	1296 (5%)
5. A82 Fort William	19826	20149 (2%)	1745	1805 (3%)
6. A82 North (Torlundy)	5811	6048 (6%)	411	471 (15%)
7. A82 South (Onich)	8300	8500 (4%)	405	465 (15%)

- 8.23 Once operational the facility is predicted to generate 14 HGV trips (28 two way) per day, however as aluminium from the existing smelter is to be used in the process, the existing HGV trips associated with the export of product from the existing smelter will reduce from 12 HGV trips (24 two way) per day to 5 HGV trips (10 two way) per day. As a result the combined smelter and manufacturing facility HGV operational traffic is predicted to be 19 HGV trips (38 two way). This is 7 HGV trips (14 two way) per day more than the existing smelter). However, to ensure a robust assessment of the traffic impact the EIA report has used the upper figure of 14 HGV trips (28 two way) per day.
- 8.24 All HGV's will enter the site via the existing smelter access road and all HGV's (including those from the existing smelter) will exit via the proposed secondary access onto Ben Nevis drive. Most HGV's will then join the A82 heading south.
- 8.25 It is proposed that the manufacturing facility will operate on a 24 hour, 7 day per week basis using the same shift pattern as the existing smelter (07:00 to 19:00 and 19:00 to 07:00). The day shift results in a maximum of 120 staff on site and night shift is a maximum of 100 staff on site. Taking into account the travel to work pattern at the existing smelter, it is assumed that approximately 80% of staff will travel to work by car as a single occupant, resulting in approximately 96 drivers for the day shift and 80 drivers for the night shift. To ensure a robust assessment of the traffic impact, the EIA report has assumed a figure of 200 staff trips (400 two way) in a private car over a 24 hour period.
- 8.26 All staff cars will enter and leave the site via the existing smelter access road. Although there is uncertainty in predicting the direction of movement of future staff cars as they approach or leave the smelter access road, the EIA report has calculated the percentage of existing staff (using home postcodes) that travel north and south and applied these percentages to the predicted future staff. It is estimated that 40% of staff will travel via the A830, 10% using the A82 north of Fort William, 15% using the A82 south of Fort William and 35% from within Fort William using the A82 south. On this basis the table below indicates the predicted increase in traffic levels along the road links

Counter Location	2019 Base Year AADF	Baseline AADF + development HGVs & development staff (% increase)	2019 Baseline HGV count	Baseline HGV Count + Development HGV trips (% Increase)
1. Smelter Access Road	447	864 (93%)	34	48 (41%)

2. Ben Nevis Drive	3457	3483 (1%)	370	396 (7%)
3. A82 Industrial Estate	18482	18710 (1%)	1743	1771 (2%)
4. A830	10831	10991 (1%)	1273	1273 (0%)
5. A82 Fort William	20421	20649 (1%)	1797	1825 (2%)
6. A82 North (Torlundy)	5983	6023 (1%)	429	429 (0%)
7. A82 South (Onich)	8545	86330(1%)	423	451 (7%)

- 8.27 Representations made on the application refer to the capacity of the transport network (primarily the A82 through Fort William) and the congestion issues arising at peak times, particularly in the summer months. A key planning issue relating to this application is whether the existing road network has the capacity to accommodate the development without adverse impacts on safety or unacceptable impacts on operational performance. It is not for this application to address existing issues on the network.
- 8.28 Traffic modelling undertaken as part of the planning submission shows that without the development, background traffic growth on the A82 will increase between now and 2019 by 7% in the PM peak period and 5% during the AM peak period. Notwithstanding the development, journey times are predicted to increase by around 3 minutes between the A82/A830 roundabout and the West End roundabout and there will be an increase in queuing behaviour at the A82/A830 roundabout and at the Nevis Bridge roundabout (see section 8.34 in relation to issues with the existing network).
- 8.29 In the interests of a robust assessment the transport modelling included the traffic generated by the development within the peak period. This results in a 1-2% increase in traffic volume which is predicted to add an additional delay of 36 seconds between the A82/A830 roundabout and the West End roundabout. The supporting information suggests that this impact is negligible. This impact will not however be realised due to the shift patterns minimising development related traffic within the peak periods.
- 8.30 The traffic survey was undertaken in September and there is the question of seasonality, as it is recognised that traffic volumes and congestion increases in the summer months. Detailed analysis of the seasonal traffic changes has not been undertaken due to the shift pattern regulating when traffic serving the proposed development is using the network. Subject to a restriction on the times of the shift changeovers, it is considered that the traffic generated by the development will not add to the seasonal network issues, which is an existing issue, not one attributed to the proposed development.
- 8.31 Transport Scotland have accepted that the trips generated by the proposed development will occur outside the morning or evening peak periods, and that HGV trips will likely be spread throughout the day. Subject to a condition which will ensure the shift changes take place out with the peak periods on the network, Transport Scotland has accepted there is no requirement for road network mitigation as a result of the proposed development.

- 8.32 Following discussions, the Council's Transport Planning Team have recommended conditions to underpin the shift patterns and output of the facility, secure an operational travel plan and a construction traffic management plan, together with yellow box markings at the junction where the Ben Nevis Industrial Estate meets the A82, a footway link and dropped kerbs within the Industrial Estate, and the final arrangement of the new on-site parking and pedestrian crossings.
- 8.33 Due to the fairly central location of the development, within the Fort William Settlement Development Area, the development can be accessed on foot, with bus stops located on North Road in reasonable proximity of the development, and by bicycle. Pedestrian and cycle access to the site can be made either from the existing Smelter access road, or by the upgraded access from the Ben Nevis Industrial Estate. A new pedestrian/cycle priority lane is proposed from the latter access. To facilitate improved access within the Industrial Estate a new section of footpath is proposed at the entrance to the Industrial Estate, together with a series of new dropped kerbs between the Industrial Estate entrance and the pedestrian/cycle access into the site. On-site cycle parking for 30 bikes is proposed, together with proposals for an operational travel plan which would keep the amount of cycle parking under review.
- 8.34 By way of background to the existing issues on the network, the Highland Council and its partners have, through Hi-Trans, commissioned AECOM consultants to undertake a Fort William Pre-Appraisal Transport Study. This will set transport objectives for the greater Fort William urban area and then formulate and sift transport intervention options that can help meet these objectives. This sifting process will include reference to the views of a wide variety of stakeholders (including public engagement), the best available data on transport and related matters, and analysis of local transport problems and opportunities. One of the key deliverables of the Study will be a short list of transport interventions requiring further, more detailed, appraisal. The study is currently scheduled to completed by May 2018. The need for and potential use of this Study to secure future developer contributions towards transport measures is outlined in paragraphs 2.5 and 2.6 of the West Highland and Islands (Proposed) Local Development Plan, which was approved by the Lochaber Area Committee in January 2017 and published in May 2017. These paragraphs clarify that where an application, as in this case, is determined before the results of the Study are known then that application's transport assessment should consider its strategic transport implications including whether the proposal will be prejudicial to any transport interventions likely to be assessed in the Study. The Plan includes a notation on its Fort William Settlement Map that indicatively depicts a safeguarded "corridor" of land for the possible realignment of the A82, which will be one of the interventions to be assessed through the Study's sifting process. The current application is neither prejudicial to this possible intervention nor any other realignment of the A82 likely to be considered through the Study.
- 8.35 **Conclusion:** It is considered the proposal, with appropriate mitigation (secured by planning conditions), accords with Policies 28 and 56 of the Highland wide Local Development Plan.

Ground Contamination / Previously Used Land

- 8.36 Policy 42 of the Highland wide Local Development Plan supports proposals that bring previously used land back into beneficial use, subject to site investigation and risk assessment being undertaken to demonstrate the site is capable of being brought into a condition suitable for the proposed development.
- 8.37 A Phase 1 Contaminated Land Desk Study has been undertaken and the results presented as part of the EIA Report. This has identified the potential for risks from contaminants within the application site, largely arising from previous uses on the site, but also from natural sources – gas releases from peat disturbance. The northern part of the application site was previously used as the carbon plant for the smelter which was used to manufacture carbon briquettes. The carbon plant and associated structures were demolished over the period from the 1980's to the early 2000s and the area is now predominantly hardstanding with piles of demolition materials. Land adjacent to the industrial estate was previously leased to an aggregates company. These operations have since been abandoned however there is evidence of past activities, including piles of material, plant, machinery, and there is the potential for land contamination. The land in the southern part of the application site is not known to have been previously developed and is currently covered in woodland. Although the entire site has not been subject of previous development, the benefits of remediating these portions of the site that have been developed and bringing them back into beneficial use is supported by development plan policy.
- 8.38 In terms of addressing issues related to existing ground conditions/contaminants, mitigation measures have been proposed. These include the preparation of a Construction Environment Management Plan prior to construction; a geotechnical investigation prior to final design and construction to determine ground conditions and suitable foundation materials; a contaminated land site investigation and risk assessment prior to construction. This will be followed up by remediation and validation if required.
- 8.39 The Council's Contaminated Land Unit has advised that the information currently presented is insufficiently detailed. The site investigation strategy proposed is exploratory only and additional site investigation is required in areas where contamination is expected in order to meet the standard for a land contamination main investigation. As such, the Contaminated Land Unit has recommended a condition be imposed to secure a scheme to deal with potential contamination on site. This is based on a plan setting out zoning so that the site construction can proceed in a phased manner where the appropriate documentation is submitted for each zone.
- 8.40 **Conclusion:** It is considered the proposal, with appropriate mitigation (secured by planning condition), can ensure the site is suitable for redevelopment and accords with Policies 28 and 42 of the Highland wide Local Development Plan.

Pollution / Impact on Amenity / Water Quality

- 8.41 Policy 63 of the Highland wide Local Development Plan supports proposals for development that do not compromise the objectives of the Water Framework Directive aimed at the protection and improvement of Scotland's Water Environment.
- 8.42 Policy 65 of the Highland wide Local Development Plan requires connection to the public sewer for all new development proposals in settlements identified in the plan with a population equivalent of more than 2000.
- 8.43 Policy 66 requires all proposed development to be drained by Sustainable Drainage Systems.
- 8.44 Policy 72 of the Highland wide Local Development Plan states that proposals that may result in significant pollution such as noise, air, water and light will only be approved where a detailed assessment report on the levels, character and transmission and receiving environment of the potential pollution is provided to show how the pollution can be appropriately avoided and if necessary mitigated.
- 8.45 Policy 73 of the Highland wide Local Development Plan states that development proposals which individually for cumulatively, may adversely affect the air quality in an area to a level which could cause harm to human health and well being or the natural environment must be accompanied by appropriate provisions which demonstrate how such impacts will be mitigated.
- 8.46 The EIA Report includes an assessment of the effects of the development on geology, hydrology and hydrogeology and has considered surface water, ground water, flooding, protection areas, existing abstractions and discharges, water quality, wetlands and Ground Water Dependent Terrestrial Ecosystems (GWDTEs). The study area for hydrology and hydrogeology extends 2km from the application site boundary.
- 8.47 The EIA Report also includes an assessment of the effects of the noise
- 8.48 SEPA directly control discharges to the air and water, odour, noise from the process and arrangements for the storage of chemicals, accidents / incident response and decommissioning under the Pollution Prevention and Control Regulations 2012 (PPC). As SEPA are the environmental regulators for this type of development, and will robustly consider these issues under an application for a PPC Permit, it is not necessary or appropriate for the Planning Authority to replicate these controls. The PPC Permit would not cover the construction process and, at this stage, the Council would be the competent authority (Habitats Regulations) in relation to impacts on habitats as a result of the development. When providing their comments on planning applications for development which will also be regulated by SEPA, SEPA are required to assess the land use aspects of the planning application to clarify whether, on the information available at the time, the proposed development is potentially capable of being consented under the licensing regime.

Noise

- 8.49 SEPA have advised that the applicant has committed to a design that will not lead to any increase in rated ambient sound levels and on this basis, the facility appears potentially consentable in terms of noise impact.
- 8.50 Noise from construction activities on site from traffic travelling to and from the site falls under the control of the Local Authority. The application states that construction working hours will be restricted to weekday daytime and evening periods and Saturday mornings. The hours normally advised are 8am-7pm Mon-Fri and 8am-1pm Saturday. This would include construction traffic but not any works which are inaudible at the curtilage of any noise sensitive property. The target noise limits during those periods would be 55dB LAeq 1hr. The assessment indicates that even in the worst case scenario, predicted levels at any residential property will be no higher than 53dB.A Construction Environmental Management Plan has been proposed as part of the mitigation measures and the Council's Environmental Health Officer has advised this should be secured by condition.

Odour

- 8.51 SEPA has advised that the information presented in the EIA Report is sufficient to demonstrate that the applicant has considered impact from odour as part of the planning process and that the development is potentially consentable in terms of these issues.
- 8.52 The release of dust or odour from either construction activities on site or from traffic to and from site falls under the control of the Local Authority. Appropriate controls will be secured through a Construction Environmental Management Plan.

Air Quality

- 8.53 Subsequent to the submission of the planning application there have been further discussions and clarifications on the subject of air quality. In their final consultation response SEPA have advised that the clarification provided indicates that the data used within the air quality impact assessment has notably overestimated the potential cumulative effects the proposal would have on the surrounding receptors. This is due to the assessment assuming that the generating plant (bio fuel) operates on a continuous basis between November and February (when it has now been confirmed that it will be operating for 150 hours), the alloy wheel facility furnace emissions being three times greater than now proposed, and because heat recovery has not been factored into the emissions rates outlined for the facility. Taking into consideration these factors SEPA have advised they are now of the view that the clarified proposal (or an amended version) is capable of being authorised by them under PPC.
- 8.54 The issue of air quality has also been the subject to appraisal by SNH due to the potential impact air emissions could have on the Ben Nevis Special Area of Conservation (SAC). The advice from SNH has been used to inform the Appropriate Assessment set out in Appendix 2 of this report. SNH have recognised the significant economic benefits arising from this proposal and its importance with respect to local and regional employment, and have welcomed the attention the

applicant has given to greening the new facility and minimising environmental impacts. Their appraisal of the air quality assessment concludes that the estimated increase in deposition rates is unlikely to result in an adverse effect on any of the qualifying habitats of the Ben Nevis SAC.

Foul Drainage

- 8.55 SEPA have advised that Drawing 4405-SK009 Revision D (Appendix G of the Drainage Impact Assessment (DIA)) indicates that a new biodisc treatment facility is proposed which will discharge via a swale to the existing small watercourses at the north of the site. Their initial assessment of this proposal is that it is not capable of being authorised by them due to a lack of dilution in the receiving watercourse. Due to the large population equivalent and local soil conditions they also do not consider that a discharge to land will be acceptable. A discharge to an alternative watercourse may be capable of being authorised but in the absence of details of such a proposal and in line with their own Policy and Supporting Guidance on Provision of Waste Water Drainage in Settlements and Policy 65 of the Highland Wide Local Development Plan they ask that a condition is applied requiring the new facility to connect to the public foul drainage system.
- 8.56 Scottish Water have confirmed that they are fully supportive of the proposals. They are aware of SEPA comments and that a foul connection to the public sewer is now required, rather than the previously proposed private arrangements. The applicant's consultants have been in contact with Scottish Water to discuss and design how the foul connection is to be constructed. Separate permission will be required from Scottish Water to connect to their assets. A condition is proposed to require foul drainage to be connected to the public sewer.

Process Discharges

- 8.57 SEPA have advised that they understand there will be some aqueous discharges from the process. In the absence of details regarding the proposed discharge and in view of difficulties highlighted under 'foul drainage' above, they have requested a condition is applied requiring all process discharges to be connected to the public foul sewer. Scottish Water have confirmed the applicant's consultant has been advised for the need to apply for a trade effluent consent from Scottish Water.

Surface Water Drainage

- 8.58 SEPA have advised that in relation to surface water they are generally content that the information submitted in the Drainage Impact Assessment (DIA) has demonstrated that adequate surface water treatment can be achieved on site. They will directly control the quality of the discharge of surface water under PPC and as a result they have not requested further detail via a planning condition.
- 8.59 SEPA have noted that they do not control the quantity of discharge of surface water. This is a matter for the Planning Authority and this is considered in Sections 8.101-108 below.
- 8.60 SEPA have also noted that in Section 2.3.1 and 2.4 of the EIA Report indicate that the design has included opportunities however this seems to have been missed from the DIA proposals. SEPA have asked that a condition be applied requiring

rainwater from the roof to be harvested for use on site.

Lighting

- 8.61 The landscape and visual impact assessment has considered the potential impact from lighting and has advised that light pollution will be minimised in terms of unnecessary spill of light both upwards and horizontally beyond the area intended to be lit. Lighting to the south side of the building will be kept to absolute minimum; the proposed yard, hot metal access route and road lighting will be controlled by light levels and will only be lit during times of darkness; maintenance areas lighting will only be switched on when required for maintenance; and lighting on the building will be designed to be seen by site visitors rather than at a distance and will face downwards. A condition is proposed to secure a lighting plan for the site.

Other Issues

- 8.62 Appendix C of the EIA Report sets out a Schedule of Committed Mitigation and Monitoring Measures. SEPA has requested a condition requiring all works to be carried out in line with the specified measures.
- 8.63 SEPA have welcomed the proposal to submit a Construction Environmental Management Plan and have requested that this be ensured by condition. They are particularly interested in surface water drainage proposals during construction, including in relation to any contamination and material storage.
- 8.64 The EIA Report highlights that all standing timber (where agreement is secured to fell) will be removed from the site as marketable material and that the remaining lop and top (brush) will be chipped, collected and removed from the site, hopefully to be used as biomass. To ensure that no waste material is left on site SEPA have requested a condition is applied requiring all felled tree material to be removed.
- 8.65 Mitigation of potential pollution risks as a result of disturbance of existing on site contaminants has been considered and provided for as part of the proposals to deal with contaminated land – see Sections 8.36-40 above.
- 8.66 **Conclusion:** It is considered the proposal, subject to the necessary PPC Permit, and appropriate mitigation (secured by planning conditions), can accord with Policies 28, 63, 65, 72 and 73 of the Highland wide Local Development Plan.

Natural, Built and Cultural Heritage

- 8.67 Policy 57 of the Highland wide Local Development Plan requires all development proposals to be assessed taking into account the level of importance and type of heritage features, the form and scale of the development, and any impact on the feature and its setting. (Appendix 2).
1. For features of **local/regional importance** we will allow developments if it can be satisfactorily demonstrated that they will not have an unacceptable impact on the natural environment, amenity and heritage resource.
 2. For features of **national importance** we will allow developments that can be shown not to compromise the natural environment, amenity and heritage resource
 3. For features of **international importance** development likely to have a

significant effect on a site, either alone or in combination with other plans or projects, and which are not directly connected with or necessary to the management of the site for nature conservation will be subject to appropriate assessment.

- 8.68 The EIA Report includes an assessment of the impact on landscape and amenity and is supported by a Landscape and Visual Impact Assessment. Consideration of the main landscape issues are included in Sections 8.120-130 below, however potential impact on the features of national importance (National Scenic Area and Wild Land are included in these sections (8.70-72 and 8.75).
- 8.69 The EIA Report includes an assessment of impacts on Cultural Heritage. This has been informed by a desk based assessment of all known cultural heritage features, designated or otherwise, within the application site and within 250m of the proposed development area. The assessment also includes designated heritage assets within 1km of the proposed development site. The desk based assessment was supplemented by a field survey. At the time of submission of the application no archaeological site investigation works had been undertaken due to the nature of the existing ground cover and dense woodland.

National Scenic Area

- 8.70 The site does not lie within the Ben Nevis and Glen Coe National Scenic Area (NSA), however the boundary of the NSA lies to the immediate south east of the site. The NSA covers a large extent of land extending from Fort William to Glen Etive and Rannoch Moor. Due to the scale of the proposed development and the proximity of the NSA boundary there is potential for the development to affect the special qualities of the NSA, in particular the “impressive massif of Ben Nevis” and the “wild Mamores and secretive Glen Nevis”
- 8.71 The impact on the NSA has been included as part of the Landscape and Visual Impact Assessment supporting the application. The site will only be visible from the lower reaches of Glen Nevis and the proposal is unlikely to affect the upper part of the Glen which is more representative of the ‘secretive’ characteristic. In terms of impact on Ben Nevis, the proposed development is located within and adjacent to the urban area at the foot of the Ben. It will not significantly encroach into the main views towards Ben Nevis as it follows a similar line and height to the existing development and, for those experiencing Ben Nevis from within the NSA, the building will be read in the context of the existing built development.
- 8.72 Scottish Natural Heritage have advised they generally agree with the conclusion of the LVIA, that permanent effects on the special qualities of the NSA will be small scale and localised in extent. They consider that the effects identified by the LVIA will not have an adverse effect on the integrity of the NSA for the special qualities for which it has been designated.

Special Area of Conservation

- 8.73 See Sections 8.53-54 and 8.88-100

Site of Special Scientific Interest

- 8.74 Same issues as Special Area of Conservation

Wild Land

- 8.75 There are three areas of wild land within the 10km study area for the Landscape Assessment; all of which are significantly removed from the site boundary
- Wild Land Area 14: Rannoch – Nevis – Mamores – Alder (2.3km to south east)
 - Wild Land Area 18: Kinlochourn – Knoydart – Morar (6.1km to north west)
 - Wild Land Area 13: Moidart – Ardgour (8.7km to south west)
- 8.76 As the building is located with the existing Fort William Settlement, adjacent to existing industrial land, and due to the distances from the wild land areas and limited inter-visibility it is considered the proposal will not affect the qualities of the Wild Land areas.

Green Networks

- 8.77 Policy 74 of the Highland wide Local Development Plan requires developers to identify, protect and enhance the existing network of green spaces and green corridors which link built up areas to the surrounding countryside. Supplementary guidance has been adopted on Green Networks.
- 8.78 It is considered that the proposal will not result in a fragmentation or loss of connectivity within the green network and provides for an enhanced greenspace as part of the landscaping proposals.

Geodiversity

- 8.79 Policy 62 of the Highland wide Local Development Plan supports developments that include measures to protect and enhance geodiversity interests of international, national and regional/local importance in the wider countryside, and also supports improvements of accessibility and interpretation as an educational or geo-tourism resource.
- 8.80 The proposed development site lies within the Lochaber Geopark however there are no specifically designated sites of geological importance within the application site. The site lies beyond, but close to the Ben Nevis Site of Special Scientific Interest. As discussed in section 8.73-74 it is considered the proposal will not compromise these natural features.

Scheduled Monuments

- 8.81 Inverlochy Castle is a Scheduled Ancient Monument and comprises the remains of a late 13th Century castle built by the Comyn Lords of Lochaber. The EIA report has considered the potential for impact on the setting of the castle. The castle lies approximately 600m to the north of the proposed development, on the opposite side of the A82. Due to the distance involved, the topography, the intervening development and woodland screening, it is considered the proposed development will not adversely affect the setting of the scheduled monument.

Listed Buildings

- 8.82 There are various Listed Buildings within the study area (1km from the proposed development site) including the original smelter powerhouse, the Ben Nevis Distillery, New and Old Nevis Bridges, the former Glenlochy Distillery and The Craigs Burial Ground. These are all considered to be sufficiently distanced from the proposed development to prevent adverse impact on their settings.

Battlefields

- 8.83 The application site itself lies within the defined area of two historic battlefields, Inverlochy I and Inverlochy II – Inverlochy I is the site of a battle between the Royalist Army and the forces of the Lords of the Isles in September 1431; Inverlochy II is the site of a battle in February 1645 between the supporters of the Royalist cause and the Covenanters. Inverlochy I and II are both included in the Inventory of Historic Battlefields. Including a battlefield in the Inventory is not intended to be simply a barrier to development; the intention is to identify an area of added protection where particular consideration must be given to the impacts on the site. This should focus on the special qualities and landscape characteristics of the battlefield. A key consideration is whether development will significantly detract from the importance of the battle sites.
- 8.84 Historic Environment Scotland (HES) have advised the proposed development has the potential to have a direct impact on the two battlefields. HES provided advice at pre-application and scoping stages that the battlefield landscape needs to be fully understood before the impact of development upon it can be appropriately assessed. Their advice regarding metal detecting has not been taken forward, and they note that the EIA Report suggests that metal detecting prior to vegetation clearance and planning permission being granted would be difficult. They have confirmed they received separate communication from the applicant's archaeological consultants that states the current ground conditions are currently not suitable for a systematic metal detecting survey and it is also not practicable to remove all of the vegetation at this stage. HES have advised that on this occasion they accept there have been difficulties with carrying out this work at pre-application stage. Due to the lack of full site investigation they advise it is difficult to place confidence in the conclusions reached in the EIA Report (relating to the location of the battles) as the baseline information is incomplete. HES consider the metal detecting should ideally be undertaken prior to a decision on the planning application, but do not object to the planning application. They have advised that the investigative work should still be carried out if the Council is minded to grant consent.
- 8.85 The Council's Archaeologist has advised that the proposed development is located in an area of historic potential, particularly so as it is likely to lie very close to the core of the Battlefield of Inverlochy II. Accordingly a planning condition is recommended requiring a programme of work for the evaluation, preservation and recording of any archaeological and historic features affected by the proposed development. Similar to the HES comments, the Council's Archaeologist has advised that ideally the baseline would be established in order to inform the design and layout of development so that any important concentrations of features could be avoided. However, it is clear from the proposals that there is no flexibility in

terms of the location and layout of the proposed development. This will mean that any historic or archaeological features surviving on site will be impacted. A programme of works beginning with a rapid walkover survey and metal-detecting - where this is feasible - are required to mitigate this impact. Further survey work following the removal of scrub vegetation is expected. This work will inform a programme of trial trenching which will result in a report making recommendations for any further work as appropriate. A Written Scheme of Investigation must be submitted to agree the programme of works. All work will be carried out in accordance with established standards and guidance provided by the Chartered Institute for Archaeologists and with the Highland Council Standards for Archaeological Work.

- 8.86 The planning condition recommended requires that the development area is the subject of an evaluation and survey in order to establish the archaeological and historic content and potential. Dependent on the results of this work, further study may be required in advance of, and during, construction works. The evaluation will be backed up by desk-based research to produce a report setting out the results and any required mitigation strategy. The applicant will need to engage the services of a professional archaeological contractor.
- 8.87 **Conclusion:** For the reasons discussed above, it is considered the proposal, on balance, with appropriate mitigation (secured by planning conditions), will not have an unacceptable impact on any features of International, National, Local importance relating to natural, built or cultural heritage and accords with Policy 57 of the Highland wide Local Development Plan.

Species and Habitats

- 8.88 Policy 58 of the Highland wide Local Development Plan states that where there is good reason to believe that a protected species may be present on site or may be affected by a proposed development a survey will require to be carried out to establish any such presence and if necessary a mitigation plan to avoid or minimise any impacts on the species, before determining the application
- 8.89 Policy 59 of the Highland wide Local Development Plan states that the Council will have regard to the presence of any adverse effects of development proposals, either individually or cumulatively on Other Important Species.
- 8.90 Policy 60 of the Highland wide Local Development Plan states that the Council will seek to safeguard the integrity of features of the landscape which are of major importance because of their linear and continuous structure or combination as habitat “stepping stones” for the movement of wild fauna and flora.
- 8.91 The EIA Report includes an assessment of impacts on Ecology and Ornithology. This has been informed by a desk study and then a series of targeted field studies of all potentially important and/or legally protected receptors. These included:
- Phase 1 Habitat Survey
 - National Vegetation Classification Survey
 - Ground Water Dependiant Terrestrial Ecosystems (GWDTEs) Survey
 - Protected Terrestrial Mammal Survey (wildcat, badger, pine marten, red squirrel, otter and water vole)

- Freshwater Pearl Mussel Survey
- Fish Survey

- 8.92 The site itself lies outwith but adjacent to the Ben Nevis Special Area of Conservation (SAC), designated for a range of upland and montane habitats; and the Ben Nevis Site of Special Scientific Interest (SSSI), designated for a range of habitats and geological features, and covering a largely similar area the SAC which offers a greater degree of protection. The impact on the qualifying features of these areas has been considered by the EIA Report. The most likely way the habitat features could be impacted by the development is indirectly through hydrological changes and air pollution. These issues are discussed in Sections 8.53-54 and 8.109-119. There is also potential for the construction of the proposed manufacturing facility to have a significant effect on the *blanket bog* and *wet heath with cross-leaved heath features* of the SAC due to potential hydrological connectivity with the development footprint. In this regard SNH have appraised this issue and it is their view that the proposal will not adversely affect the integrity of the SAC. This is on the basis that the hydrological impacts of excavating the upper layer of peat on the site will be limited and will not extend as far as the nearby qualifying habitats that span the boundary of the SAC.
- 8.93 The site itself is not subject to any specific conservation designation, however due to the physical scale of the proposed development, it has the potential to affect wider countryside habitats through loss of habitat. The EIA Report considers the amount and type of habitat loss over the extent of land affected by the physical development of the site (7.7ha). The habitat that will experience the largest loss (in terms of area) is semi-natural broadleaf woodland (4ha), followed by bare ground (2.12ha – which includes previous used industrial land) and then coniferous woodland (1ha). The EIA Report highlights that particularly sensitive habitats within the study area, such as blanket bog, have largely been avoided through the design layout.
- 8.94 The EIA Report concludes there no likely significant effects on particular habitats through land take for the development. Although woodland habitat will be the main habitat affected, this is not likely to have a significant effect on this type of habitat. Impacts on woodland/forestry is also considered in Section 8.131-137 below. A condition requiring an Ecological Clerk of Works to be retained for the duration of the construction of the manufacturing facility is considered appropriate to provide site supervision, best practice and micro-siting opportunities.
- 8.95 Impacts on GWDTEs are discussed further in Sections 8.109-119 below.
- 8.96 The surveys yielded no direct evidence of protected terrestrial mammals within the study area. However, as a precaution, the applicant has committed to pre-construction surveys for protected mammals. This will be secured by planning condition.
- 8.97 It was identified that a short section of the Allt Garbh watercourse on the edge of the site was potentially capable of holding freshwater pearl mussels. At the time of the survey there was no evidence of freshwater pearl mussels in the study area, and concurs with previous surveys in the area.

- 8.98 The southern end of the development site is drained by two streams, the Caochan Dubhaig and its tributary Allt Garbh, which flow into the River Nevis and this area was subject to a walkover survey, together with an electric fishing survey at four locations. The fisheries assessment indicate that a short downstream section is suitable fish habitat and three fish species were recorded; Atlantic salmon, brown trout and European eel. The assessment noted that although excellent densities of salmon fry and parr were caught at the downstream end of the development area the availability of suitable habitat is very limited and the contribution of the streams to fish production in the River Nevis catchment will consequently be small. The assessment also notes that construction works around watercourses have the potential to impact stream habitats and fish populations through siltation and other forms of pollution, however construction impacts may be minimised by following standard good practice procedures and pollution prevention guidance. The development footprint avoids the minor southern watercourse and the EIA Report concludes that no direct or indirect habitats losses are predicted and a pollution event is considered unlikely. This issue would be further reinforced by a Construction Environment Management Plan, secured by planning condition.
- 8.99 At the time of submission of the application it has not been possible to provide breeding bird surveys (main breeding season is April to July). As there are no designated sites for protected bird species within the study area it is anticipated that the development is unlikely to have rare, scarce or sensitive breeding bird species regularly present. The EIA report supports this assumption based on the site being surrounded by urban development on 3 sides and much of the habitat being very wet and unsuitable for ground nesting birds. However, as a precaution, the applicant has committed to pre-construction surveys for breeding birds (within the actual breeding season). This would be secured by planning condition.
- 8.100 **Conclusion:** It is considered the proposal, with appropriate mitigation (secured by planning conditions), will not have an adverse impact on protected species, other important species or important habitats and accords with Policies 28, 58, 59 and 60 of the Highland wide Local Development Plan and associated supplementary guidance.

Flooding

- 8.101 Policy 64 of the Highland wide Local Development Plan states that development proposals should avoid areas susceptible to flooding and promote sustainable flood management. The Council has adopted supplementary guidance on Flood Risk and Drainage Impact Assessment.
- 8.102 The application has been accompanied by a flood risk assessment and drainage impact assessment.
- 8.103 SEPA have advised they are content with the findings of the Flood Risk Assessment (FRA) in relation to coastal and fluvial flooding.
- 8.104 SEPA have advised that the FRA also considers the risk to the proposed development from groundwater flooding, and the FRA considers that parts of the development site boundary to the south of the smelter and west of the proposed development area have potential for groundwater flooding if any elements of the

property are set below ground level. However, SEPA consider that there is limited potential for groundwater flooding at the site due to the very low hydraulic conductivity of the peat and glacial deposits present at the site, and as a result SEPA consider that groundwater flooding should not be a significant issue at the site. They have requested that any condition applied relating to surface water drainage includes a requirement for the submission to include information on how the potential increase in groundwater at the development site will be addressed as part of the overall drainage proposals for the site.

- 8.105 Roof and surface water drainage is to be managed by open SUDS which will form a key element of the amenity landscaping to the front of the new facility, together with swales along the access road and alongside the railway near the northern entrance. In addition to these linear and dry swales, a SUDS pond/basin will be formed and permeable paving used for the car parking areas. Surface water will ultimately discharge to the Tail Race via the existing outfall at greenfield run off rates.
- 8.106 The Council's Flood Risk Management Team has advised they have no objections to the application subject to conditions. These include submission and approval of the following:
- (a) Full details of the entire proposed drainage system (foul and surface water), including all SUDS
 - (b) Full details of the proposed outfall from the linear swale into the existing watercourse; consideration should be given to the adequacy of the existing culvert under the railway track to ensure no increase in flood risk will occur post development.
 - (c) Full details of the proposed pluvial or groundwater flood mitigation measures, including any cut off ditches.
- 8.107 Network Rail have also requested a condition be imposed regarding full details of the surface and foul water drainage , including a requirement that the SUDS must not be sited within 10m of the railway boundary.
- 8.108 **Conclusion:** It is considered the proposal, with appropriate mitigation (secured by planning conditions), will not be affected by or cause flooding, and accords with Policies 28 and 64 of the Highland wide Local Development Plan and associated supplementary guidance.

Peat and Soils

- 8.109 Conservation of peat lands is important for nature conservation, archaeological interests and as carbon sinks. Policy 55 of the Highland wide Local Development Plan states that development proposals should demonstrate how they have avoided unnecessary disturbance, degradation or erosion of peat and soils. Unacceptable disturbance of peat will not be permitted unless it is shown that the adverse effects of such disturbance are clearly outweighed by social, environmental or economic benefits arising from the development proposals. Where development on peat is clearly demonstrated to be unavoidable then the Council may ask for a peatland management plan to be submitted which clearly demonstrated how impacts have been minimised and mitigated. Proposals must

also demonstrate that extraction would not adversely affect the integrity of nearby Natura sites containing areas of peatland.

- 8.110 The EIA Report includes an assessment of the effects of the development on geology, including peat. A peat depth survey has been undertaken on accessible parts of the development site and indicates peat depths ranging from 0m to 4.69m.
- 8.111 The design of the proposed development has evolved during the design process to reduce the amount of peat that requires to be disturbed. By using pile foundations and keeping the finished floor level of the proposed building as high as practical, the level of peat removal is predicted to be 30,000m³. The majority of this will be on the footprint of the development. The finished floor level of the building is to be set at 19.0m AOD (the site levels range from around 19.0m AOD to 23.0m AOD and the existing road through the site is 17.0 AOD). A full intrusive peat survey is being commissioned, and in terms of mitigation the applicant has committed to the development of a peat management plan.
- 8.112 During the course of the application SEPA requested further information on the basis for the calculations and details of the peat strategy including how the material will be stored and reused on site. This was provided in a Technical Memorandum dated 24 November 2017 and SEPA have based their consultation response on this later information.
- 8.113 SEPA have advised they are content that the layout of the development within the site avoids impacts on peat as much as is practicable. The floor levels will be increased to reduce peat excavation and as a result of piling the total peat disturbance is “limited to removal to the depth of approximately 0.5m depth.” SEPA welcomes this approach and are content that if implemented it will ensure that the development minimises disturbance of peat as much as possible. They have requested a condition for the submission of a detailed site plan which makes the above proposals clear.
- 8.114 The submission quantifies the volume of disturbed peat as 30,000 m³. This value is based on earthwork modelling rather than the collected peat depth information. The volume has not been broken down into acrotelmic and catotelmic peat however in view of the fact that only the top 0.5m of peat will be excavated SEPA are content that it is likely that most, if not all, of this material is acrotelmic peat. This type of peat is easier to manage and re-use.
- 8.115 Positive general principles for peat reuse are outlined in the Technical Memorandum and it and the related email from JLL dated 4 December 2017 identify potential areas for reuse. It is appreciated these are indicative and SEPA are content that the developer has taken some steps to demonstrate potential opportunities. The information provided to date does not however identify how much peat can be reused on site.
- 8.116 The Technical Memorandum indicates that a Peat Management Plan is to be developed “to fully explore all potential options for beneficial use of peat”. It is also noted that the developer is preparing a Peatland Restoration Feasibility Study, “considering opportunities across the Liberty landholdings” and “the output will be used to inform the Peat Management Plan.” SEPA have requested that conditions

are applied to ensure the following;

- (1) finalised Peat Management Plan,
- (2) peat may only be removed from the site if it is for beneficial use elsewhere,
- (3) proposals for beneficial use of peat elsewhere to be supported by a Habitat Management Plan.

- 8.117 In line with the commitment made in the Technical Memorandum SEPA have also asked that a condition is applied requiring peat to only be temporarily stored on site within the footprint of the excavations or on existing laydown areas within the site boundary.
- 8.118 SEPA have advised they are content with the assessment that the wetland peat habitats present on or around the site are not significantly groundwater dependant in this setting.
- 8.119 **Conclusion:** It is considered the proposal, with appropriate mitigation (secured by planning conditions), accords with Policies 28 and 55 of the Highland wide Local Development Plan.

Design and Landscape

- 8.120 Policy 29 of the Highland wide Local Development Plan states that new development should be designed to make a positive contribution to the architectural and visual quality of the place in which it is located, where appropriate, and should consider the incorporation of public art.
- 8.121 Policy 61 of the Highland wide Local Development Plan states that new development should be designed to reflect the landscape characteristics and special qualities identified in the Landscape Character Assessment of the area in which they are proposed.
- 8.122 The EIA Report includes an assessment of the effects of the development on landscape and visual amenity and is supported by a Landscape and Visual Impact Assessment.
- 8.123 The site itself is not covered by any landscape designations however it does lie within close proximity of the Ben Nevis and Glen Coe National Scenic Area. The study area for the landscape assessment extends to 10km from the site to consider the wider effects, although focussed on a 5km zone as the initial findings of the assessment concluded that beyond 5km woodland and terrain combine to limit visibility. The methodology, predicted visual receptors and chosen viewpoints for the LVIA are considered appropriate. The application has also been supported by a good selection of photomontages predicting the impact of the development from the agreed viewpoints.
- 8.124 Details have been included in the submission that explain the evolution of the design of the building in order to minimise the landscape and visual impact of what is a large industrial building. These include options for the orientation of the building to help it read with the existing smelter buildings; and changes to the form of the building to help reduce the overall height and break up the mass of the building.

- 8.125 The final design presented by the application is one which breaks the building up into four, mono-pitched long rectangular sections, allowing for an overall lower building than a more conventional low pitched roof over the whole building. This also adds a visual interest to the building and allows it to be orientated to reflect the existing smelter buildings, in particular the cellroom building. The proposed building is set at 19.0m AOD, which is a similar level to the existing smelter buildings (2 metres higher). As the height of the new building is also similar to the cellroom building, this will provide for continuity in building position/height across the site, which is important when viewing the buildings in context. This approach to the building design is welcomed.
- 8.126 At present, the smelter complex of buildings is fairly well screened within the urban area, and the buildings are reasonably unobtrusive from the views within the town and from across the Loch. Although more of the building and the site can be seen from across the Loch, mainly at the more elevated properties, the impact of the buildings are diminished due to the distances involved. The key features which draw attention within the landscape are the hydro pipes which feed the smelter, and the three chimneys on the top of the existing smelter. The buildings themselves sit well within the site and are largely screened by the topography and existing tree cover. The proposed building continues this line of the buildings, set at a similar floor level.
- 8.127 One of the key lower level viewpoints is on the Achintee Road where the site is viewed from the rear. The development will be visible from this route, however only for a reasonably short distance. There is existing woodland to the rear of the site, part of which is to be retained to help minimise these views, however the stability of this woodland is questionable following removal of part of the woodland compartment. Woodland management and compensatory planting would be a condition of any planning permission and this would also benefit the screening of the building from this view.
- 8.128 Views of the smelter complex open up when viewed from higher level viewpoints, including Primrose Hill (higher ground adjacent to the new A82 roundabout at the entrance to the smelter), Cow Hill (the path above the town) and the start of the North Face path up Ben Nevis and Meal an t-Suidhe (subsidiary peak of Ben Nevis to the rear of the site). At these points, due to the elevation, views are down onto the site. This is where the orientation and position of the building is particularly important to ensure the building reads visually with the existing smelter complex and the urban area around the site. It is considered that the proposed building will sit well within the existing settlement and will not extend beyond the natural limits of the settlement, particularly towards the south and east at the foot of Ben Nevis. A matt finish of a suitably recessive colour is important for the roof of the building to prevent any glare which would increase the impact of the building from these elevated viewpoints.
- 8.129 In summary, the conclusions of the LVIA are agreed and it is considered that the proposal will not have an unacceptable impact on the landscape quality and features of interest around the site. Mitigation will be secured by planning conditions relating to tree retention/planting and agreement of material finishes. The proposal is considered to comply with Policy 61 of the Highland wide Local

Development Plan.

- 8.130 **Conclusion:** It is considered the proposal, with appropriate mitigation (secured by planning conditions), accords with Policies 28, 29 and 61 of the Highland wide Local Development Plan, associated supplementary guidance.

Forestry/Woodland

- 8.131 Policy 51 of the Highland wide Local Development Plan states that the Council will support development which promotes significant protection to existing hedges, trees and woodlands on and around development sites. The acceptable developable area of a site is influenced by tree impact, and adequate separation distances will be required between established trees and any new development. Where appropriate a woodland management plan will be required to secure management of an existing resource. It also states that the Council will secure additional tree/hedge planting within a tree planting or landscape plan to compensate removal and to enhance the setting of any new development.
- 8.132 Policy 52 of the Highland wide Local Development Plan states that the applicant is expected to demonstrate the need to develop a wooded site and to show the site has capacity to accommodate the development. The Council will maintain a strong presumption in favour of protecting woodland resources. Development proposals will only be supported where they offer a clear and significant public benefit. Where this involves woodland removal, compensatory planting will usually be required. Policy 52 also requires all proposals affecting woodland to be assessed against conformity with the Scottish Government's Policy on Control of Woodland Removal. This is in line with Scottish Planning Policy 2014.
- 8.133 There are three areas of woodland that will be directly affected by the development. Area 1 is a conifer plantation within a central location in the site, and just under half of this (1.07ha) will be lost through felling for the building footprint. Although the intention is to retain the remainder of this compartment, it has been recognised that removal of half, may leave the remainder vulnerable to wind blow. A woodland management plan is proposed to give this area the best chance of stability/retention. In landscape and visual amenity terms it is preferable to retain this remaining part of the compartment to help screen the proposal facility in the short to medium term while the compensatory planting is established. Area 2 is a 12m wide strip of semi mature birch woodland (0.29ha) to the west of the railway line near to the site entrance, which requires to be removed to accommodate the proposed drainage route. Area 3 is three patches of semi-mature birch and scrub woodland growing in between the existing areas of hardstanding between the proposed building and the road. This area (1.39ha) requires to be cleared to accommodate the building, car park and SUDS.
- 8.134 None of the woodland appears within the Ancient Woodland Inventory and is not considered to be amenity woodland of local significance in terms of Policy 57.
- 8.135 It is considered that the proposal does offer clear and significant public benefit in terms of economic development and employment. There are also the operational reasons why the development requires to be in this location, specifically in order to allow to the safe transfer of molten aluminium from the existing smelter to the

manufacturing facility. In these circumstances the proposal is considered to accord with the Control of Woodland Removal policy subject to compensatory planting being provided. The applicant has committed to compensatory planting and a condition is proposed to secure this.

- 8.136 The Council's Forestry Officer has no objection to the proposal, subject to conditions relating to tree protection, landscaping and compensatory planting. The requirements of Network Rail in relation to landscaping have also been incorporated into the proposed conditions.
- 8.137 **Conclusion:** It is considered the proposal, with appropriate mitigation (secured by planning conditions) accords with Policies 28, 51 and 52 of the Highland wide Local Development Plan, associated supplementary guidance and the Scottish Government Control of Woodland Policy.

Public Access

- 8.138 Policy 77 of the Highland wide Local Development Plan requires major developments to submit an Access Plan. Although the proposal does not affect any Core Paths there may be wider access rights that may be affected. In the absence of a current access plan the Council's Access Officer has recommended a condition be attached to any permission requiring submission of an access plan prior to construction commencing. As there is currently limited public access in and around the existing facility, this is not considered to be an onerous requirement.

Energy Efficiency

- 8.139 The energy efficiency of the plant energy supply configuration will be covered under the PPC Permit which is regulated by SEPA. In terms of the building design, the design and access statement accompanying the planning application has set out key principles in relation to sustainable design in order to maximise the energy efficiency of the building fabric and the use of energy efficient components. A condition is proposed to ensure the detailed design of the building adheres to these principles.

Community Safety

- 8.140 The existing smelter is an Upper Tier COMAH (Control of Major Accident Hazards) establishment and any changes in inventory that could have major accident consequences as a result of the expansion require to be discussed with the COMAH Competent Authority (Health and Safety Executive in partnership with SEPA). SEPA have advised that based on the information currently available it will be necessary for the existing Safety Report to be revised and the existing Hazardous Substances Consent to be amended.

Developer Contributions

- 8.141 Policy 31 of the Highland wide Local Development Plan states that for development proposals which create a need for new or improved public services, facilities or infrastructure, the Council will seek from the developer a fair and reasonable contribution in cash or kind towards these additional costs or requirements. The Council has adopted supplementary planning guidance to support this policy.

- 8.142 The supplementary guidance indicates that for industrial developments, where appropriate, the Council will seek developer contributions towards infrastructure, green infrastructure and public art.
- 8.143 For the reasons discussed in Sections 8.27-8.34 above, no developer contributions are considered necessary as a result of this specific development in relation to transport infrastructure. Due to the traffic volumes generated and the controls on shift patterns it is not considered that the development alone gives rise to the need for improvements to the A82. A suspensive condition is proposed to secure off site road and footpath improvements (Ben Nevis Industrial Estate) to facilitate an active travel link, which will be at the developer's cost.
- 8.144 Any developer contributions towards improvements to Scottish Water's infrastructure to facilitate the connections to the public water supply or public sewer will be secured by Scottish Water.
- 8.145 In terms of green infrastructure, strategic landscaping, woodland management and compensatory planting are to be provided on site at the developer's cost. Conditions are proposed to secure this.
- 8.146 In terms of public art, there is a requirement to the developer to provide public art as part of the development. A condition is proposed to secure public art at the developer's cost.
- 8.147 The granting of this industrial development is likely to act as a catalyst for other developments to service the facility, such as housing for future workers. These applications for housing development would need to include an assessment of the services and infrastructure required to support such housing development. In these circumstances, developer contribution requirements would be extended to health care, education and affordable housing, as well as infrastructure, including transport requirements.

Other material considerations

- 8.148 There are no other material considerations.

Non-material considerations

- 8.149 None.

Matters to be secured by Section 75 Obligation

- 8.150 None

9. CONCLUSION

- 9.1 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. IMPLICATIONS

- 10.1 Resource: Not applicable
- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before decision issued	N
Notification to Scottish Ministers	N
Conclusion of Section 75 Obligation	N
Revocation of previous permission	N

Subject to the above, it is recommended that planning permission be **GRANTED**, subject to the following:

Conditions and Reasons

Pre-commencement conditions

- 1 No development shall commence on site until full details of off-site road improvements comprising yellow box marking at the junction of Ben Nevis Industrial Estate and the A82, and dropped kerbs and footpath improvements between the junction with the A82 and the secondary plant access have been submitted to and approved in writing by the Planning Authority. Thereafter the approved works shall be undertaken in full prior to the commencement of development on the site. For the avoidance of doubt the off-site road improvements as detailed on drawing numbers AT01-I-PFI-001 and AT01-I-PFI-002 prepared by SYSTRA dated December 17 are not approved.

Reason: In the interests of road and pedestrian safety, and to ensure that vehicles entering or exiting the access can undertake the manoeuvre safely and with minimum interference to the safety and free flow of traffic on the trunk road.
- 2 No development shall commence, including any site clearance, until a Construction Environmental Management Document (CEMD), in accordance with The Highland Council's Guidance Note on Construction Environmental Management Process for Large Scale Projects (August 2010) (as amended, revoked or re-enacted; with or without modification), has been submitted to, and approved in writing by, the Planning Authority (in consultation with SEPA and SNH). The CEMD shall be submitted at least one month prior to the intended start date on site and shall include the following:
 - i. An updated Schedule of Mitigation (SM) drawing together all approved mitigation proposed in support of the application and other agreed mitigation (including that

- required by agencies and relevant planning conditions attached to this permission);
- ii. Change control procedures to manage/action changes from the approved SM, CEMD and Construction Environmental Management Plans;
 - iii. Construction Environmental Management Plans (CEMPs) for the construction phase, covering:
 - a) Habitat and Species Protection;
 - b) Pollution Prevention and Control;
 - c) Dust Management;
 - d) Noise and Vibration Mitigation;
 - e) Site Waste Management;
 - f) Surface and Ground Water Management;
 - g) Water Course Management;
 - h) Public and Private Water Supply Protection Measures;
 - i) Post-construction restoration and reinstatement of temporary working areas and compounds
 - j) Methods for monitoring, auditing, reporting and the communication of environmental management on site and with client, Planning Authority and other relevant parties.

Thereafter, development shall be carried out in accordance with the approved Schedule of Mitigation, Construction Environmental Management Document and any Construction Environmental Management Plans approved thereunder.

Reason: To ensure that the construction of the proposed development is carried out appropriately and does not have an adverse effect on the environment.

- 3 No development shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to, and approved by, the Planning Authority in consultation with the relevant Roads Authority(s). The CTMP, which shall be implemented as approved, must include:
- i. A description of all measures to be implemented by the developer in order to manage traffic during the construction phase (incl. routing strategies), with any additional or temporary signage and traffic control undertaken by a recognised traffic management consultant;
 - ii. The identification and delivery of all upgrades to the public road network to ensure that it is to a standard capable of accommodating construction-related traffic (including the formation or improvement of any junctions leading from the site to the public road) to the satisfaction of the Roads Authority, including;
 - a. A route assessment report for abnormal loads, including swept path analysis and details of the movement of any street furniture, any traffic management measures and any upgrades and mitigations measures as necessary
 - b. An assessment of the capacity of existing bridges and other structures along the construction access route(s) to cater for all construction traffic, with upgrades and mitigation measures proposed as necessary;
 - c. Drainage and wheel washing measures to ensure water and debris are prevented from discharging from the site onto the public road; and
 - iii. Where determined necessary following submission the above details, a concluded

agreement in accordance with Section 96 of the Roads (Scotland) Act 1984 under which the developer is responsible for the repair of any damage to the public road network that can reasonably be attributed to construction related traffic. As part of this agreement, pre-start and post-construction road condition surveys must be carried out by the developer, to the satisfaction of the Roads Authority(s).

Reason: To protect road safety and the amenity of other users of the public road and rights of way.

- 4 No development or work (including site clearance) shall commence until a programme of work for the evaluation, preservation and recording of any archaeological and historic features affected by the proposed development/work, including a timetable for investigation, all in accordance with a Written Scheme of Investigation which will be submitted to, and approved in writing by, the Planning Authority. The approved programme shall be implemented in accordance with the agreed timetable for investigation.

Reason: In order to protect the archaeological and historic interest of the site.

- 5 No development shall commence on site until a detailed Access Management Plan for public access across the site (as existing, during construction and following completion) has been submitted to, and approved in writing by, the Planning Authority. The plan shall include details showing:

- i. All existing access points, paths, core paths, tracks, rights of way and other routes (whether on land or inland water), and any areas currently outwith or excluded from statutory access rights under Part One of the Land Reform (Scotland) Act 2003, within and adjacent to the application site;
- ii. Any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or effect on curtilage related to proposed buildings or structures;
- iii. All paths, tracks and other routes for use by walkers, riders, cyclists and any other relevant outdoor access enhancement i.e. car park (including construction specifications, signage, information leaflets, proposals for on-going maintenance etc.);

Any diversion of paths, tracks or other routes (whether on land or inland water), temporary or permanent, proposed as part of the development (including details of mitigation measures, diversion works, duration and signage). The approved Access Management Plan, and any associated works, shall be implemented in full prior to the first occupation of the development or as otherwise may be agreed within the approved plan.

Reason: In order to safeguard public access during the construction phase of the development.

- 6 No development shall commence until an Environmental Clerk of Works (ECoW) has been appointed by the developer. Their appointment and remit shall first be approved in writing by the Planning Authority (in consultation with SEPA and SNH). For the avoidance of doubt, the ECoW shall be appointed as a minimum for the period from the commencement of development to the final commissioning of the development and their remit shall, in addition to any functions approved in writing by the Planning Authority, include:

- i. Providing training to the developer and contractors on their responsibilities to ensure that work is carried out in strict accordance with environmental protection

requirements;

- ii. Monitoring compliance with all environmental and nature conservation mitigation works and working practices approved under this consent;
- iii. Advising the developer on adequate protection for environmental and nature conservation interests within, and adjacent to, the application site;
- iv. Directing the placement of the development (including any micro-siting, if permitted by the terms of this consent) and the avoidance of sensitive features; and
- v. The power to call a halt to development on site where environmental considerations warrant such action.

Reason: To ensure that an Environmental Clerk of Works, with sufficient remit, is appointed for the duration of development in order to monitor, advise and direct the developer; in the interests of nature conservation.

- 7 No development shall commence until a pre-commencement protected species survey has been undertaken in relation to protected mammals and breeding birds, and a report of survey has been submitted to, and approved in writing by, the Planning Authority. The survey shall cover the application site and the report of survey shall include mitigation measures where any impact, or potential impact, on protected species or breeding birds or their habitat has been identified. Development and work shall progress in accordance with any mitigation measures contained within the approved report of survey and the timescales contain therein.

Reason: To ensure that the site and its environs are surveyed and the development does not have an adverse impact on protected species, breeding birds or their habitat.

- 8 No development shall commence on site until a scheme for the inclusion of public art as part of the development, including types and locations of artworks and the management and maintenance thereof, has been submitted to, and approved in writing by, the Planning Authority. The approved scheme shall be implemented prior to occupation of the development and maintained in perpetuity.

Reason: In accordance with the Council's Public Art Strategy for the Highlands.

- 9 No development shall commence until a scheme to deal with potential contamination on site has been submitted to and agreed in writing by the Planning Authority. To address the potential to allow appropriate phasing of construction the scheme shall be prepared on the basis of the development zones as defined in Drawing No. KEP-XX-XX-DR-A-5020-P009.

The scheme shall include:

- a) the nature, extent and type of contamination on site and identification of pollutant linkages and assessment of risk (i.e. a land contamination investigation and risk assessment), the scope and method of which shall be submitted to and agreed in writing by with the Planning Authority, and undertaken in accordance with PAN 33 (2000) and British Standard BS 1017S:2011+AI:2013 Investigation of Potentially Contaminated Sites - Code of Practice;
- b) the measures required to treat/remove contamination (remedial strategy) including a method statement, programme of works, and proposed verification plan to ensure that the site is fit for the uses proposed;
- c) measures to deal with contamination during construction works;
- d) in the event that remedial action be required, a validation report that will validate and

verify the completion of the agreed decontamination measures; or an agreed timescale of a validation report if the agreed remediation measures are included in the building design;

- e) in the event that monitoring is required, monitoring statements shall be submitted at agreed intervals for such time period as is considered appropriate by the Planning Authority.

No development shall commence in each zone (labelled Zone A-G on Drawing No. KEP-XX-XX-DR-A-5020-P009) until the Planning Authority has provided written confirmation and acceptance of the detail of the scheme in the aforementioned zone, including any required remediation measures, validation reporting, and where appropriate monitoring regimes, including a programme for implementation and completion

Reason: In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.

- 10 No development shall commence until full details of the entire proposed drainage system (foul and surface water), including all SUDS, has been submitted to, and approved in writing by the Planning Authority. Information obtained from the Site Investigation should inform the drainage design. These details shall include:

- (a) Supporting calculations from industry accepted drainage design software and drawings should be provided;
- (b) An appropriate allowance for climate change and consideration given to the 2 year, 30 year and 200 year events;
- (c) Full details of the proposed outfall from the linear swale into the watercourse (the maximum allowable discharge rate into this watercourse is limited to the 2 year (or equivalent) greenfield runoff rate for all events up to and including the 200 year plus climate change event);
- (d) Confirmation of the adequacy of the existing culvert under the rail track to ensure no increase in flood risk will occur post development;
- (e) Full details of the proposed pluvial or groundwater flood mitigation measures, including any cut off ditches;
- (f) Inclusion of rainwater harvesting from the roof of the approved manufacturing facility for use on site; and,
- (g) Any part of the SUDS must not be sited within 10 metres of the railway boundary.

Thereafter, the drainage scheme shall be implemented in full, in accordance with the approved details, prior to the initial occupation of the manufacturing facility hereby approved.

Reason: To ensure that all foul and surface water drainage is provided timeously and complies with the principles of SUDS; in order to protect the water environment and to ensure that all flood mitigation infrastructure required in order to reduce the risk of flooding occurring both within and outwith the application site is provided timeously; and to protect the stability of the adjacent railway and the safety of the rail network.

- 11 No development shall commence until a Peat Management Plan, developed in consultation with SEPA and SNH, has been submitted to, and approved in writing by, the Planning Authority. The Peat Management Plan shall draw upon the findings of the approved Environmental Impact Assessment Report and the Technical Memorandum from Golder Associates dated 24 November 2017, and shall consider the findings of any additional ground investigations carried out prior to development commencing. The Peat Management Plan shall include a management/reinstatement scheme for all peat areas within the application site, including:

- i. Details and plans for all peat and soil stripping and excavation and the storage and

proposed use and replacement of peat, topsoil and subsoil;

- ii. A method statement setting out the measures to protect peat during excavation, storage, handling and reuse.
- iii. Total peat disturbance limited to removal to the depth of 0.5m below existing ground levels, unless otherwise first agreed in writing by the Planning Authority.
- iv. Peat only to be removed from the site if it is for beneficial use elsewhere, and where this is proposed will be supported by a Habitat Management Plan, and
- v. Peat only temporarily stored within the footprint of the excavations or on existing laydown areas within the site boundary

The Peat Management Plan shall be implemented as approved, and all reinstatement fully undertaken prior to the initial occupation of the manufacturing facility hereby approved.

Reason: To ensure that a plan is in place to deal with the storage and reuse of peat within the application site, including peat stability and slide risks, in accordance with Policy 55 of the Highland wide Local Development Plan.

- 12 No development shall commence on the construction of the manufacturing facility hereby approved until a detailed specification for all proposed external materials and finishes for the approved manufacturing facility (including trade names and samples where necessary) has been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved details.

Reason: In order to enable the planning authority to consider this matter in detail prior to the commencement of development; in the interests of amenity.

- 13 No development shall commence until full design details for the improvements to the secondary plant access have been submitted to and approved in writing by the Planning Authority. Thereafter, the junction with the public road and the access road shall be fully upgraded in accordance with the approved details prior to the initial occupation of the manufacturing facility. For the avoidance of doubt, this access shall be limited to an exit route for HGVs and a pedestrian/cyclist entrance and exit, other than in times of emergency, unless otherwise first agreed in writing by the Planning Authority.

Reason: In the interests of road and pedestrian safety.

- 14 No development shall commence until full design details for the on-site car parking layout and associated pedestrian linkages through the site, including crossing points, have been submitted to and approved in writing by the Planning Authority. Thereafter the car parking, pedestrian linkages and crossings shall be fully formed in accordance with the approved details prior to the initial occupation of the manufacturing facility hereby approved. For the avoidance of doubt, a minimum of 8 of the 150 parking spaces proposed shall be designed and designated for disabled use.

Reason: In the interests of road and pedestrian safety.

- 15 No development shall commence on the construction of the manufacturing facility building until a scheme for the management/minimisation of waste from the facility when operational, and for the storage of refuse and recycling within the application site, has been submitted to, and approved in writing by, the Planning Authority. The approved scheme shall thereafter be implemented prior to the first use of the development and

thereafter maintained in perpetuity.

Reason: To ensure that waste from the site is managed in a sustainable manner and that suitable provision is made for the on site storage of waste and recycling bins.

- 16 No development shall commence on the construction of the manufacturing facility building until an audit of the detailed design has been submitted to and approved by the Planning Authority which demonstrates the detailed building design continues to adhere to the commitment to sustainable/environmental design for the project as set out in Section 9 of the Design and Access Statement supporting the approved application. Thereafter the committed measures to sustainable design shall be fully incorporated into the building, prior to the initial occupation of the manufacturing facility hereby approved.

Reason: To ensure that the development utilises sustainable building, infrastructure and services methodologies and reflects the principles of the Council's designing for sustainability guidance

- 17 No development shall commence, including any site excavation or groundworks, until a Tree Protection Plan in accordance with BS5837:2012 (Trees in Relation to Design, Demolition and Construction) is to be submitted to and subsequently approved in writing by the Planning Authority. All retained trees are to be protected against construction damage using protective barriers located beyond the Root Protection Area. Barriers are to remain in place throughout the construction period and must not be moved or removed without the prior written approval of the Planning Authority.

Reason: To ensure the protection of retained trees throughout the construction period.

- 18 No development, site excavation or groundwork shall commence until a suitably qualified Arboricultural Consultant has been appointed by the developer and has prepared an Arboricultural Method Statement (AMS) which details how the trees on site are to be protected during construction and the measures to ensure that the Approved Tree Protection Plans are implemented to the agreed standard. The AMS shall be submitted to and approved in writing by the Planning Authority prior to the commenced of development. The AMS shall include the stages requiring supervision and certificates of compliance for each stage are to be submitted for approval to the Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To ensure the protection of retained trees throughout the construction period.

- 19 No development shall commence until a detailed scheme of Compensatory Planting (including future maintenance) has been submitted and approved in writing by the Planning Authority. All planting shall be implemented in full no later than 1st April 2019 or prior to first commissioning of the development (which ever is first), or as otherwise agreed with the Planning Authority. The planting shall be maintained thereafter in accordance with the approved scheme, until established to the full satisfaction of the planning authority.

Reason: To protect Scotland's woodland resource, in accordance with the Scottish Government's policy on the Control of Woodland Removal.

- 20 No development shall commence until a Woodland Management Plan has been submitted to and approved in writing by the Planning Authority. Such details shall set out the methodology and commitments for the ongoing management of the retained areas of woodland within the development site. Thereafter the Woodland Management Plan shall be implemented in accordance with the approved details.

Reason: In order to reduce the potential for unnecessary woodland loss through indirect effects of the development.

- 21 No development shall commence on the construction of the manufacturing facility building until a detailed Landscape Plan and maintenance programme for the planting of trees and shrubs has been submitted to and approved by the Planning Authority. The scheme shall include hard and soft landscaping works, boundary treatment(s), details of trees and other features which are to be retained, and a programme for the implementation/phasing of the landscaping in relation to the construction of the development. Where trees/shrubs are to be planted adjacent to the railway boundary these should be positioned at a minimum distance from the boundary which is greater than their predicted mature height. Broad leaf deciduous species should not be planted adjacent to the railway boundary. All landscaping, including planting, seeding and hard landscaping shall be completed in accordance with the approved scheme.

Reason: In the interests of amenity, to help integrate the proposal into its landscape setting and to control the impact of leaf fall on the operational railway.

During Construction (in addition to requirements above)

- 22 The development hereby approved shall be carried out in accordance with the measures set out in the Schedule of Committed Mitigation and Monitoring Measures (Appendix C of the Environmental Impact Assessment Report, unless alternative mitigation/monitoring measures are first agreed in writing by the Planning Authority.

Reason: In the interests of environmental protection to ensure the mitigation measures set out in the EIA report are carried out.

- 23 The manufacturing facility building shall be constructed using pile foundations as set out in the Environmental Impact Assessment Report and Peat Strategy, and the finished floor level of the building shall be set at 19.0m AOD, unless otherwise first agreed in writing by the Planning Authority,

Reason: In order to minimise the extent of peat disturbance and in order to ensure the resultant height of the building is in keeping with the adjacent smelter complex.

- 24 In accordance with Section 13.4.2 of the approved Environmental Impact Assessment Report, all felled tree material shall be removed from the site unless an alternative proposal for on-site waste disposal is first agreed in writing by the Planning Authority.

Reason: In order to ensure appropriate disposal of site waste.

- 25 Foul drainage, including all process discharges, from the manufacturing facility hereby approved shall be connected to the public foul sewer. For the avoidance of doubt, separate consent will be required from Scottish Water to connect to their infrastructure.

Reason: In accordance with Policy 65 of the Highland wide Local Development Plan.

Prior to Initial Occupation Requirements

26 No part of the development shall be occupied until an Operational Travel Plan has been submitted to, and approved in writing by, the Planning Authority, after consultation with Transport Scotland. The Travel Plan is required to give due consideration to the provision for walking, cycling and public transport access to and within the site and will identify:

- The measures to be provided;
- The system of management;
- Monitoring;
- Review; and,
- Reporting.

Thereafter, the Travel Plan shall be implemented in accordance with the approved details for the duration of the operation of the manufacturing facility.

Reason: To be consistent with the requirements of Scottish Planning Policy and PAN 75 Planning for Transport.

27 Prior to the initial occupation of the manufacturing facility hereby approved, full details of any external lighting to be used within the site and/or along its boundaries and/or access shall be submitted to, and approved in writing by, the Planning Authority. Such details shall include full details of the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any direct illumination, glare or light spillage outwith the site boundary. Thereafter only the approved details shall be implemented.

Reason: In order to ensure that any lighting installed within the application site does not spill beyond the intended target area, does not impact adversely upon amenity, does not result in 'sky glow' and does not adversely impact on the character of the National Scenic Area.

In perpetuity restrictions

28 Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended, revoked or re-enacted; with or without modification) and Article 3 and Classes 12 and 13 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended, revoked or re-enacted; with or without modification), the development hereby approved shall be used solely for the **manufacturing of alloy wheels, with an output capacity of up to 2 million wheels per annum**, and for no other use or purpose, including any other purpose within Class 5 (general industrial) of the Town and Country Planning (Use Classes)(Scotland Order 1997.

Reason: In order to enable the Planning Authority to retain effective control over future development within the application site so that it is carefully managed and does not result in over-development, infrastructure capacities being exceeded or an adverse impact on the amenity of the area.

29 For the avoidance of doubt, the shift pattern for the manufacturing facility is restricted to **0700 hours to 1900 hours and 1900 hours to 0700 hours, seven days per week**. Any changes to the approved shift pattern will require the prior approval of the Planning Authority, in consultation with Transport Scotland, and include the submission of a revised Travel Plan. For the further avoidance of doubt the Travel Plan shall act as the

mechanism to 'maintain' the proposed shift patterns so they do not coincide with the peak periods on the trunk road network.

Reason: To minimise interference with the safety and free flow of the traffic on the trunk road.

REASON FOR DECISION

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

FOOTNOTE TO APPLICANT

Initiation and Completion Notices

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

Accordance with Approved Plans & Conditions

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (paragraph 259), planning permission does not remove the liability position of developers or owners in relation to flood risk.

Scottish Water

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

Your attention is also drawn to the advice provided by Scottish Water in their consultation response dated 19 December 2017.

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at: <http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:

http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/2

Mud & Debris on Road

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

Construction Hours and Noise-Generating Activities: You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the

development, the site's location and the proximity of noise sensitive premises. Please contact env.health@highland.gov.uk for more information.

Protected Species – Halting of Work

You are advised that work on site must stop immediately, and Scottish Natural Heritage must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from SNH: www.snh.gov.uk/protecting-scotlands-nature/protected-species

Network Rail

Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

- Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters, contact details below:

Network Rail Asset Protection Engineer

151 St. Vincent Street, GLASGOW, G2 5NW

Tel: 0141 5554087

E-mail: AssetProtectionScotland@networkrail.co.uk

Scottish Environment Protection Agency

The applicant's attention is drawn to the detailed advice for the applicant provided by SEPA in their letter dated 6.12.17, copied direct to the agent.

Please note that SEPA have also made the following comment in relation to air quality:

"While we are content that enough information has been provided to give a view on whether the proposals are capable of being authorised, the air quality impact assessment will need to be revised for the PPC permitting stage of the development to better reflect the operating configuration of the smelter complex as a whole (including biofuel generating plant) and its associated emissions. We highlight that there is much still unknown about the process and we still consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or could compromise any associated PPC application."

Signature: Nicola Drummond
Designation: Area Planning Manager – South/Major Developments
Author: Susan Macmillan
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - Location Plan KEP-XX-XX-DR-A-5020-P000
Plan 2 - Site Plan KEP-XX-XX-DR-A-5020-P002
Plan 3 - Site Plan KEP-XX-XX-DR-A-5020-P003
Plan 4 - Landscape Masterplan 6024_1001
Plan 5 - Site Section B KEP-XX-XX-DR-A-5020-P005
Plan 6 - Site Section C KEP-XX-XX-DR-A-5020-P006
Plan 7 - North and South Elevations KEP-XX-XX-DR-A-7030-P001
Plan 8 - East and West Elevations KEP-XX-XX-DR-A-7030-P002
Plan 9 - Ground floor KEP-XX-GF-DR-A-7060-P001
Plan 10 - Viewpoint 1 – Primrose Hill
Plan 11 - Viewpoint 2 – Cow Hill
Plan 12 - Viewpoint 3 – Achintee Road
Plan 13 - Viewpoint 4 – Meall An T-Suide
Plan 14 - Viewpoint 5 – Bench on North Face Path
Plan 15 - Viewpoint 6 – Sgurr Finnosgaig
Plan 16 - Viewpoint 7 – Creag a Chail
Plan 17 - Viewpoint 8 – Neptune’s Stair Case
Plan 18 - Viewpoint 9 – Corpach Sea Locks
Plan 19 - Viewpoint 10 – Trig Point near Achphubuil
Plan 20 - Viewpoint 11 – Cemetery at Drumfada
Plan 21 - Viewpoint 12 – West Highland Way
Plan 22 - Viewpoint CH1 – Inverlochy Castle
Plan 23 - Artists Impression KEP-XX-XX-VS-A-7090-P001
Plan 24 - Artists Impression KEP-XX-XX-VS-A-7090-P004

Appendix 2 - APPROPRIATE ASSESSMENT

17/05202/FUL, Proposed Alloy Wheel Manufacturing Facility, Lochaber Smelter, Fort William

Consideration of Proposals Affecting European Sites

The proposed development lies within 400m of the boundary of Ben Nevis Special Area of Conservation (SAC). The proximity of the development site to an SAC under EC Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna (the "Habitats Directive") means that the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), the 'Habitats Regulations,' apply.

This means that where the Planning Authority concludes a development proposal (unconnected with the nature conservation management of a Natura 2000 site) is likely to have a significant effect on that site it must undertake an appropriate assessment of the implications for the conservation interests for which the area has been designated. The need for appropriate assessment also extends to any plans or projects outwith the boundary of the site in order to determine their implications for the interest protected within the site.

This means that the Council, as competent authority, has a duty to:

- determine whether the proposal is directly connected with or necessary to site management for conservation; and, if not,
- determine whether the proposal is likely to have a significant effect on the site either individually or in combination with other plans or projects; and, if so, then
- make an appropriate assessment of the implications (of the proposal) for the site in view of that site's conservation objectives.

The competent authority can only agree to the proposal after having ascertained that it will not adversely affect the integrity of the site. If this is not the case, and there are no alternative solutions, the proposal can only be allowed to proceed if there are imperative reasons of overriding public interest, which in this case can include those of a social or economic nature.

It is evident that the proposal is not connected with or necessary to site management for conservation, hence further consideration is required.

Appraisal

The proposed development, in particular in terms of air quality and hydrology, has the potential to have a significant effect on the SAC. An appropriate assessment of the implications of the proposal for the nature conservation objectives of the SAC is therefore required.

Advice provided by Scottish Natural Heritage and the Scottish Environment Protection Agency has been used to inform the appropriate assessment.

Appropriate Assessment

Ben Nevis Special Area of Conservation (SAC)

The application site lies approximately 400m from the Ben Nevis Special Area of Conservation designated for a range of upland and montane habitats. The source of emissions from the proposed facility lies approximately 750m from the boundary of the SAC.

The proposed development may have a significant effect on the *blanket bog* and *wet heath with*

cross-leaved heath features of the site due to potential hydrological connectivity with the development footprint. The EIA Report and Technical Appendix 12.2 provide information on the hydrological impacts. As part of their response to the planning application Scottish Natural Heritage advised they considered whether excavating the upper layer of peat and constructing a dry swale around the proposed plant will increase drainage and drying of adjacent peatland habitats. SNH has advised that they agree with the ecological report (Technical Appendix 12.2) which suggests that these hydrological impacts will be limited and not extend as far as nearby areas of *blanket bog* and *wet heath with cross leaved heath* mosaic that span the boundary of the SAC. The Planning Authority adopts the view of Scottish Natural Heritage that the drainage and peat disturbance parts of the proposed development will not hinder meeting the conservation objectives for these qualifying habitats, and there will be not adverse effects on site integrity.

The proposal is likely to have a significant effect on the features of the Ben Nevis SAC due to the effect of nitrogen and acid emissions during the operation of the facility and the resultant increase in annual nitrogen and acid deposition rates within the SAC. To inform their consultation response to this planning application Scottish Natural Heritage have advised that they considered the impact of the proposal on the following factors:

- a) the estimated Process Contributions (PC) from the proposal in terms of annual nitrogen and acid deposition rates, with respect to the distribution of each of the qualifying habitats of the SAC, and in relation to the Critical Load for each habitat;
- b) the estimated overall deposition rates when the Process Contributions are added to the existing background deposition rates for each habitat (the Process Environmental Contributions or PEC), in relation to the Critical Loads; and
- c) the likely significant overestimate of the Process Contributions in the applicant's assessment identified by SEPA, in relation to the hours of operation of the associated generating plan and factoring heat recovery into the estimates of nitrogen and acid emission rates.

The Planning Authority adopts the view of Scottish Natural Heritage that the estimated increase in deposition rates is unlikely to result in an adverse effect on any of the qualifying habitats of the Ben Nevis SAC and the proposal will not adversely affect the integrity of the site.

National Interests

The proposed development lies adjacent to the Ben Nevis and Glen Coe National Scenic Area and could affect key views into the National Scenic Area. A Landscape and Visual Impact Assessment has been undertaken and accompanies the planning application and the EIA Report. The Landscape and Visual Impact Assessment has undertaken an assessment of the effects on the special qualities of the National Scenic Area and concluded that permanent effects on the special qualities will be small scale and localised in extent. Scottish Natural Heritage and the Planning Authority generally agreed with this conclusion. It is considered the proposals will not result in a significant adverse effect on the integrity of the National Scenic Area or the special qualities for which it has been designated.

The proposed development lies within close proximity of the Ben Nevis Site of Special Scientific Interest notified for wildlife, habitat and geological interests. Development within the site is not within a key area of the SSSI and the designated natural heritage interests, not already covered by the Special Area of Conservation, assessment will not be affected by the proposal.

Conclusion

It is concluded that the proposal will not significantly affect the integrity of the Ben Nevis Special Area of Conservation, the Ben Nevis Site of Special Scientific Interest or the Ben Nevis and Glen Coe National Scenic Area.

Planning Applications Site Visit Procedure

When a Planning Applications Committee (PAC) or the Planning Environment and Development Committee (PED) or the Council agree that a site visit is appropriate prior to determining a planning application, these procedures shall be followed:

1. The **Planning & Development Service** will write out to parties (applicant, consultees and those parties lodging representations in support of/in objection to the application) advising that an accompanied site visit will take place and inviting parties to attend. The letter will identify an unambiguous meeting point and indicate the time when parties are to meet. If known, the date, time and place of the meeting at which the planning application will be determined will be included in this letter.

2. If the PAC/PED/Council has any requirements related to the site visit (e.g. that the footprint of a proposed building be pegged out), these requirements must be intimated to the applicant in advance of the site visit.

3. In some cases a bus will be arranged in order that the PAC/PED/Council members can arrive at the site together. Travel arrangements will be intimated by **Democratic Services** to PAC/PED/Council members in advance of the site visit. In cases where a bus is arranged for members, any spare seats on the bus may accommodate representatives of the applicant/consultees/supporters/objectors. If there are insufficient seats for at least one representative of each of the abovementioned groups to travel by bus, only PAC/PED/Council members will travel by bus and those wishing to attend the site visit may follow the bus using their own transport. If this happens, in the interests of transparency and openness, the planning application will not be discussed on the bus. Instead, the application will be discussed once the PAC/PED/Council members reach the site and disembark.

4. **Members** of the PAC/PED/Council shall arrive at the meeting point at or just before the appointed time. **Members** of the PAC/PED/Council must not enter into discussion with any party already on site (other than introductions) to avoid the perception of support for one party over another. If one or more of the expected participants is not present on time, any delay to the start of the site visit will be at the **Chair's** discretion.

5. The site visit will start at the appointed time (with the exception of the circumstances referred to above). The **Clerk** will note the names of those members of the PAC/PED/Council present at the site visit as only those members will be able to take part in the determination of the planning application. The **Chair** will introduce him/herself and ask the PAC/PED/Council members to introduce themselves to those parties present. **Officers** and **parties present** will also introduce themselves. The **Chair** will indicate to those present the purpose of the site visit (namely, to point out the location of the proposed development and physical features referred to in either the planning application or in representations lodged in support of/in opposition to the application). The **Chair** will remind those present that the site visit is not an opportunity for parties to engage in discussion about the merits of the application. The **Chair** will ask the **Planning Officer** to introduce the application to members of the PAC/PED/Council and answer any questions they may have (NB this is not an opportunity for members to discuss the merits or otherwise of the planning application). The **Chair** will then ask the applicant (or applicant's agent) and those supporters/objectors present whether they wish to point out any physical features not already covered by the Planning Officer in his/her presentation. The **Chair** will officiate at the site visit and officers present will assist in this process.

6. Those in attendance are entitled to accompany the PAC/PED/Council as the site visit takes place. When pointing out the location of the proposed development/physical features on site, **participants** must address the PAC/PED/Council as a group (not as individual members) through the Chair. **Members** of the PAC/PED are not permitted to engage in any discussion on the merits of the case with any person approaching them.

7. If any participant (applicant, consultee, objector or supporter) arrives very late, but before the PAC/PED leaves the site, the **Chair** will explain, in the presence of the other parties, what the PAC/PED has done and where the PAC/PED has been. The participant will be asked if there is anything (not already seen) that he/she wishes to point out.

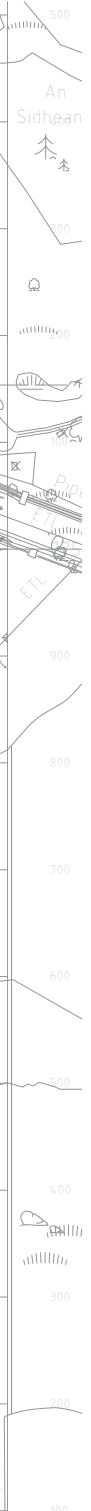
8. If any PAC/PED/Council member arrives late, the Chair/Convener will decide whether the site visit can be recommenced and the information presented repeated for the benefit of that member. If the Chair/Convener decides that this is not feasible, or that there is insufficient time available, to recommence the site visit, the member who has arrived late at the site visit will be excluded from participation in the subsequent determination of the planning application.

9. On conclusion of the site visit, the **Chair** will thank everyone for their attendance and advise parties of the place/time of the meeting when the PAC/PED/Council will determine the application (if known) or will indicate that these details will be sent to parties (if not yet known). The **Chair** will then indicate that the site visit has concluded.

Legal Service/Planning and Development Service
August 2012



Key:
 Planning Application Boundary Line



Rev	Description	D'n	C/M's	Date

keppie
 architecture • interior design • planning • urban design

GLASGOW
 160 West Regent Street
 Glasgow
 Tel: 0141 204 0066
 www.keppiedesign.co.uk

Client
Liberty BA

Project
Lochaber Alloy Wheel Facility

Drawing
Location Plan

Drawing No.
P17-115

Client Ref.
KEP-XX-XX-DR-A-5020-P000

Discipline
PLANNING

Drawn	• SM	Checked	• HSD
Date	• 11/02/17	Scale	• A1
			• Full Cad



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 in hand or any contract is signed.
 CDM: Hazard Identification & Risk Reduction has been undertaken and
 recorded where appropriate in accordance with the
 requirements of The Construction (Design and Management)
 Regulations 2015 and the associated 'Industry Guidance for
 Designers'



Key:
 — Planning Application Boundary Line

Rev	Description	D'n	C'n's	Date

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 architecture • interior design • planning • urban design

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 www.keppiedesign.co.uk

Client
Liberty BA

Project
Lochaber Alloy Wheel Facility

Drawing
Proposed Site Plan

Drawing No.
P17-115

Drawing No.
KEP-XX-XX-DR-A-5020-P002

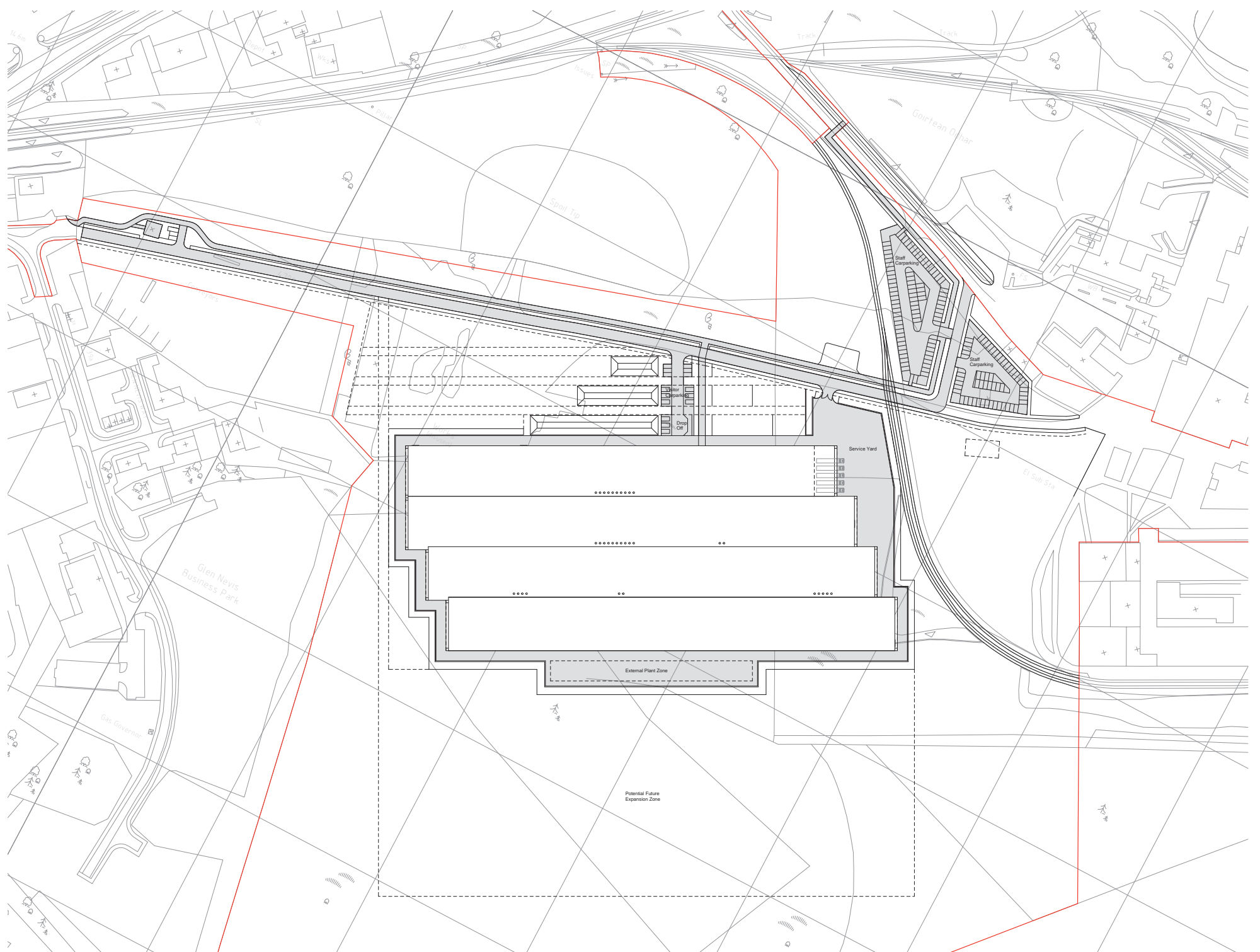
Discipline
PLANNING

Created: 05/10/17 Checked: 05/10/17
 Date: 05/10/17 Scale: As indicated

Proposed Site Plan
 Scale: 1:2500



Key:
 Planning Application Boundary Line



Rev	Description	D'n	CMA's	Date

keppie
 architecture • master design • planning • urban design

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Client
Liberty BA

Project
Lochaber Alloy Wheel Facility

Document
Proposed Site Plan (Extract)

Project No.
P17-115

Drawing No.
KEP-XX-XX-DR-A-5020-P003

Discipline
PLANNING

Created • 04/10/17
 Date • 10/10/17
 Checked •
 Scale • A1
 Plotted • B1

Proposed Site Plan (Extract)
 Scale - 1:1000



LEGEND

- Site boundary
- ① Proposed building
- ② External plant area
- ③ Service/dispatch yard
- ④ Dry swale to building/yard perimeter
- ⑤ Wet swale
- ⑥ Mixed woodland planting to site perimeter
- ⑦ Rectilinear woodland to building frontage
- ⑧ Rectilinear SuDS basins
- ⑨ Rectilinear shrub planting
- ⑩ Car park/drop off to main entrance including formal shrub planting
- ⑪ Meadow planting with mown grass strips
- ⑫ New western access
- ⑬ Segregated pedestrian/cycle route to new western access route
- ⑭ Oak avenue and dry swale to access road
- ⑮ Existing building renovated for potential community use
- ⑯ Main car park
- ⑰ Proposed LPG facility
- ⑱ Existing woodland retained and gapped up where damaged by prior activity

B	Car parking revised, layout amended	ME	02/11/17
A	Drawing revised to architects layout	KT	30/10/17
REV.	DESCRIPTION	APP.	DATE

LDÄ DESIGN

PROJECT TITLE
**LIBERTY LOCHABER ALUMINIUM LTD
 ALLOY WHEEL FACILITY**

DRAWING TITLE
Landscape Masterplan

ISSUED BY	Glasgow	T: 0141 222 9780
DATE	Nov 2017	DRAWN RPI
SCALE@A2	1:2500	CHECKED ME
STATUS	Planning	APPROVED MFI

DWG. NO. 6024_1001

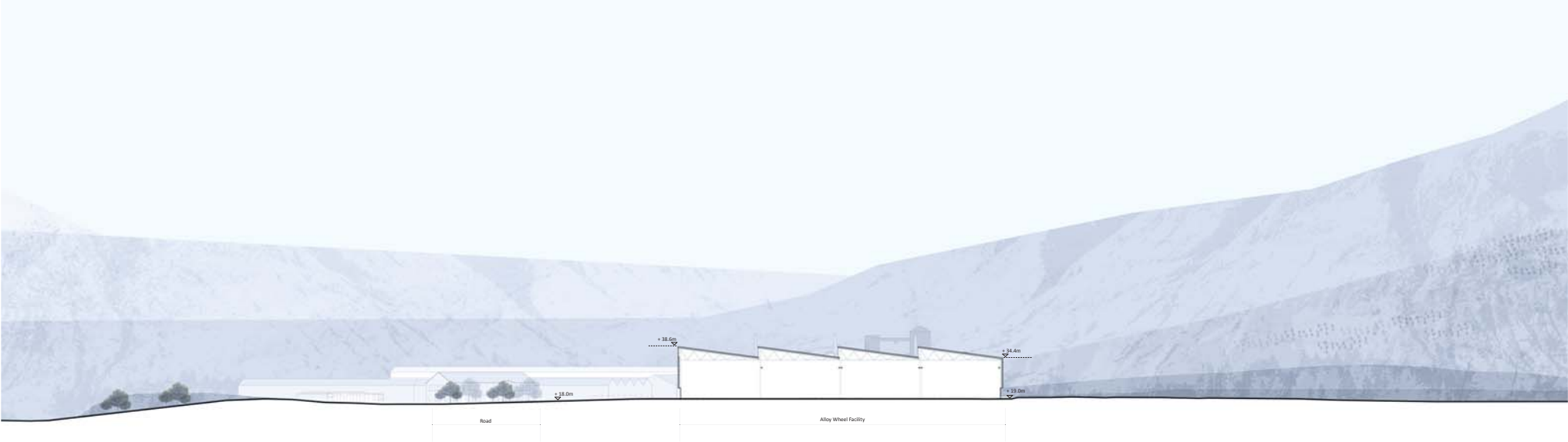
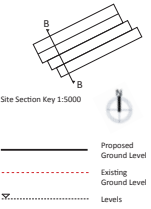
No dimensions are to be scaled from this drawing.
 All dimensions are to be checked on site.
 Area measurements for indicative purposes only.

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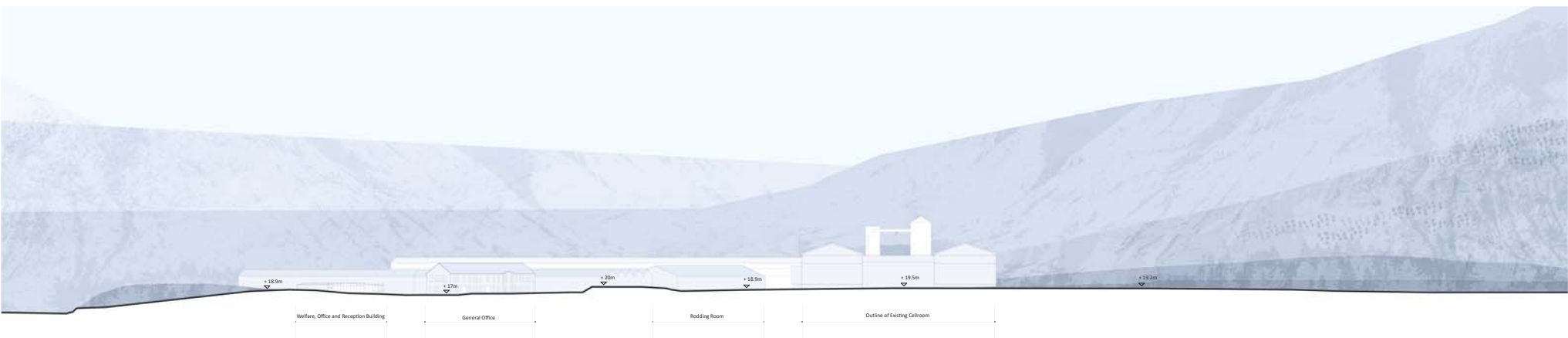
Sources:



KEY



PROPOSED SITE SECTION B



EXISTING SITE SECTION B





PROPOSED SITE SECTION C



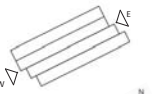
EXISTING SITE SECTION C

KEY

- Site Section Key (2020)
- Proposed
- Existing
- Boundary
- Level

ALLOY WHEEL FACILITY - LONCHAMBER SMELTER - FORT WILLIAM
 Client: Fort William Regional Development
 Date: 2022/12/15
 Drawing Number: 2022-08-00-0000-0000
 Drawing Name: Planning

KEY

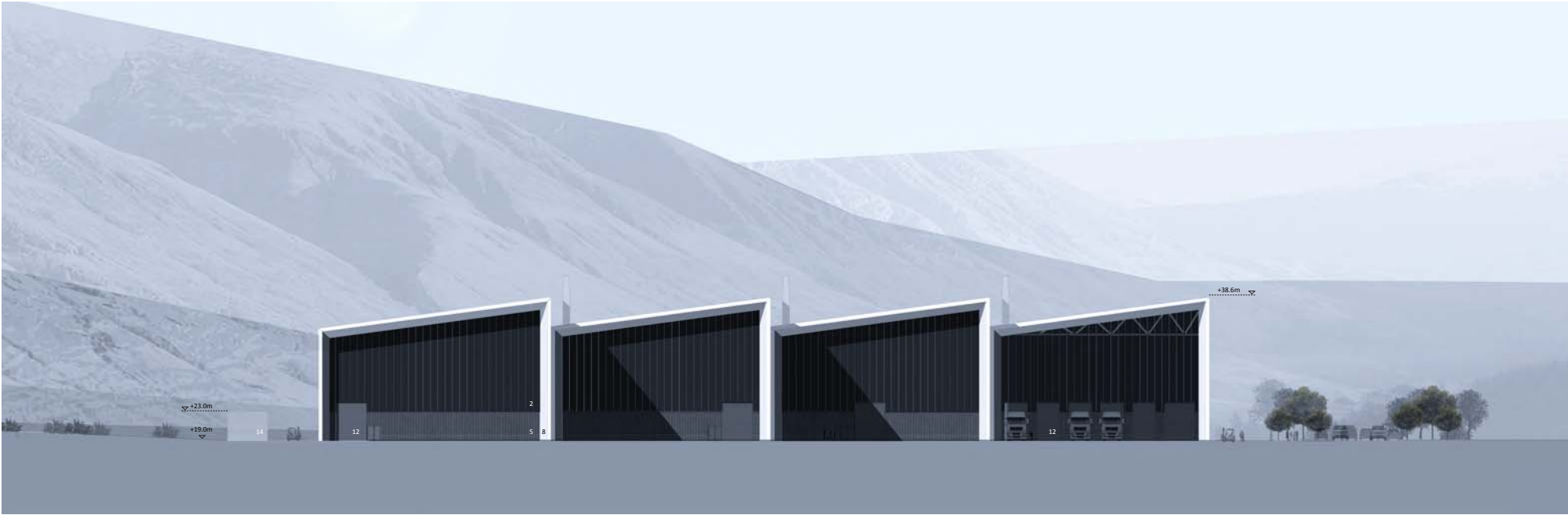


Building Elevation Key 1:5000

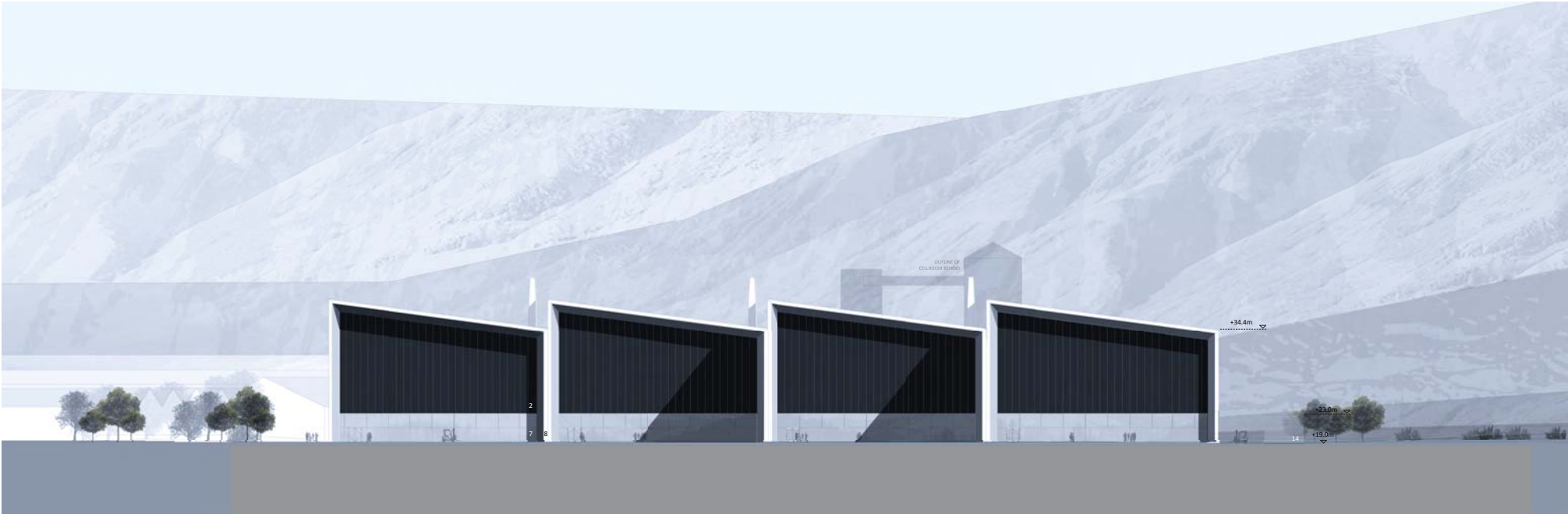
..... Levels

EXTERNAL MATERIALS

- 1. Modular Composite Flat Aluminium Cladding Panel System TBC
Colour: Light Grey TBC
- 2. Modular Composite Flat Aluminium Cladding Panel System TBC
Colour: Dark Grey TBC
- 3. Modular Composite Profiled Aluminium Cladding Panel System TBC
Colour: Light Grey TBC
- 4. Fairfaced Concrete Blockwork TBC
Colour: Light Grey TBC
- 5. Fairfaced Concrete Blockwork TBC
Colour: Dark Grey TBC
- 6. Translucent Glazed Roof Light System TBC
Colour: TBC
- 7. Glazed Curtain Walling System with PPC Aluminium Frame TBC
Colour: TBC
- 8. Profiled PPC Aluminium Fascia/Soffit TBC
Colour: TBC
- 9. Double Skin Translucent Panel with Aluminium Louvre System TBC
Colour: TBC
- 10. Double Skin Translucent Panel with Timber Louvre System TBC
Colour: TBC
- 11. Matt Aluminium Standing Seam Roof System TBC
Colour: Stucco-Embossed Pre-Weathered Natural Aluminium TBC
- 12. PPC Roller Shutter Doors TBC
Colour: TBC
- 13. Building Signage TBC
Colour: Liberty Blue TBC
- 14. Horizontal Screening to External Plant Enclosure TBC
Colour: TBC

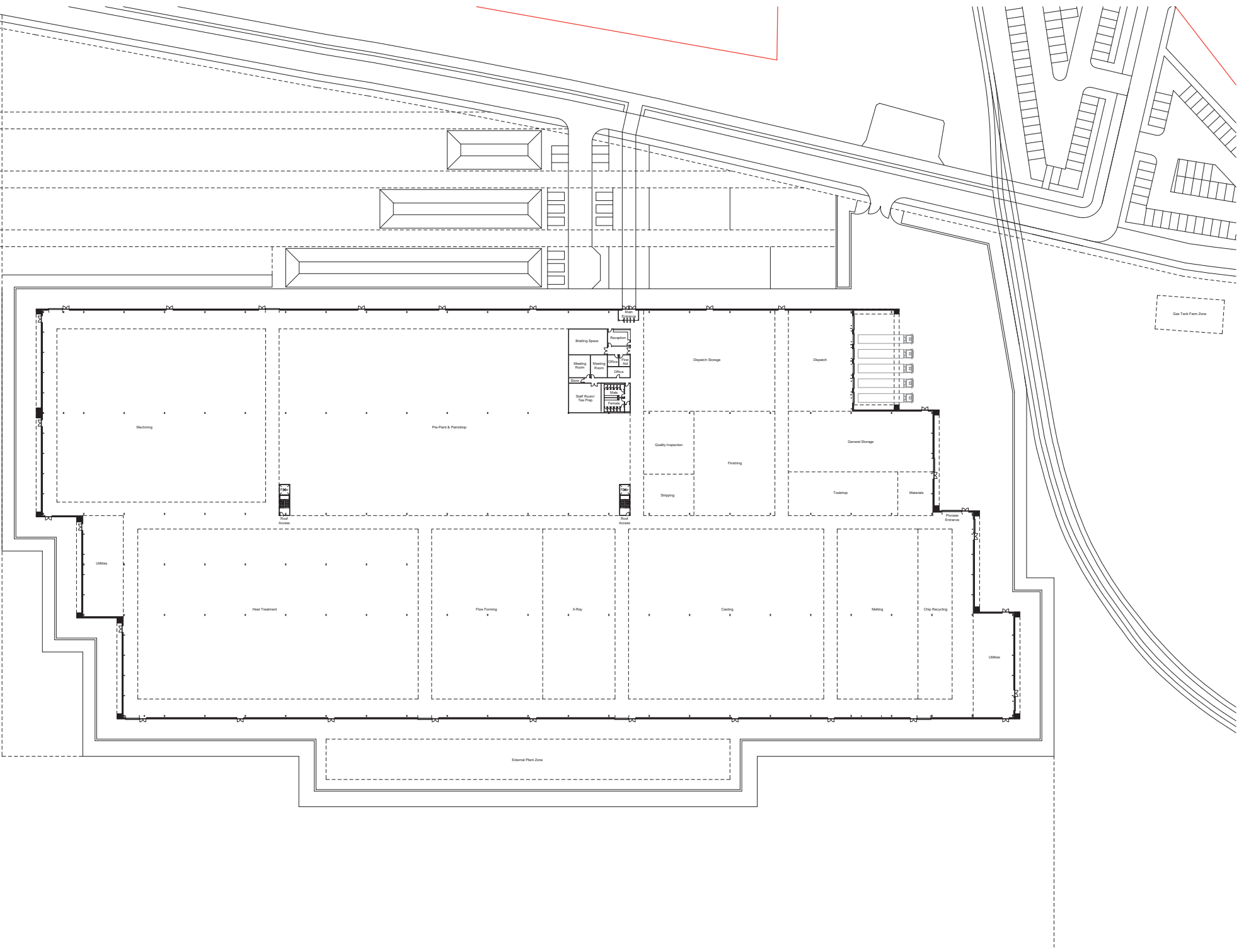


EAST ELEVATION



WEST ELEVATION





Gas Tank Farm Zone

Rev	Description	D'n	CMA's	Date

keppie
 architects • interior design • planning • urban design
 GLASGOW
 160 West Regent Street
 Glasgow
 Tel: 0141 204 0066
 www.keppiedesign.co.uk

Client
Liberty BA
 Project
Lochaber Alloy Wheel Facility
 Drawing
Ground Floor Plan

Project No.
P17-115
 Drawing No.
KEP-XX-GF-DR-A-7060-P001
 Status
PLANNING
 Created • SM Checked • HSD
 Date • 10/10/17 Scale • 1:500 @ A1

Ground Floor Plan
 Scale - 1:500

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Photomontage

Viewpoint 1 - Primrose Hill

Distance to development: 0.4km

Camera: Canon EOS 5D Mark III

Focal length: 50mm vertical (27°) x 28mm horizontal (65.5°)

Camera height: 1.5m

Date: 12/10/2017

Time: 15:00

This view looks out from the top of a low hill adjacent to the A82 as it passes the proposed development site. The viewpoint offers a 360° panorama taking in views along Loch Eil, up Glen Nevis and the Great Glen and across the site towards Meall an t-Suidhe and Ben Nevis beyond. Towards the site the view takes in a new retail development adjacent to the road with existing factory buildings and associated hydro pipes seen over woodland immediately behind.

The proposed development would also appear above woodland behind the new retail units following the same long, linear form. It would extend the presence of factory buildings across this section of the view and, as a result of increased proximity, the proposed building would appear notably larger than the existing smelter sheds. Although the proposed development is notable it forms part of a much wider panoramic view where the main focus would tend to be away from the site, indeed the bench located at the viewpoint is oriented in the opposite direction in order to take advantage of views to the northwest. Considering the panoramic nature of the view and significant interest in other directions effects here would be **Medium** scale and, on balance, **Neutral**.

ISSUED BY	Glasgow	t: 0141 222 9780	
DATE	Oct 2017	DRAWN	JB/VW
SCALE@A3	NTS	CHECKED	ME
STATUS	Final	APPROVED	MFi

The image contained on this page is not representative of scale and distance from the actual viewpoint and shows the development in its wider landscape context only.

DRAWING 11.7(a)

PROJECT TITLE
LIBERTY LOCHABER ALUMINIUM LTD
ALLOY WHEEL FACILITY

DRAWING TITLE
Viewpoint 1 - Primrose Hill

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Photomontage

Viewpoint 2 - Cow Hill

Distance to development: 0.8km

Camera: Canon EOS 5D Mark III

Focal length: 50mm vertical (27°) x 28mm horizontal (65.5°)

Camera height: 1.5m

Date: 12/10/2017

Time: 13:20

This view looks out from a footpath on Cow Hill, across woodland on the valley floor, towards the site. Amongst the extensive tree cover houses at Claggan can be seen in the foreground along with some of the buildings in the Ben Nevis Industrial Estate and Glen Nevis Business Park. Beyond these the existing aluminium factory can be seen to the right of view and the new retail park to the left. In the distance beyond, Lochaber High School can be seen quite prominently with wooded valley back dropped by hills extending into the distance.

The proposed alloy wheel facility would be seen in front and to the left of the existing aluminium plant and beyond the industrial estate. The building would appear larger than the existing factory buildings due to increased proximity and would be a notable addition to the existing view, albeit partially screened by woodland within and bordering the site. Although large, the proposed building would be seen in the context of the existing factory and industrial estate and the broken form of the roof line and mix of material finishes to the roof help to break up the mass. Effects would be of **Large-Medium** scale. On balance these would be **Adverse** due to the size and proximity of the building.

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DRAWING 11.7(b)

PROJECT TITLE
LIBERTY LOCHABER ALUMINIUM LTD
ALLOY WHEEL FACILITY

DRAWING TITLE
Viewpoint 2 - Cow Hill

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Photomontage

Viewpoint 3 - Achintee Road

Distance to development: 1.6km

Camera: Canon EOS 5D Mark II

Focal length: 50mm vertical (27°) x 28mm horizontal (65.5°)

Camera height: 1.5m

Date: 15/09/2017

Time: 14:45

This view is taken from just north of the car park at the Ben Nevis Inn and looks back along Achintee Road and the lower reaches of Glen Nevis. Although channelled towards the site this is a wide view that takes in the lower slopes of Ben Nevis to one side, Cow Hill to the other and facing away from the site views along Glen Nevis. Beyond the small copse in the foreground, trees can be seen in the valley in the direction of Fort William with houses and some larger buildings seen amongst them. To the right the chimney stacks of the existing aluminium smelter and some other factory infrastructure can be seen appearing above trees and set against a backdrop of distant hills.

The proposed building would be seen to the left of the existing factory buildings filling a gap between these and the houses to the left of view, albeit largely screened by existing woodland within the site. The western end of the building would, however, stick out beyond the woodland and be seen more prominently although the staggered form of the proposed building breaks up the mass of this exposed end to a certain degree. Proposed woodland planting to the western and southern edges of the site (refer to drawing 11.1) would, in time, help to further break up the mass and settle the building further into the landscape although would not entirely screen it. Effects here would be **Medium** scale and **Adverse** as a result of bridging the apparent gap between the existing factory buildings and those in Fort William seen to the left of view.

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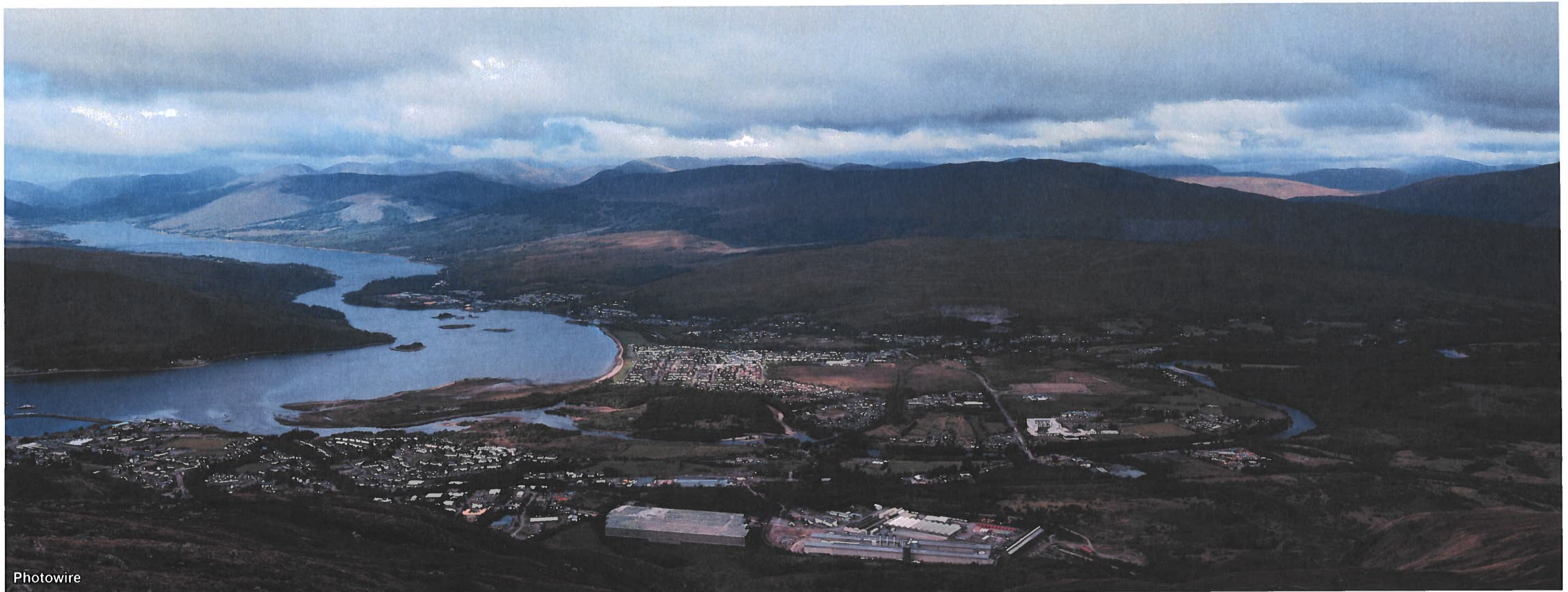
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DRAWING 11.7(c)

PROJECT TITLE
LIBERTY LOCHABER ALUMINIUM LTD
ALLOY WHEEL FACILITY

DRAWING TITLE
Viewpoint 3 - Achintee Road

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Photowire

Viewpoint 4 - Meall an t-Suidhe

Distance to development: 2.1km

Camera: Canon EOS 5D Mark II

Focal length: 50mm vertical (27°) x 28mm horizontal (65.5°)

Camera height: 1.5m

Date: 15/09/2017

Time: 11:30

This view looks out from a subsidiary peak of Ben Nevis and affords a wide view out across Fort William and beyond; up both Loch Eil and towards the Great Glen. The buildings of Fort William and the adjacent settlements can be clearly seen spreading across the flat ground adjacent to the loch and just out of shot to the left the communications masts at Cow Hill and Achaphubuil are distinct landmarks. In the centre of view, at the base of the hill, the existing aluminium smelter buildings can be clearly seen surrounded by moorland and forestry.

The proposed building would be clearly seen in the open space to the left of the existing smelter building in an area currently occupied by open moorland and a rectilinear woodland block. The roof form of the proposed building will break up the massing and relate to the existing buildings on site. Retained woodland within the site would partially screen the western end and help to ground the building. Although a notable addition the proposed building would be seen in the context of the existing factory and as a relatively minor part of a very large and expansive view. Effects here would be of **Small scale and Neutral**.

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DRAWING 11.7(d)

PROJECT TITLE
LIBERTY LOCHABER ALUMINIUM LTD
ALLOY WHEEL FACILITY

DRAWING TITLE
Viewpoint 4 - Meall an t-Suidhe

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Viewpoint 5 - Bench on North Face path

Distance to development: 2.2km

Camera: Canon EOS 5D Mark III

Focal length: 50mm vertical (27°) x 28mm horizontal (65.5°)

Camera height: 1.5m

Date: 12/10/2017

Time: 14:00

This view looks out from a bench beside the North Face Path heading up Ben Nevis and looks out across Fort William, along Loch Eil which extends away into the distance. The existing factory is seen prominently in the centre of view, as is Lochaber High School to the far right; beyond these, housing and smaller buildings in and around Fort William can be seen extending to the loch. The focus of this view tends to be above the town though as the eye is drawn along Loch Eil and up to the surrounding hills.

The proposed alloy wheel facility would be seen beyond the buildings of the existing factory and would be partially screened by these at the near end. The proposed building would increase the overall size of built development on the factory site although in the context of the wider view this makes a limited change. Effects here would be **Small** scale and **Neutral**.

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PROJECT TITLE
LIBERTY LOCHABER ALUMINIUM LTD
ALLOY WHEEL FACILITY

DRAWING 11.7(e)

DRAWING TITLE
Viewpoint 5 - Bench on North Face path

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Photowire
Viewpoint 6 - Sgurr Finniosgaig Distance to development: 6.6km Camera: Canon EOS 5D Mark II Focal length: 50mm vertical (27°) x 28mm horizontal (65.5°) Camera height: 1.5m Date: 19/09/2017 Time: 11:15

This view looks out from an elevated panoramic viewpoint from the Nevis Range ski area, taking in an expansive 360° view. Existing development at Fort William is seen adjacent to the loch in the centre of the view and relatively distant, beyond this the eye is drawn along Loch Eil to distant hills and mountains.

The proposed development would be visible just above the ridge of a hill in the middle distance and would be partially screened by intervening woodland. In this view the existing factory buildings are not visible so the proposed alloy wheel facility would not be seen in the context of the wider smelter facility. Despite this, the introduction of the new building would not be particularly notable and it would easily sit within the existing pattern of built development as seen from this location. Effects here would be **Negligible** and **Neutral**.

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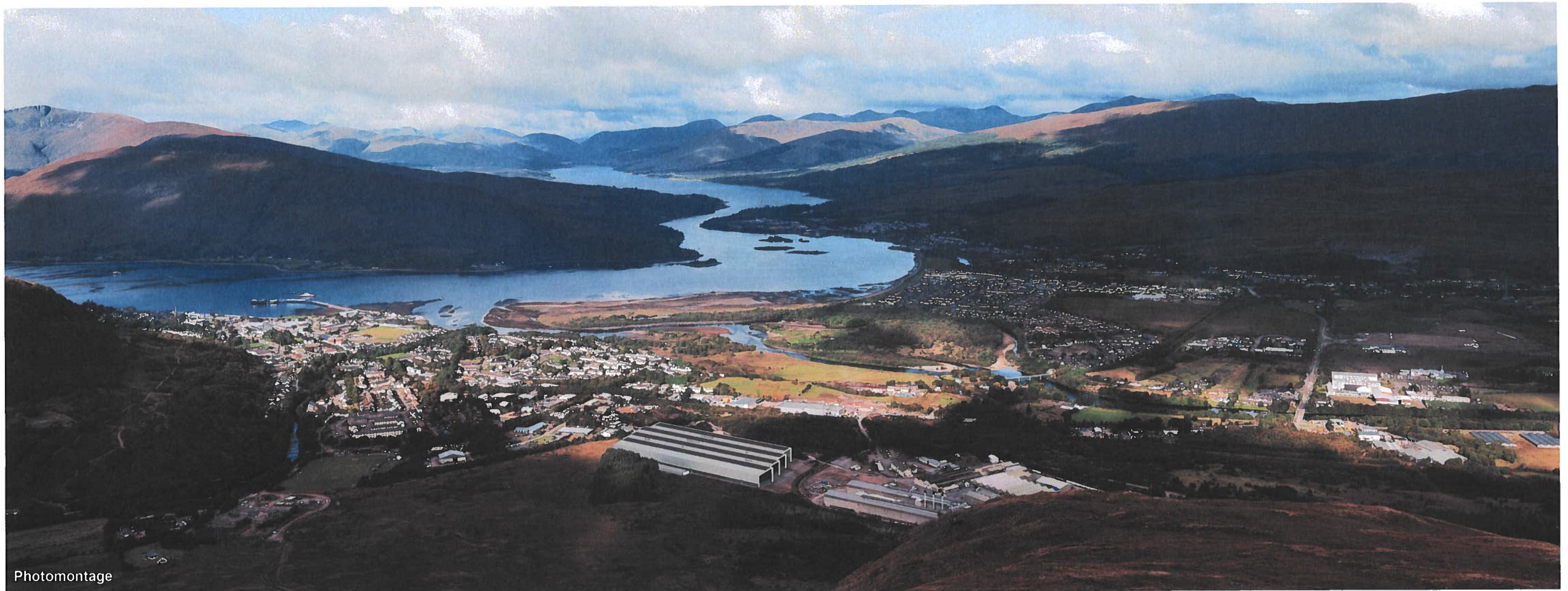
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PROJECT TITLE
LIBERTY LOCHABER ALUMINIUM LTD
ALLOY WHEEL FACILITY

DRAWING 11.7(f)

DRAWING TITLE
Viewpoint 6 - Sgurr Finniosgaig

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Viewpoint 7 - Creag a Chail

Distance to development: 1.6km

Camera: Canon EOS 5D Mark II

Focal length: 50mm vertical (27°) x 28mm horizontal (65.5°)

Camera height: 1.5m

Date: 15/09/2017

Time: 10:00

This view looks out from a minor summit on the lower slopes of Ben Nevis, affording a wide view across Fort William, its adjacent settlements and beyond. Channelled views up Loch Eil are the biggest draw in the view and although partial views up other nearby glens are also possible. There is an open view down onto the site and existing aluminium plant which is seen beside the new retail park, extending out from the edge of town.

The proposed building would be clearly seen in the open space to the left of the existing smelter building in an area currently occupied by open moorland and a rectilinear woodland block, which would be partially removed. The building would be a notable extension to the existing factory site although would appear similar in scale and form and would visually relate to the existing buildings. Retained woodland would provide some very limited screening of the western end of the building, helping it settle in the existing landscape, although the majority of the site would be in open view. To the right of the building the service and dispatch yard would be clearly seen along with activities going on within which would frequently give movement to the view. Effects here would be **Medium-Small** scale and, on balance, **Neutral**.

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STATUS	Final	APPROVED	MFi

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PROJECT TITLE
LIBERTY LOCHABER ALUMINIUM LTD
ALLOY WHEEL FACILITY

DRAWING 11.7(g)

DRAWING TITLE
Viewpoint 7 - Creag a Chail

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Photomontage

Viewpoint 8 - Neptune's Staircase

Distance to development: 2.4km

Camera: Canon EOS 5D Mark II

Focal length: 50mm vertical (27°) x 28mm horizontal (65.5°)

Camera height: 1.5m

Date: 19/09/2017

Time: 15:05

This view looks out from beside the Neptune's Staircase lock flight on the Caledonian Canal which tends to be the main focus of people in this area, both for users of the locks and visitors to this attraction. The foreground is occupied by canalside vegetation, amongst which some nearby houses can be seen with a long view up Glen Nevis seen in the distance beyond and the summits of Meall an t-Suidhe and Ben Nevis seen to the left. In the mid distance, set amongst woodland in the flat bottom of the valley, the existing aluminium smelter building can be seen along with the closer Lochaber High School buildings.

The proposed alloy wheel facility would be seen to the right of the existing smelter building and would be very similar in appearance as a long, linear roofline seen above intervening woodland, although chimney stacks would not be a prominent feature, as they are with the existing building. It would notably extend the spread of factory buildings, approximately doubling the width, although the overall nature of the view would change little. Effects here would be **Medium-Small** scale and **Neutral**.

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PROJECT TITLE
LIBERTY LOCHABER ALUMINIUM LTD
ALLOY WHEEL FACILITY

DRAWING 11.7(h)

DRAWING TITLE
Viewpoint 8 - Neptune's Staircase

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Photomontage

Viewpoint 9 - Corpach Sea Locks

Distance to development: 3.1km

Camera: Canon EOS 5D Mark II

Focal length: 50mm vertical (27°) x 28mm horizontal (65.5°)

Camera height: 1.5m

Date: 19/09/2017

Time: 14:36

This view looks out from the picnic area adjacent to Corpach Sea Locks, back across the bay towards Caol with Ben Nevis rising beyond and drawing the eye up away from the developed coastline. The hydro pipes at the existing aluminium factory and the communications mast on Cow Hill are notable landmarks to the centre and far right of the view. The smelter buildings at the existing factory can be seen beyond houses at Caol to the right hand side of the settlement although heavily screened by intervening woodland with the chimney stacks and silos being the most prominent features.

The proposed building would be seen to the right of the existing factory buildings and would be notably more prominent with the full length of the building appearing over intervening woodland. Despite this it would be a relatively minor addition to the overall pattern of built development as seen from here and no more prominent than houses and school buildings at Caol. Effects here would be **Small scale** and **Neutral**.

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STATUS	Final	APPROVED	MFi

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PROJECT TITLE
LIBERTY LOCHABER ALUMINIUM LTD
ALLOY WHEEL FACILITY

DRAWING 11.7(i)

DRAWING TITLE
Viewpoint 9 - Corpach Sea Locks

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Viewpoint 10 - Trig point near Achaphubuil Distance to development: 3.6km Camera: Canon EOS 5D Mark II Focal length: 50mm vertical (27°) x 28mm horizontal (65.5°) Camera height: 1.5m Date: 19/09/2017 Time: 17:05

This view is taken from the trig point, adjacent to the communications mast, on the hill above Achaphubuil and Camusnagaul. It looks out across the top of Loch Linnhe towards Fort William and its adjacent settlements with Ben Nevis seen rising beyond. Out of shot the viewpoint offers an expansive panoramic view taking in the length of Loch Linnhe, views across Loch Eil and views up the Great Glen to the bottom of Loch Lochy. The existing aluminium factory can be seen openly to the base of the hydro pipes as one constituent part of the wider pattern of built development along the coast.

The proposed building would be seen to the right of the existing factory, extending the linear form of the existing smelter buildings towards smaller buildings at the Ben Nevis industrial estate. The lower part of the building would be screened by adjacent woodland although it would largely be in open view as the existing plant is at present. The form of the roof on the proposed building would help to break up its larger mass and reflects the pattern of existing factory buildings. It would be a discernible new addition to the factory site although would be a minor change to the wider pattern of development seen from here and overall effects would be **Small** scale and **Neutral**.

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STATUS	Final	APPROVED	MFi

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PROJECT TITLE
LIBERTY LOCHABER ALUMINIUM LTD
ALLOY WHEEL FACILITY

DRAWING 11.7(j)

DRAWING TITLE
Viewpoint 10 - Trig point near Achaphubuil

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Photowire

Viewpoint 11 - Cemetery at Drumfada

Distance to development: 4.2km

Camera: Canon EOS 5D Mark II

Focal length: 50mm vertical (27°) x 28mm horizontal (65.5°)

Camera height: 1.5m

Date: 19/09/2017

Time: 14:15

This view looks out from the cemetery, across Loch Linnhe and towards Ben Nevis. Dense trees and hedges around the perimeter of the cemetery block wider views from here and frame the vista across the loch. Fort William and Caol can be seen distinctly to either side of the water with associated settlements less prominent set amongst the woodland between. The existing factory buildings are seen partially screened by woodland at the base of the hydro pipes, beyond houses at Caol.

The proposed alloy wheel facility would be seen in a similar context to the existing factory, partially screened by woodland, to the right of the current plant although would be slightly more prominent. It would extend the spread of the factory notably but would make little change to the overall pattern of built development in the coastal area. Effects here would be **Small scale** and **Neutral**.

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PROJECT TITLE
LIBERTY LOCHABER ALUMINIUM LTD
ALLOY WHEEL FACILITY

DRAWING 11.7(k)

DRAWING TITLE
Viewpoint 11 - Cemetery at Drumfada

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Photomontage

Viewpoint 12 - West Highland Way

Distance to development: 3.6km

Camera: Canon EOS 5D Mark III

Focal length: 50mm vertical (27°) x 28mm horizontal (65.5°)

Camera height: 1.5m

Date: 12/10/2017

Time: 16:40

This viewpoint offers a channelled view north along Glen Nevis towards and beyond the existing aluminium plant. To the right of view the steep and open lower slopes of Ben Nevis contrast with the shallower wooded slopes extending towards Cow Hill to the left of view. In the centre, buildings can be seen dotted amongst woodland across the valley floor with more industrial and larger scale residential development seen in the distance beyond the end of the glen. The existing factory is seen partially screened by woodland just beyond the glen with Lochaber High School another notable feature to the left of this, although both are quite distant.

The proposed building would be seen to the left of the existing aluminium factory building and just below Lochaber High School. Retained woodland within the site would offer significant screening of then new building with only the southwestern elevation in open view. The staggered form of this elevation would help reduce the apparent scale of the building as seen from here and in time proposed woodland planting to the south of the building would provide some additional screening here although would not completely hide the building. Effects here would be **Small** scale and **Neutral**.

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STATUS	Final	APPROVED	MFI

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PROJECT TITLE
LIBERTY LOCHABER ALUMINIUM LTD
ALLOY WHEEL FACILITY

DRAWING 11.7(I)

DRAWING TITLE
Viewpoint 12 - West Highland Way

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Wireframe

Viewpoint CH1 - Inverloch Castle

Distance to development: 0.6km

Camera: Canon EOS 5D Mark II

Focal length: 50mm vertical (27°) x 28mm horizontal (65.5°)

Camera height: 1.5m

Date: N/A

Time: N/A

ISSUED BY	Glasgow	t: 0141 222 9780
DATE	Oct 2017	DRAWN JB/WW
SCALE@A3	NTS	CHECKED ME
STATUS	Final	APPROVED MFI

DRAWING 14.3(a)

PROJECT TITLE
LIBERTY LOCHABER ALUMINIUM LTD
ALLOY WHEEL FACILITY

DRAWING TITLE
Viewpoint CH1 - Inverloch Castle



ALLOY WHEEL FACILITY - LOCHABER SMELTER - FORT WILLIAM

Drawing: Artist Impression: Birds Eye View from North East
Scale: NTS @ A1
Date: 06/11/17

Drawing Number: KEP-XX-XX-VS-A-7090-P001
Revision: 00
Drawing Status: Planning



ALLOY WHEEL FACILITY - LOCHABER SMELTER - FORT WILLIAM

Drawing: Artist Impression: Eye Level View from North West
Scale: NTS @ A1
Date: 06/11/17

Drawing Number: KEP-XX-XX-VS-A-7090-P004
Revision: 00
Drawing Status: Planning