

Agenda Item	6.4
Report No	PLS-067-21

## HIGHLAND COUNCIL

**Committee:** South Planning Applications Committee  
**Date:** 21 September 2021  
**Report Title:** 21/02413/FUL: ALVANCE Aluminium Group Limited  
Lochaber Smelter, North Road, Fort William, PH33 6TH  
**Report By:** Area Planning Manager – South

### Purpose/Executive Summary

**Description:** Construction of an aluminium recycling and billet casting facility, associated hardstanding, infrastructure and landscaping  
**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** the application as set out in section 11 of the report.

## 1. PROPOSED DEVELOPMENT

- 1.1 It is proposed to build an aluminium recycling and billet casting facility with capacity to produce up to 100,000 tonnes per annum of aluminium billet using a combination of recycled aluminium and primary aluminium from the existing smelter. (To present a 'worst case' for the EIA, a figure of 100,000 tonnes of recycled material has been used, but in reality, the amount of recycled material will be less). The proposed facility will have an overall development footprint of approximately 5ha.
- 1.2 The proposed building is 185m long by 75m wide by 19.3m high (at its highest point). The proposed building takes the form of three conjoined long rectangular sections with the front section being mono-pitched and the middle and rear section being pitched. This long sectional design follows a similar design principle to the previously approved Alloy Wheel Plant on the site. The proposed building is to be finished in a dark grey, trapezoidal metal roof and wall cladding, with a lighter grey cladding proposed for the end elevations. Sections of light grey concrete blockwork is proposed at ground floor level and the front elevation includes a detail of timber cladding at the entrance. Three extract chimneys/stacks are located in the roof valleys and although projecting 3.5m above the roof slope, the tops of the stacks are only 0.5m above ridge height. The building will also feature a casting pit, approximately 25m deep with a surface area of approximately 7m x 7m.
- 1.3 The main process in the building is the melting and casting of primary aluminium (from the smelter) and secondary aluminium (recycled material transported to site) to produce billets\* (\*solid blocks of aluminium) of various specifications, sizes and lengths. Molten aluminium from the smelter will enter the proposed building at the north eastern end. Scrap aluminium will be brought to site and stored in bays in the rear (southern) portion of the building. Materials will then be combined within furnaces in the central portion of the building. Molten material will then be moved to the casting machine in the central and southern portion of the building where the billets will be produced. The billets will then be processed and emerge from the building at the north east corner and be transferred by forklift to a storage area at the rear of the building before being despatched to customer.
- 1.4 Associated development surrounding the proposed building includes:
- A hardstanding area of approx. 10,200sqm at the rear (south) of the building;
  - A new access road around the plant;
  - A sustainable urban drainage scheme (SuDS);
  - Landscaping and planting;
  - Gas storage infrastructure;
  - Associated oxygen, nitrogen and argon systems.
- 1.5 The existing Smelter access from the A82 is proposed to serve the new development and additional on-site parking for 20 cars is to be provided, together with on-site cycle parking.
- 1.6 The proposed facility is a 24/7 operation, anticipated to be operational 330 days per year and is anticipated to create 30 direct jobs.

- 1.7 The proposed development will be powered by the existing hydro-power plant and green energy sources and is anticipated to displace more fossil fuel intensive aluminium suppliers and contribute to Scotland's climate-neutral targets.
- 1.8 Construction is anticipated to be completed within 14 months of commencement. The earlier works of peat and wider site excavation will take place within the first three months and the shaft excavation will take place from months 3-6. The civil works on building foundations will take place from months 6-11 and the steel building erection from months 9-13. Intended year of initial operation is 2023.
- 1.9 Pre Application Consultation: The application is accompanied by a Pre-application Consultation report which provides information on the statutory pre-application consultation undertaken prior to submission of the application. Due to the Covid restrictions, the pre-application was undertaken in a virtual format. This included the creation of a website as a central consultation hub for all information sharing and digital engagement. This was subject to advertisement in local press, local leaflet drops to the community, direct invitations to key stakeholders and community groups. Three live, interactive web-based events were held. The website recorded 1107 views and 16 responses were received. The PAC report notes that comments raised primarily related to transportation concerns in the local area.
- 1.10 Supporting Information: Environmental Impact Assessment Report and appendices, Design Statement, Transport Assessment, Planning Statement, Pre-application Consultation Report.

1.11 Variations: None

## **2. SITE DESCRIPTION**

- 2.1 The proposed site lies to the immediate west of the existing Smelter complex in Fort William. The existing Lochaber Smelter is a hydro-powered aluminium smelter with the capacity to produce 47,500 tonnes of aluminium annually.
- 2.2 The proposed site is not currently in use and comprises an area of scrub land which is bounded to the south by peatland/bog, to the east by the existing smelter, to the north by a track, and to the west by the footprint of the former carbon factory.
- 2.3 The application site extends to approximately 26ha, similar to the previous application for the Alloy Wheel Plant (17/05202/FUL – approved in 2018). Of the 26ha of site area, approximately 4.95ha is subject of the proposed development itself.
- 2.4 In comparison to the Alloy Wheel Plant, the Billet facility is a smaller building, located in a similar location. The proposed billet building has been moved forward (north west) and angled to be parallel with the existing internal track that runs from the existing smelter to the Glen Nevis Business Park (on the site of the previous parking/service area). There will be a 20-space car park on the opposite side of the track, adjacent to a water treatment plant and gas storage facility. The main yard, laydown area and surface water drainage are to be at the rear of the billet building,

the development footprint of which extends back a similar distance to where the rear of the Alloy Wheel Plant building was previously granted.

\*Building comparison of previous permission and current proposal

	Length	Width	Ground floor area	Height (highest)	Finished Floor level
Alloy Wheel Plant (previous)	288m	120m	31,300sqm	19.6m	19m AOD
Billet Facility (Current)	185m	75m	12,245sqm	19.3m	17.5m AOD

2.5 The existing track from the smelter to the Business Park is to be upgraded along part of the route, but unlike the previous Alloy Wheel Plant, it is not proposed to maintain a link through to the Business Park; all traffic will use to the existing smelter access road.

### 3. PLANNING HISTORY

The existing smelter has a lengthy planning history. The summary below focusses on the more recent developments.

3.1	16 Feb 2021	20/04580/PAN – Proposal of Application Notice for construction of aluminium billet production facility with associated hardstanding, infrastructure and landscaping	Response issued
3.2	09 Feb 2021	20/04655/SCRE – Screening opinion request for erection of aluminium billet production facility with associated hardstanding, landscaping and drainage	Withdrawn
3.3	06 Feb 2018	17/05202/FUL - Alloy wheel manufacturing facility, alterations and improvements to existing secondary plant access and associated access arrangements, hard standing, landscaping, car parking, and ancillary development	Planning Permission Granted
3.4	01 March 2017	17/00680/PAN – Proposal of Application Notice for alloy wheel manufacturing plant	Response issued
3.5	02 May 2017	17/01124/PREAPP – Pre-application enquiry for alloy wheel manufacturing plant	Response issued
3.6	18 Oct 2017	17/04269/SCOP – Scoping opinion for alloy when manufacturing plant	Scoping opinion issued
3.7	12 Dec 2017	17/04792/FUL – Erection of temporary offices on the smelter site for construction of the new wheel plant	Granted (Temporary)

3.8	30 Oct 2020	20/03941/S42 - Vary Condition 1 of Planning Permission Ref. 17/04792/FUL for erection of temporary offices to extend temporary consent period to 2024	Planning Permission Granted (Temporary)
3.9	08 June 2020	20/01818/CLP - Application for Certificate of Lawfulness for Proposed Use as water canning facility within existing building	Certificate issued

#### **4. PUBLIC PARTICIPATION**

4.1 Advertised: EIA Advert, Schedule 3 Advert and Vacant Land Advert  
Date Advertised: Oban Times – 03.06.2021 and Edinburgh Gazette – 04.06.2021  
Representation deadline: 04.07.2021 (overall)

Timeous representations: 1

Late representations: 0

4.2 Material considerations raised are summarised as follows:

- a) A letter of objection was received from the A830 Corpach Group which notes that the residents of Banavie and Corpach have, for many years, highlighted the problems with traffic on the A830 along the route from Banavie Bridge to Annat. The A830 Corpach Group was formed in 2020 and following community engagement, prepared the A830 Through Corpach Project Report. The Group advise that the report highlighted the environmental health and safety factors created by vehicles speeding through the village, the lack of signage to inform drivers they were passing through a village, its speed restrictions and lack of deterrents for those who choose to ignore the street lighting 30mph indicators. The report also highlighted the lack of maintenance to the road and drain gullies not only inflicting constant noise on residents due to the HGVs bumping over the sunken drains but also a danger to cyclists. The Community has asked only for the signage, maintenance and deterrents to speeding that are already in place in other Highland villages situated along the route of a trunk road. The Group advise that the residents who responded to the survey made clear the community cannot accept any further HGV traffic along the A830 to and from Annat Point and Annat Industrial Estate until something is done regarding the poor signage, road maintenance and lack of speeding deterrent on the A830, and it is inconceivable that until Transport Scotland and Police Scotland put in place the recommendations of the report that Councillors would add further anguish to the community to giving consent to another possible 68 construction of 62 operational HGV trips a day through the village.

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](http://www.wam.highland.gov.uk/wam).

## **5. CONSULTATIONS**

### **5.1 Fort William, Inverlochy and Torlundy Community Council:**

“FITCC members at our May meeting agreed to support the application in principle but also agreed that the environmental and pollution concerns of our neighbouring Community Councils, Kilmallie and Ardgour, needs to be addressed more thoroughly.”

**5.2 Caol Community Council (adjoining):** No response

**5.3 Kilmallie Community Council (adjoining):** No response

**5.4 THC Transport Planning Team:** No objection subject to conditions.

**5.5 THC Historic Environment Team (Archaeology):** No objection subject to condition

**5.6 THC Access Officer:** No objection – defer to Transport Planning Team

**5.7 THC Contaminated Land Team:** No objection subject to condition.

**5.8 THC Environmental Health Officer:** No objection.

**5.9 THC Forestry Officer:** No response

**5.10 THC Flood Risk Management Team:** No objection subject to condition.

**5.11 Scottish Environment Protection Agency:** No objection subject to conditions.

**5.12 NatureScot:** No objection.

**5.13 Transport Scotland:** Conditions recommended.

**5.14 Scottish Water:** No objection.

**5.15 Historic Environment Scotland:** No objection.

**5.16 Lochaber Disability Access Panel:** No comment.

**5.17 Network Rail:** No comments/objections.

**5.18 Health and Safety Executive:** Does not cross any consultation zones

## **6. DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

### **6.1 Highland Wide Local Development Plan 2012**

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 Highlands and Islands Local Development Plan 201 (WestPlan)**

### **Policy 2 – Delivering Development**

Development of the locations and uses specified in the main settlements sections of the Plan will be supported subject to the provision of the necessary infrastructure, services and facilities required to support new development as indicated in this Plan or identified in accordance with the Development Plan as more detailed proposals are brought forward.

Larger sites must be appropriately masterplanned. Each phase of development will need to show its relationship to this overall masterplan and demonstrate how the required infrastructure will be delivered.

### **Allocation FW 25 – Aluminium Smelter and Adjoining Land (86.7ha – Industry Use)**

Developer Requirements: Development in accordance with planning permission 17/05202/FUL. Alternative or additional proposals require the developer to prepare a masterplan/developer brief which must address the following: Minimum 6m buffer between watercourses and development; Flood Risk and Drainage Impact Assessment (no development in areas shown to be at risk of flooding); Additional landscape tree planting, potential to retain woodland for screening and to aid site integration with the green network; Protected species survey; Transport Assessment including details of access improvements, active travel connections, potential contributions towards wider Fort William transport network improvements and safeguard land for Fort William transport network improvements; Boundary treatment and possible development set back from neighbouring waste storage and distribution uses and from Ben Nevis Distillery (HSE Hazard); Site history and possible Land Contamination Site Investigation; Peat Management plan to demonstrate how

impacts on peat have been minimised, and vegetation survey to demonstrate how impacts on wetlands have been avoided. Presence of deep peat and wetlands may limit area that can be developed; Landscape and Visual Impact Assessment and high quality siting and design that will avoid adverse impacts on the special qualities of the Ben Nevis and Glencoe NSA and principal Glen Nevis public viewpoints; Site within Inverlochry I and II Battlefield and a metal detecting survey may be required in the first instance; Possible safeguard of land for a Search and Rescue helipad unless alternative provision can be secured, for example at Blar Mor or Achintee.

### **6.3 Highland Council Supplementary Planning Policy Guidance**

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

Developer Contributions (March 2018)

Flood Risk and 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. OTHER MATERIAL POLICY CONSIDERATIONS**

### **7.1 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.

### **7.2 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.



### 7.3 **Scottish Planning Policy and Guidance**

Planning Advice Note 33 – Development of Contaminated Land

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) social-economic impact
  - c) access and travel
  - d) contamination / previously used land
  - e) pollution and impact on amenity
  - f) impact on infrastructure and services
  - g) flooding and drainage
  - h) siting and design (including landscape and visual impact)
  - i) cultural and built heritage
  - j) nature conservation
  - k) forestry, woodland and green networks
  - l) peat management
  - m) public access
  - n) community safety
  - o) climate change
  - p) any other material considerations

### **Compliance with the development plan and other planning policy**

- 8.4 Planning permission (17/05202/FUL) has previously been granted on this site for a major scale industrial development (alloy wheel plant related to the existing smelter). Due to a strategic review of the alloy wheel manufacturing landscape, together with a downturn in vehicle production, the applicant is no longer pursuing this development. The current proposal is for an alternative development on the site, still related to the existing operations at the Lochaber Smelter.
- 8.5 The development site lies within the Settlement Development Area of Fort William and lies within a large industrial allocation (WestPlan Allocation FW25). The principle of an industrial development on this site accords with development plan policy and is well aligned with the Scottish's Government's economic strategy as expressed through NPF3 and SPP.
- 8.6 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), the developer requirements set out in WestPlan Allocation FW25 and the individual policies of the adopted development plan, together with associated supplementary guidance.

8.7 As the proposed development is EIA development, the submission requires to consider the culmination of effects with other existing and/or proposed development. This has been undertaken as part of the EIA Report. A new water canning plant on the smelter site has been included in the cumulative assessments. For clarity, a future new water canning building would require a separate planning application and it does not form part of the application currently submitted. As it is an anticipated development by the applicant, it has been included in the cumulative assessments for the current proposal. It is anticipated that the new Water Canning Plant will be to the immediate west of the proposed development and be approx. 66m long x 24m wide with height to ridge of 11m and height to eaves of 7m. It is anticipated to generate 5 HGVs (10 two-way) movements per day and 5 additional staff trips per shift (10 two-way).

### **Socio-economic impact**

8.8 The EIA Report includes an assessment of the socio-economic impact of the proposed development. This considers net economic benefits (being the difference in economic impact between proposed development taking place and the case where it does not go ahead).

8.9 The existing Aluminium Smelter is a significant employer within Lochaber, currently directly employing 194 staff and supporting a further 56 jobs through indirect and induced impact in the Lochaber area, with additional jobs and benefits across Highland and Scotland wide. Existing Gross Value Added (GVA\*<sup>1</sup>) (based on 2019 figures) estimated to be £17.7 million (direct, indirect and induced).

\*<sup>1</sup> GVA is a measure of economic output and is the difference between the value of goods and services produced and the cost of raw materials and other inputs, which are used up in production. Direct GVA has been calculated as the sum of operating profits, employee costs, depreciation and amortisation.

8.10 The study has adopted a conservative approach\*<sup>2</sup> in relation to job creation from the proposed development and has recognised the importance of the proposed development in protecting the future of the existing smelter. This approach sees the number of staff remain the same, but the business becomes more stable/profitable, with an increase in GVA from £17.7million to £35.7million (this incorporates increases from supply spending and a small increase from staff spending, but most of the increase relates to direct impact).

\*<sup>2</sup> When considering 'worst-case' scenarios there are differences within the report as to numbers used – for example in the economic section, 'worst case' scenario is no new jobs created whereas in the traffic section 30 new jobs are created, but the figure of 70 new jobs is used to look at the worst-case in terms of increased vehicle movements.

8.11 The retention of the Lochaber Smelter and the jobs secured by the proposed development are considered important to the future of the local economy, as they will contribute to the diversity of the local economic base, will bring opportunities for up-skilling, and safeguard local manufacturing jobs. For these reasons the effect of the operation of the proposed development was assessed as 'major' (beneficial) and significant.

8.12 Additional benefits are also recognised from the temporary construction phase.

## Access and Travel

- 8.13 It is proposed to serve the development from the existing Smelter access road, which joins with the A82 trunk road at the existing North Road roundabout. Unlike the previous permission for the alloy wheel plant, there will be no direct access to the Glen Nevis Business Park.
- 8.14 At the time of the transport assessment there were 59 staff working shifts at the existing smelter with a further 119 day workers (178 staff total at the Smelter site). There are two shifts per day (07:00 to 19:00 – day shift, and 19:00 to 07:00 – night shift) in five shift patterns. Staff are split into five shift groups that operate a pattern each week, with staff working on average three shifts per week. There are on average 14 staff per shift. The same shift patterns and operating hours are to be used for the proposed development.
- 8.15 The proposed development is expected to employ 70 staff (40 of which are expected to be re-allocated from the smelter operation). Therefore, 30 additional staff are anticipated. The Transport Assessment has however used the figure of 70 new staff to present a worst-case for traffic volume and movements. Based on the shift patterns, and on the higher figure of 70 new staff, there are predicted to be 12 additional staff trips (24-two way vehicle movements) over a 24 hour period. (For comparison, the approved Alloy Wheel Plant was anticipated to add 200 staff trips per day (400 two-way movements)).
- 8.16 At present there are 40 trips in and out of the smelter per day (80 two-way movements) by Light Goods Vehicles (LGV) and on average there are 12 Heavy Goods Vehicles (HGV) in and out per weekday (24 two-way movements), all using the existing smelter access road
- 8.17 Based on maximum operational use of the development, the maximum number of additional HGV trips per day associated with the proposed development is estimated to be 31 (inbound) and 31 (outbound) (62 two-way movements per day). This is also based on the worst-case scenario of all material being transported by road and no shared trips with the smelter operations. (for comparison, the approved Alloy Wheel Plant was anticipated to generate 14 HGV trips per day (28 two-way movements)).
- 8.18 Construction of the development is estimated to take a total of 60 weeks. The increased trip figures for this period are two-way movement; eg, 90 HGV trips equate to 45 HGVs going in and out of site. Taking a worst-case position, the figures include for vehicle movements to take peat off-site (which will not be the case - this will remove the predicted HGV two-way movements of 90 predicted two way HGV movements over a six week period).
- 8.19 A figure of 75% of traffic has been applied to each of the routes to take into account uncertainties over vehicle 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 would be 25% of traffic left to be distributed along the other routes, but the assessment has considered 75% of traffic on each of the routes. This needs to be borne in mind which looking at the percentage increases.

8.20 Construction Traffic Impact on Routes within Study Area

	1. Smelter Access	2. A82 Industrial Estate	3. A830	4. A82 Fort William	5. A82 North	6. A82 South
Baseline AADF	462	19,272	11,115	21,293	6,241	8,914
Baseline HGV Count	35	1,788	1,306	1,844	441	434
Baseline HGV %	7.6%	9.3%	11.8%	8.7%	7.1%	4.9%
Worst-Case Daily HGV Trip generation	90	68	68	68	68	68
Worst-Case Daily Staff Trip Generation	120	90	90	90	90	90
Baseline HGV Count + Development HGV Count	125	1,856	1,374	1,912	508	502
Baseline AADF + Development Staff Trips + Development HGV Trips	672	19,429	11,273	21,451	6,399	9,072
<b>% Increase in HGV Traffic</b>	<b>258.0%</b>	<b>3.8%</b>	<b>5.2%</b>	<b>3.7%</b>	<b>15.3%</b>	<b>15.5%</b>
<b>% Increase in TOTAL Traffic</b>	<b>45.5%</b>	<b>0.8%</b>	<b>1.4%</b>	<b>0.7%</b>	<b>2.5%</b>	<b>1.8%</b>

8.21 It is not anticipated that HGVs associated with the proposed operational development would use the A830 trunk road, however to provide a robust assessment of traffic impacts and to allow for delivery and/or contractual changes which may alter the route of traffic, for example use of the port in Corpach, the Transport Assessment has considered the impact of traffic on the wider road network.

8.22 A figure of 100% of HGV 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 100% of the traffic went south on the A82, there would be no traffic left to be distributed along the other routes, but the assessment has considered 100% of traffic on each of the routes. This needs to be borne in mind when looking at the percentage increases. Similarly, a 75% figure for staff trips has been applied across all routes to allow for uncertainties in direction of travel of staff.

8.23 Operations Traffic Impact on Routes within the Study Area

\*AADF = Annual average daily flow

	1. Smelter Access	2. A82 Industrial Estate	3. A830	4. A82 Fort William	5. A82 North	6. A82 South
Baseline AADF	462	19,272	11,115	21,293	6,241	8,914
Baseline HGV Count	35	1,788	1,306	1,844	441	434
Baseline HGV %	7.6%	9.3%	11.8%	8.7%	7.1%	4.9%
Worst-Case Daily HGV Trip generation	62	62	62	62	62	62
Worst-Case Daily Staff Trip Generation	56	42	42	42	42	42
Baseline HGV Count + Development HGV Count	97	1,850	1,368	1,906	503	496
Baseline AADF + Development Staff Trips + Development HGV Trips	548	19,352	11,195	21,373	6,321	8,994
<b>% Increase in HGV Traffic</b>	<b>177.7%</b>	<b>3.5%</b>	<b>4.7%</b>	<b>3.4%</b>	<b>14.1%</b>	<b>14.3%</b>
<b>% Increase in TOTAL Traffic</b>	<b>18.6%</b>	<b>0.4%</b>	<b>0.7%</b>	<b>0.4%</b>	<b>1.3%</b>	<b>0.9%</b>

- 8.24 Although the receptors, Fort William, Banavie and Corpach, are recognised as being sensitive to changes in traffic conditions, based on worst-case scenarios, there is predicted to be a low percentage of increased traffic across the trunk road network within the study area for the construction and operational stages of the development. The increase in traffic as a result of the proposed development is considered negligible. The Transport Assessment states that it is generally considered that an increase in traffic of 30% or less, or an increase of 10% or less in sensitive locations is a negligible impact. The Transport Scotland report notes that the EIA has considered these thresholds (30% and 10%) and their application appropriately.
- 8.25 As good practice, a Construction Traffic Management Plan and a Travel Plan are proposed to further minimise impacts on the road network as a result of the development. These are covered by planning condition. The Transport Planning Team has also recommended conditions relating to the CMTP and Travel Plan.
- 8.26 Noting the observations in its consultation response and based on the information submitted, Transport Scotland has no objection to the planning application subject to five conditions relating to a Travel Plan, a Construction Traffic Management Plan, sheeting of vehicles, wheel cleansing facilities, and agreement of shift pattern (changes to the shift pattern is also a condition sought by the Transport Planning Team).
- 8.27 A letter of objection was received from the A830 Corpach Group whose comments are summarised in section 4.2 of this Report.
- 8.28 As highlighted in the preceding sections, much of the traffic associated with the proposal is not anticipated to travel on the A830, however the Planning Authority cannot control or restrict the movement of traffic on the trunk road network.

Therefore, the Transport Assessment has taken a worst-case position and has assessed the impact of the development on all routes, including the A830. From a planning perspective, this considers the increased volume of traffic on the trunk road as a result of the development and considers whether the impact is significant/acceptable. The assessment has demonstrated that the increase in traffic as a result of the development is 'negligible' in terms of accepted assessment processes. The concerns of the Community set out in the A830 Group comments in relation to maintenance of the road network and speeding are appreciated, but these are matters for the Roads Authority (Transport Scotland) and a Policing matter. As part of the planning consultation, the A830 Group's comments were forwarded to Transport Scotland for comment. Transport Scotland has advised that a review of the speed limits in Corpach is ongoing, and the Corpach Group have been in touch with its road safety team regarding a rationalisation of the speed limits in the area.

- 8.29 The proposals include for 20No. new car parking spaces dedicated to the new billet plant, which will include 2No. disabled spaces and 2No. active electric vehicle charging facilities. An additional 10No. spaces will also have passive facilities designed so that they can be easily converted to electric charging spaces, should the demand for such spaces arise through the operation of the billet plant.
- 8.30 Although the parking provision is below Council guidelines, the Transport Planning Team has advised that, accepting that there are other opportunities to park elsewhere within the site, if required and that the Travel Plan is looking to reduce the proportion of people driving to and from the site, a provision of 20No. spaces appears to be appropriate at this time. This can be reviewed through the annual Travel Plan Monitoring. The Team has further advised that whilst the 2No. disabled parking spaces are shown to be within the maximum recommended distance from the main entrance into the building, they are not as close as they practically could be to that entrance. Also, the layouts of those spaces will need reviewing to ensure that there are sufficient access buffers provided between those spaces and adjacent car parking spaces. A condition is recommended requiring the final car parking layouts to be agreed.
- 8.31 8 cycle parking spaces are proposed by way of 4 Sheffield-style cycle stands. For similar reasons to the parking requirements, although below standards, the Transport Planning Team accepted that 8 cycle parking spaces should be sufficient at this time and can be reviewed as part of the Travel Plan monitoring. A condition is however recommended to require covered cycle parking.
- 8.32 The Transport Planning Team has noted that there are adequate existing facilities for people wanting to walk or cycle to and from the site. The previous alloy wheel plant proposal included for the provision of a new walking and cycling route connecting the site to the roads and footways within the adjacent Ben Nevis Industrial Estate and Glen Nevis Business Park. When scoping out the required transport work for the proposed new billet facility, the Transport Planning Team asked that this active travel connection be retained to promote walking and cycling trips. This has not been included and no additional facilities have been proposed along the A82(T).
- 8.33 The Transport Planning Team accept that there are enhanced facilities for walkers through development of the new retail park, however the current Fort William Active Travel Masterplan Refresh, dated September 2019, identifies further enhancements

that can be provided along the A82(T) as part of the wider aspirations for what has been called the "Outer Orbital Route". Given this, rather than seeking delivery of the new connection to the adjacent business park as required of the alloy wheel plant proposal, which isn't recognised in the above referenced Active Travel Masterplan, the Transport Planning Team has recommended that any permission granted is required to make financial contributions towards the delivery of measures identified for the Outer Orbital Active Travel Route from the 2019 Fort William Active Travel Masterplan Refresh document. The scale of such financial contributions should be on par with the estimated costs of delivering the active travel connection through to the Ben Nevis Industrial Estate and Glen Nevis Business Park accepted for the alloy wheel plant development. Following discussion, the applicant has agreed to make equivalent financial contribution totalling £31,750 (based on £250 per linear metre for 127m).

### **Ground Contamination / Previously Used Land**

- 8.34 The land within the northern portion of the proposed development boundary was previously used as the carbon plant for the smelter, however it is understood the remainder of the site has not previously been used. The issue of land contamination was considered as part of the Alloy Wheel Plant application which resulted in a condition being imposed on the previous permission to secure a scheme to deal with potential contamination. Post-permission a ground investigation was carried out and the EIA Report notes there were no subsequent matters of concern raised and as such ground conditions have not been further assessed. The Ground Investigation report has not been submitted to the Council to date, therefore given the former use of the site, and the potential for contamination to be present, the Council's Land Contamination Unit has recommended a condition such that site investigation, and if necessary, remediation, is carried out prior to development commencing.

### **Pollution and impact on amenity**

- 8.35 SEPA directly control discharges to the air and water, odour and 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 is the environmental regulator 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 its comments on planning applications for development that will also be regulated by SEPA, SEPA is 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.
- 8.36 SEPA has advised the applicant will need to apply to vary their existing PPC permit for the site. Based on the information currently available SEPA consider the proposal capable of being authorised.
- 8.37 The Council's Environmental Health Officer has no objection to the proposal. The applicant has submitted a construction noise assessment which states that



construction hours will be 7am to 8pm Mon-Fri and 7am to 12pm Saturdays. Planning conditions are not used to control the impact of construction noise as similar powers are available to the Local Authority under Section 60 of the Control of Pollution Act 1974. Generally, people are tolerant of construction noise during typical working hours. Although it is recognised that the daytime period is taken to commence at 7am, depending on the levels of noise at start up, it may be more appropriate to consider an 8am start and a 7pm finish. It is expected that the developer/contractor will employ the best practicable means to reduce the impact of noise from construction activities and the applicant's CEMP includes details of the proposed mitigation in order to meet this requirement.

8.38 The Council's Environmental Health Officer has advised that all process emission to air will be regulated by SEPA however, the development has potential for significant emission of UK Air Quality Strategy pollutants. The applicant has submitted a detailed air quality assessment which satisfies the LAQM (Local Air Quality Management) detailed assessment requirements and demonstrates that the development will not have a significant impact in terms of relevant LAQM criteria.

8.39 Embedded within the scheme are the following principles in relation to external lighting:

- All lighting will be designed to meet the requirements of BS EN 12464-2:2014 and will use LED lamp technology. 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 the absolute minimum levels required for safe operation and maintenance of the plant in order to minimise the effects of lighting on the National Scenic Area.
- External lighting for maintenance areas to the west and south sides of the building will only be switched on when required for maintenance.
- Lighting on the building will be designed to be seen by site visitors rather than at a distance, will face downwards, and will not be included on the south side of the building.

### **Impact on infrastructure and services**

8.40 The proposed development will be connected to the public sewer via a new sewer pipe linking to Ben Nevis Drive. Scottish Water has no objection to the proposal and has advised there is currently sufficient capacity for a foul connection. Permission to connect to the sewer will be subject of a separate application to Scottish Water. SEPA recommends a condition be applied requiring foul drainage to connect to the public foul sewer.

8.41 The management of surface water drainage from developed areas (positive runoff) of the site will comprise the conveyance of runoff through a combination of conventional roof drainage, linear drains, and filter drains. Collected runoff from areas to the west of the railway line will drain to a formal constructed (SuDS) wetland feature (to the south and west of the site) prior to controlled discharge to the existing ditch located to the north of the site (via a short section of proposed swale). This existing ditch flows north and eventually discharges to the tail race which in turn discharges to the River Lochy. Collected runoff from the catchment to the east of the

railway line (comprising the weigh bridge and access road) will drain to a SuDS pond via filter drains prior to controlled discharge to the existing drainage infrastructure within the access road via a hydrobrake.

- 8.42 The Council's Flood Risk Management Team has reviewed the submitted Drainage Impact Assessment and advised it is content with the proposed drainage strategy, confirming that surface water from the site for all storms up to and including the 1 in 200 year plus climate change storm event will be collected and discharged at the pre-development Qbar greenfield rate. Surface water run-off originating from above the site will be collected and diverted around the development in a way that mimics the current runoff patterns.
- 8.43 The Flood Risk Management Team recognise that some aspects of the design may vary as the project progresses and has requested a condition that the final drainage design is submitted for review and approval prior to works commencing on site, and that the final drainage design shall be in accordance with the drainage strategy as set out in the Drainage Impact Assessment.

### **Flooding**

- 8.44 A Flood Risk Assessment has been submitted in support of the application. This concludes there is no significant flood risk from all sources, water courses, surface water, coastal, groundwater etc. and additional mitigation measures are proposed including a construction environmental management plan and drainage strategy.
- 8.45 The Council's Flood Risk Management Team has reviewed the submitted Flood Risk Assessment and are satisfied that the development would be at low risk of flooding.

### **Siting and Design (including Landscape and Visual Impact)**

- 8.46 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 (NSA). The study area for the landscape assessment extends to 10km from the site to consider the wider effects. The methodology, predicted visual receptors, and chosen viewpoints for the LVIA are considered appropriate. The application has also been supported by a selection of photomontages predicting the impact of the development from the agreed viewpoints.
- 8.47 The proposed building is smaller than the Alloy Wheel Plant and occupies less site area. The overall height of the proposed building is similar to that previously approved, albeit slightly lower.
- 8.48 A similar design principle as has been employed for this proposal as was for the Alloy Wheel Plant, with the building being broken down into sections, with two pitched and one mono-pitched section. This reduces the mass of the building and adds visual interest to a large industrial building. Materials proposed are generally acceptable, subject to final agreement of colour. 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 more elevated viewpoints.

- 8.49 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 buildings 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.
- 8.50 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.
- 8.51 On the opposite side of the internal access track from the billet facility is associated plant, including an electrical plant (c.4m high), waste water treatment plant, (c.4m high) and gas facility (c.4m high) and a water cooling plant (c. 4m high, with 3 cooling tanks c.9m high). Limited details of the plant and compounds have been submitted and a condition is proposed to secure full details of these elements. Indicative details are such that when compared to the size and height of the billet facility, these elements will be subordinate components.
- 8.52 It is considered that the proposal will not have an unacceptable impact on the landscape quality and features of interest around the site.
- 8.53 The boundary of the Ben Nevis and Glen Coe 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. There is potential for the scheme to affect key views into the NSA. The Landscape and Visual Impact Assessment (LVIA) has undertaken an assessment of effects on the special qualities of the Ben Nevis and Glen Coe NSA and important key views.
- 8.54 The existing Smelter buildings and the proposed building will be located adjacent to each other with a similar orientation. This continuation of the form and orientation in a landscape context is likely to present as 'more of the same' rather than the introduction of a new element. The visual footprint will also be similar. Areas where the new building will have greater influence on character than the existing smelter are located to the immediate south and southwest of the proposed building - where it will be notably closer than the existing buildings increasing the influence of the industrial buildings on the character. Effects to the west and north of the proposed

building will be contained by the presence of vegetation within the site and the presence of the business park and commercial buildings in these directions.

- 8.55 The LVIA concludes that permanent effects on the special qualities of the NSA will be slight and localised in extent. NatureScot has advised of its general agreement with this conclusion and consider that the effects identified by the LVIA will not have an adverse effect on the integrity of the NSA or the special qualities for which it has been designated.
- 8.56 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)
- 8.57 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.

#### **Built and cultural heritage**

- 8.58 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 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.
- 8.59 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.
- 8.60 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.
- 8.61 Historic Environment Scotland has advised that for Inverlochy I (Sep 1431), the sources placing the area of fighting are not particularly clear, but it is likely that the core of the battle was either close to the site of the existing smelter (in which case the development site is adjacent to this) or on an area of flat ground at the River Lochy called Na Liosan that is now occupied by playing fields and the railway, and around the castle (which would place the development site some distance from the core of the action). The available evidence more strongly favours the area closer to the river, but this is not conclusive. For Inverlochy II (Feb 1645), the core of the battlefield is also likely to have been focussed on the area closer to and surrounding

the case, although the development site is likely to be on either the Covenantor or Royalist flank, depending on exact interpretations of where forces were positioned.

- 8.62 Since the previous application was approved (subject to a condition requiring pre-commencement programme of archaeological work) a metal detecting survey was undertaken in 2018. Historic Environment Scotland (HES) has accepted the results of the metal detector survey and are content that the proposal is unlikely to have a significant impact on physical remains associated with the battlefields.
- 8.63 HES note that the report states that ground conditions for the survey were not optimal; large sections of the site (more than 50%) were not available for metal detecting as they contained concrete hardstanding and demolition debris from the former use of the site, with some dense areas of scrub, waterlogged peat bog, and an area of car parking, and whilst some areas of trees and scrub had been cleared it was evident that there had been significant previous ground disturbance. Within that context, and in the knowledge that each sweep of the metal detector on 1.5m transects was returning multiple readings from modern debris, the sole find potentially pertaining to either battlefield (but in this case Inverlochy II) was a single lead musket ball that was retrieved from the southern edge of the survey area. HES note that the conclusion of the metal detecting survey was that the development site (especially the broad footprint of the former Carbon Factory) had a low archaeological potential evidenced by the lack of historic artefacts being identified by the survey. HES broadly agree with these conclusions whilst simultaneously noting that the extent of ground disturbance caused by the former industrial use of the site might either be (a) masking deposits and artefacts associated with the battlefields beneath, or (b) more likely have removed/caused significant disturbance to battlefield deposits and artefacts when the industrial site was first constructed and used.
- 8.64 Given the above and accepting that the archaeological baseline of the battlefield landscape is incomplete, HES are content that the proposed development is unlikely to have a significant impact on physical remains associated with the battlefield. Also, given the prior industrial usage of this site in the 20th century, HES are content that whilst the proposal would see a large scale development within the battlefield, it is unlikely to have a significant additional adverse impact on the character of the battlefield.
- 8.65 The Council's Archaeologist has noted that the results of the metal detecting survey illustrated that the area has been disturbed in the past to a degree that it is now considered that there remains only low potential for buried features or artifacts to survive and in this regard does not object to development on the site. Precaution should still be taken to ensure that there will be no impacts to any buried features, deposits or artefacts without mitigation, and it is recommended that monitoring by an archaeologist is carried out during initial groundworks/site stripping across the site, and sample areas of stripped ground and spoil subject of metal detecting (together with further study work depending on the results). A condition is proposed to secure this archaeological work.

## **Nature conservation**

- 8.66 The proposal lies 400m from Ben Nevis Special Area of Conservation (SAC) designated for a range of upland and montane habitats. The site's status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") apply. Consequently, The Highland Council is required to consider the effect of the proposal on the SAC before it can be consented (commonly known as Habitats Regulations Appraisal).
- 8.67 NatureScot is of the view that constructing the proposed plant is likely to 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.
- 8.68 NatureScot has also advised the proposal is likely to have a significant effect on the qualifying interests of the site due to the nitrogen, acid and ammonia emissions from the operation of the facility and the resultant increase in deposition or concentration of these pollutants within the SAC.
- 8.69 Consequently, The Highland Council, as competent authority, is required to carry out an appropriate assessment in view of the site's conservation objectives for these qualifying interests. (see Appendix 2 for Habitat Regulations Assessment)
- 8.70 In conclusion, the drainage and peat disturbance part of the proposal will not hinder meeting the conservation objectives for these qualifying habitats and there will be no adverse effects on site integrity. In terms of emissions, NatureScot has advised that based on the information provided and the abatement measures details, the proposal will not adversely affect the integrity of the site.
- 8.71 The original habitat and protected mammals survey were undertaken in 2017 as part of the Alloy Wheel Plant proposals. An extended survey was undertaken earlier this year to update the baseline information on habitats and species present within (and around) the site. The main change on the site since the previous survey is the felling of the forestry on the footprint of the alloy wheel plant proposal in 2018-19.
- 8.72 Wet modified bog is the main habitat which will be affected by the development due to its prevalence, with around 2.5ha to be lost to the physical development itself. Measures are proposed to mitigate this loss. A Peat Management Plan is to be implemented which will focus on the enhancement and restoration of blanket bog within the former areas of conifer plantation through the re-use of excavated peat from the proposed development. The peat reinstatement area will extent to around 4.6ha.
- 8.73 It was accepted previously that the wetland peatland habitats on or around the site are not significantly groundwater dependent and instead are fed by surface water runoff and incident rainfall. Accordingly, no further information is required in relation to impact on ground water dependent terrestrial eco-systems (GWDTEs).
- 8.74 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 and birds.

- 8.75 An Ecological Clerk of Works is to be retained for the duration of the construction of the proposed development and is considered appropriate to provide site supervision, best practice and micro-siting opportunities. This is recognised in the mitigation proposals.

### **Forestry, woodland and green networks**

- 8.76 The site itself currently comprises a combination of woodland, scrub and peat moorland. In 2018 tree removal was undertaken to allow access for archaeological assessment work relating to the Alloy Wheel Plant permission. An initial site strip to ground level was carried out, clear felling approximately 1.1 ha of conifer and scrub birch and approximately 1.6 ha of predominantly birch scrub has been mulched to ground level. Stump and root removal will occur as part of the future site works.
- 8.78 Much of this area is now incorporated into the area for peat restoration. Off-site compensatory planting has previously been agreed.
- 8.79 It is considered that the proposal will not result in a fragmentation or loss of connectivity within the green network.

### **Peat and Soils**

- 8.80 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.
- 8.81 Peatland (including peatland with low birch woodland) dominates the majority of the site including all of the central and eastern section. The peat body here varies in thickness from 0.2 m to 4.65 m.
- 8.82 The Alloy Wheel Plant was a larger building than currently proposed. In order to reduce the amount of peat to be disturbed, the previous building proposed pile foundations and keeping the finished floor level of the building as high as practical. For the previous scheme the level of peat removal was predicted to be 30,000m<sup>3</sup>.
- 8.83 The current scheme is anticipated to disturb significantly more peat than the previous proposal (est. 89,000m<sup>3</sup>). Further information was sought on the measures to minimise peat disturbance and justification for the increase in volume of peat disturbance. Information has been provided which demonstrates why piled foundations are not feasible for the proposed building, which includes the need for the 25m deep casting pit, and the results of more detailed ground investigations undertaken in 2019. Information was also submitted on the nature of the peat and proposals to re-use the peat on-site for restoration of the peatland on the wider site (former plantation).
- 8.84 Following consideration of the additional information SEPA has recommended a condition be applied requiring the submission and approval of a Finalised Peat

Management Plan to include further measures to reduce peat disturbance. The volume of peat that will be disturbed is significant and in line with Policy 55 of the Highland-wide Local Development Plan it should be clearly demonstrated that every effort has been taken to minimise peat disturbance and related carbon loss. A related condition requiring to a Finalised Habitat Management Plan is also recommended.

8.85 In this respect SEPA has provided the following advice to the applicant:

“The finalised Peat Management Plan should outline further measures to reduce peat disturbance, such as reducing the footprint or shape of the yard and laydown area and only excavating enough peat to be able to form the SUDS features, rather than completely removing peat from this area. It should clearly identify the volume of peat to be used in site reinstatement (ie landscaping of disturbed areas as a result of the development) and general methods to be used. It should also include the final volume of peat that will be used for on site peatland restoration, however we ask that the detailed information on how and where it will be used – which should include clear plans and cross sections or existing and proposed profiles – is provided in the finalised Habitat Management Plan. The Habitat Management Plan should also include details of proposed monitoring and on-going management.”

### **Public Access**

8.86 There is currently limited public access in and around the existing facility and the current proposal is not anticipated to negatively impact on public access.

### **Climate Change**

8.87 As the proposed development is EIA development, the submission includes a climate change impact assessment, by way of evaluating the potential impact of the construction and operation of the proposed development on climate change due to its greenhouse gas emissions and assessing the vulnerability of the proposed development to climate change.

8.88 Climate resilience impact on the proposed development associated with anticipated temperature, rainfall and wind speed increases were predicted to be negligible/minor.

8.89 Potential climate change effects caused by greenhouse gas emissions associated with the operational development were predicted to be of moderate significance. Mitigation during the operational phases includes the use of hydro-electric power rather than grid electricity and the investigation of alternative gaseous fuels as the technology develops.

8.90 The energy efficiency of the plant energy supply configuration will be covered under the PPC Permit which is regulated by SEPA.

8.91 Issues relating to peat management are discussed above.

### **Community Safety**

8.92 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). The EIA Report has noted the current Major Accident Prevention Policy scope produced for the existing smelter as an upper tier COMAH site will be reviewed and extended to incorporate molten metal hazards from the proposed development where required under the COMAH regulations.

### **Developer Contributions**

- 8.93 No developer contributions are considered necessary as a result of this specific development in relation to transport infrastructure. Due to the low level of traffic generated by the development in the context of the trunk road network and the controls on shift patterns it is not considered that the development alone gives rise to the need for improvements to the A82 or the A830.
- 8.94 Active Travel contribution sought and agreed (£31,750) – see paragraph 8.33. This will be secured by Section 75 Agreement.
- 8.95 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
- 8.96 Landscaping and peatland restoration area to be provided on site at the developers cost.
- 8.97 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.

### **Other material considerations**

- 8.98 There are no other material considerations.

### **Non-material considerations**

- 8.99 The issue of maintenance and policing of the trunk road network is not a material planning consideration.

### **Matters to be secured by Legal Agreement / Upfront Payment**

- 8.100 Section 75 Agreement required to secure the active travel financial contribution of £31,750.

## **9. CONCLUSION**

- 9.1 The development site lies within the Settlement Development Area of Fort William and lies within a large industrial allocation (WestPlan Allocation FW25). The principle of an industrial development on this site accords with development plan policy and is well aligned with the Scottish’s Government’s economic strategy as expressed through NPF3 and SPP.

- 9.2 The detailed proposal has been assessed in terms of its compliance with the overarching development plan policy on sustainable design (Policy 28), the developer requirements set out in WestPlan Allocation FW25 and the individual policies of the adopted development plan, together with associated supplementary guidance and is considered to accords with Policy and guidance, subject to mitigation and conditions.
- 9.3 The Council is satisfied that environmental effects of this development can be addressed by way of mitigation. The Council has incorporated the requirement for a schedule of mitigation within the conditions of this permission. Monitoring of operational compliance has been secured through Condition 1 of this permission.
- 9.4 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** Y

Notification to Scottish Ministers

Section 75 Agreement Y

Revocation of previous permission

**Subject to the above actions**, it is recommended to **GRANT** the application subject to the following conditions and reasons:

- 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 .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 (Chapter 15 of EIA Report) 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. Finalised Construction Environmental Management Plan (CEMP) for the construction phase, in accordance with the submitted Framework CEMP, and including:
  - a) Pollution Prevention Management Plan;
  - b) Construction Noise Management Plan;
  - c) Construction Dust and Air Quality Management Plan;
  - d) Site Waste Management Plan;
  - e) Water Quality and Pollution Management Plan;
  - f) Habitat Management and Protected Species Mitigation Plan. This section shall be updated to include submission of Pre-Commencement Survey results to the Planning Authority for approval prior to the commencement of development, and to provide for direct submission of ECoW monitoring reports to the Planning Authority. The finalised Habitat Management Plan will show in detail where disturbed peat will be used on site for peatland restoration and will be subject to prior consultation with SEPA.
  - g) Construction Traffic Management Plan. The Construction Traffic Management Plan will be subject to prior consultation with Transport Scotland and the Council's Transport Planning Team.
  - h) Peat Management Plan. The finalised Peat management plan will be subject to prior consultation with SEPA and shall include further measures to reduce peat disturbance and clearly demonstrate that every effort has been taken to minimise peat disturbance and related carbon loss.

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

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

2. **No development shall commence, including any site clearance,** until a programme of work for the survey, evaluation, preservation and recording of any archaeological and historic features affected by the proposed development/work,

including a timetable for investigation, has been 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.

3. **No development shall commence, including any site clearance,** until a scheme to deal with potential contamination on site has been submitted to and agreed in writing by the Planning Authority. 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 10175:2011+A2:2017 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; and,
- 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 until written confirmation has been received that the scheme has been implemented, completed and, if required, monitoring measurements are in place, all to the satisfaction of the Planning Authority.

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

4. **No development shall commence, including any site clearance,** until the final drainage design has been submitted to, and approved in writing by, the Planning Authority. The final drainage design shall be in accordance with the drainage strategy as set out in the Drainage Impact Assessment. There after the development shall be undertaken in accordance with the approved details.

**Reason:** To account for any changes to the drainage scheme at final design stage and to ensure surface water drainage arising from the development is adequately managed.

5. **No development shall commence, including site clearance,** until vehicle wheel cleansing facilities have been installed and brought into operation on the site, the design and siting of which shall be subject to the prior approval of the planning authority, after consultation with Transport Scotland as the Trunk Road Authority.

**Reason:** To ensure that material from the site is not deposited on the trunk road to the detriment of road safety

6. **No development shall commence on the construction of the aluminium recycling and billet casting facility building** 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.

7. **No development shall commence on the construction of the aluminium recycling and billet casting facility building** hereby approved until a detailed specification for all proposed external materials and finishes for the approved building (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.

8. All vehicles transporting construction material to and from the proposed development should be sheeted.

**Reason:** To ensure that material from the site is not deposited on the trunk road to the detriment of road safety

9. **No development shall commence on the construction of the aluminium recycling and billet casting facility building** until the final car parking layouts have been submitted to, and approved in writing by, the Planning Authority. Such details shall include:

(a) the provision of a minimum of 2 disabled parking spaces, appropriately sized and spaced and located as close as practical to the main entrance to the approved building; and,

(b) details of covered cycle parking within the car park for a minimum of 8 cycles.

Thereafter the car and covered cycle parking shall be laid out/provided in accordance with the approved details prior to the initial operation of the billet plant.

**Reason:** To provide adequate car and cycle parking to serve the development.

10. **No development shall commence on the construction of the aluminium recycling and billet casting facility building** until full details of the service compounds, shown 5, 6, 7 and 8 on the approved site plan have been submitted to and approved in writing by the Planning Authority. Thereafter the compounds and associated plant shall be installed in accordance with the approved details.

**Reason:** In the interests of visual amenity in order to allow consideration of the details of these elements in full.

11. Foul drainage, including all process discharges, from the aluminium recycling and billet casting 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.

12. **No part of the development shall be occupied** until a Travel Plan has been submitted to, and approved in writing by, the Planning Authority, after consultation with Transport Scotland and the Council's Transport Planning Team. 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.

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

13. 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 aluminium recycling and billet casting, with an output capacity of up to 100,000 tonnes of billet 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 to ensure the development does not exceed infrastructure capacities or have an adverse impact on the amenity of the area.

14. The shift pattern for the aluminium recycling and billet casting facility will be designed to avoid peak periods on the surrounding road network between 0800-0900 hours and 1700-1800 hours weekdays. The intended shift pattern will be reported to the Planning Authority and agreed in advance of first operation and 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 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.

## **REASONED CONCLUSION**

The Council is in agreement with the findings of the Environmental Impact Assessment Report that the construction of an aluminium recycling and billet casting facility, associated hardstanding, infrastructure and landscaping is unlikely to give rise to any new or other significant adverse impact on the environment. The Council is satisfied that all environmental effects of this development can be addressed by way of mitigation. The Council has incorporated the requirement for a schedule of mitigation within the conditions of this permission.

## **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.

## **INFORMATIVES**

### **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.

### **Major Development Site Notice**

Prior to the commencement of this development, the attached Site Notice must be posted in a publicly accessible part of the site and remain in place until the development is complete. This is a statutory requirement of the Town and Country Planning (Scotland) Acts and associated regulations.

## **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.

## **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](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](mailto: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](http://www.snh.gov.uk/protecting-scotlands-nature/protected-species)

### **SEPA Advice**

The finalised Peat Management Plan should outline further measures to reduce peat disturbance, such as reducing the footprint or shape of the yard and laydown area and only excavating enough peat to be able to form the SUDS features, rather than completely removing peat from this area. It should clearly identify the volume of peat to be used in site reinstatement (ie landscaping of disturbed areas as a result of the development) and general methods to be used. It should also include the final volume of peat that will be used for on site peatland restoration, however we ask that the detailed information on how and where it will be used - which should include clear plans and cross sections or existing and proposed profiles - is provided in the finalised Habitat Management Plan. The Habitat Management Plan should also include details of proposed monitoring and on-going management.

Signature: David Mudie  
Designation: Area Planning Manager – South  
Author: Susan Macmillan  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 - Location Plan  
Plan 2 - Site Plan

- Plan 3 - North and South Elevations
- Plan 4 - East and West Elevations
- Plan 5 - Ground Floor Plan
- Plan 6 - Mezzanine Floor Plan
- Plan 7 - Building Section AA
- Plan 8 - Building Section BB
- Plan 9 - Drainage Strategy
- Plan 10 - Artists Impression North East (eye level)
- Plan 11 - Artists Impression North East
- Plan 12 - Artists Impression North West (eye level)

## Appendix 2 – Habitat Regulations Appraisal

### **21/02413/FUL: Construction of an aluminium recycling and billet casting facility, associated hardstanding, infrastructure and landscaping Lochaber Smelter, North Road, Fort William PH33 6TH**

#### **CONSIDERATION OF PROPOSALS AFFECTING EUROPEAN SITES**

The Ben Nevis Special Area of Conservation (SAC) status as a classified SAC under the EC Directive 92/43/EEC, the 'Habitats Directive' means that The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), the 'Habitats Regulations,' apply.

This means that where the conclusion reached by the Council on a development proposal unconnected with the nature conservation management of a Natura 2000 site is that it 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 extends to 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.

Taking into account advice provided by NatureScot, it is considered that:

1. the proposed plant is likely to 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; and,
2. the proposal is likely to have a significant effect on the qualifying interests of the site due to the nitrogen, acid and ammonia emissions from the operation of the facility and the resultant increase in deposit or concentration of the pollutants within the SAC.

The Council is therefore required to undertake an appropriate assessment of the implications of the proposal for the Ben Nevis Special Area of Conservation in view of the site's conservation objectives.

## **APPROPRIATE ASSESSMENT**

While the responsibility to carry out the appropriate assessment rests with the Council, advice contained within Circular 6/1995 is that the assessment can be based on the information submitted in the report submitted in support of the application and informed by NatureScot's appraisal.

### Appraisal

NatureScot has provided two responses to the Council, one dated 1 July 2021 covering all impacts other than Air Quality and a second dated 28 July 2021 relating to Air Quality. NatureScot, in consultation with SEPA, has provided an appraisal of the impact that the proposal is likely to have on the Ben Nevis SAC.

### Ben Nevis Special Area of Conservation

The proposal lies 400m from the Ben Nevis Special Area of Conservation (SAC) designated for a range of upland and montane habitats.

Based on the information provided in support of the application, and abatement measures detailed, the appraisal carried out by NatureScot, in consultation with SEPA, considered the following:

#### 1. Blanket bog & wet heath

- Excavating the upper layer of peat and constructing a swale around the proposed plant will increase drainage and drying of adjacent peatland habitats.
- NatureScot agree with the ecological report, 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. Therefore, in NatureScot's view, the drainage and peat disturbance parts of the proposal will not hinder meeting the conservation objectives for these qualifying habitats, and there will be no adverse effects on site integrity.

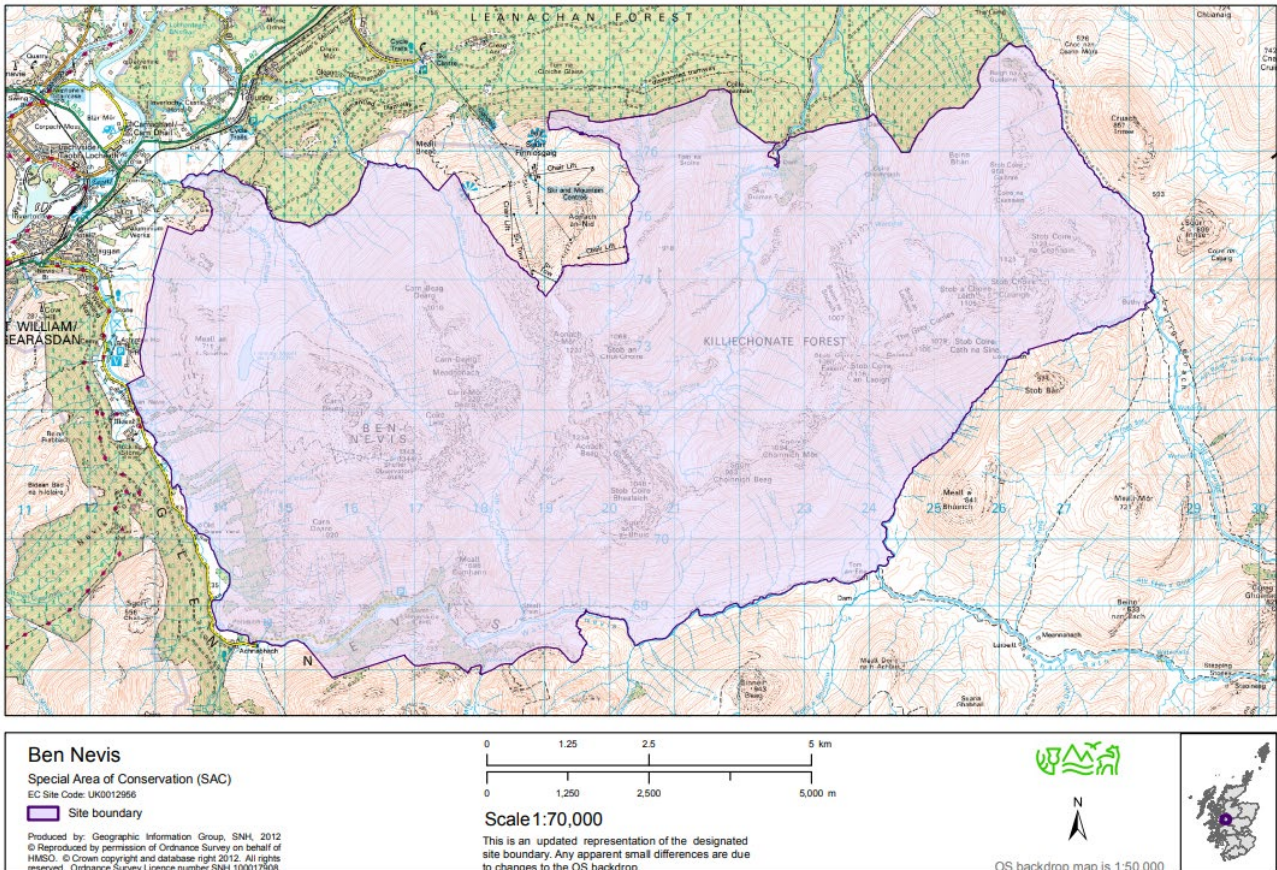
#### 2. Air Quality Impact

- The estimated increases in the annual nitrogen and acid deposition rates, and ammonia concentrations affecting each of the qualifying habitats of the SAC as a result of the proposal (Process Contributions); and,
- Where the Process Contributions exceeded de minimis screening thresholds in relation to the critical loads (nitrogen and acid deposition rates)

or levels (ammonia concentrations) for any of the habitats, the contributions were still minor compared to existing background levels and affecting a small proportion of the habitat. Therefore, these would not have a measurable effect on the habitats and the conservation objectives for the site.

## Decision

On the basis of this appraisal it can be concluded that the proposal will not adversely affect the integrity of the Ben Nevis Special Area of Conservation.



## Conservation Advice Package

<https://apps.snh.gov.uk/sitelink-api/v1/sites/8204/documents/66>

Appendix 3 – Terms of Legal Agreement

Type	COMPLETE FOR LEGAL AGREEMENTS AND UPFRONT PAYMENTS				REQUIRED FOR LEGAL AGREEMENTS ONLY				
	Contribution	Rate (per house)	Rate (per flat)	Total Amount	Index Linked <sup>1</sup>	Base Date <sup>*2</sup>	Payment Trigger <sup>*3</sup>	Accounting Dates <sup>*4</sup>	Clawback Period <sup>*5</sup>
<b>Transport</b>									
Active Travel	The current Fort William Active Travel Masterplan Refresh, dated September 2019, identifies enhancements that can be provided along the A82(T) as part of the wider aspirations for what has been called the "Outer Orbital Route". In the absence of an improved active travel link from the Industrial Estate to the proposed Billet Facility a financial contribution is sought towards the delivery of measures identified for the Outer Orbital Active Travel Route from the 2019 Fort William Active Travel Masterplan Refresh document. The scale of the financial contributions has been calculated on par with the estimated costs of delivering the active travel connection through to the Ben Nevis Industrial Estate and Glen Nevis Business Park accepted for the alloy wheel plant development. The agreed contribution is £31,750 (based on £250 per linear metre for 127m).			£31,750	BCIS		TOC/CC	Apr/Oct	15

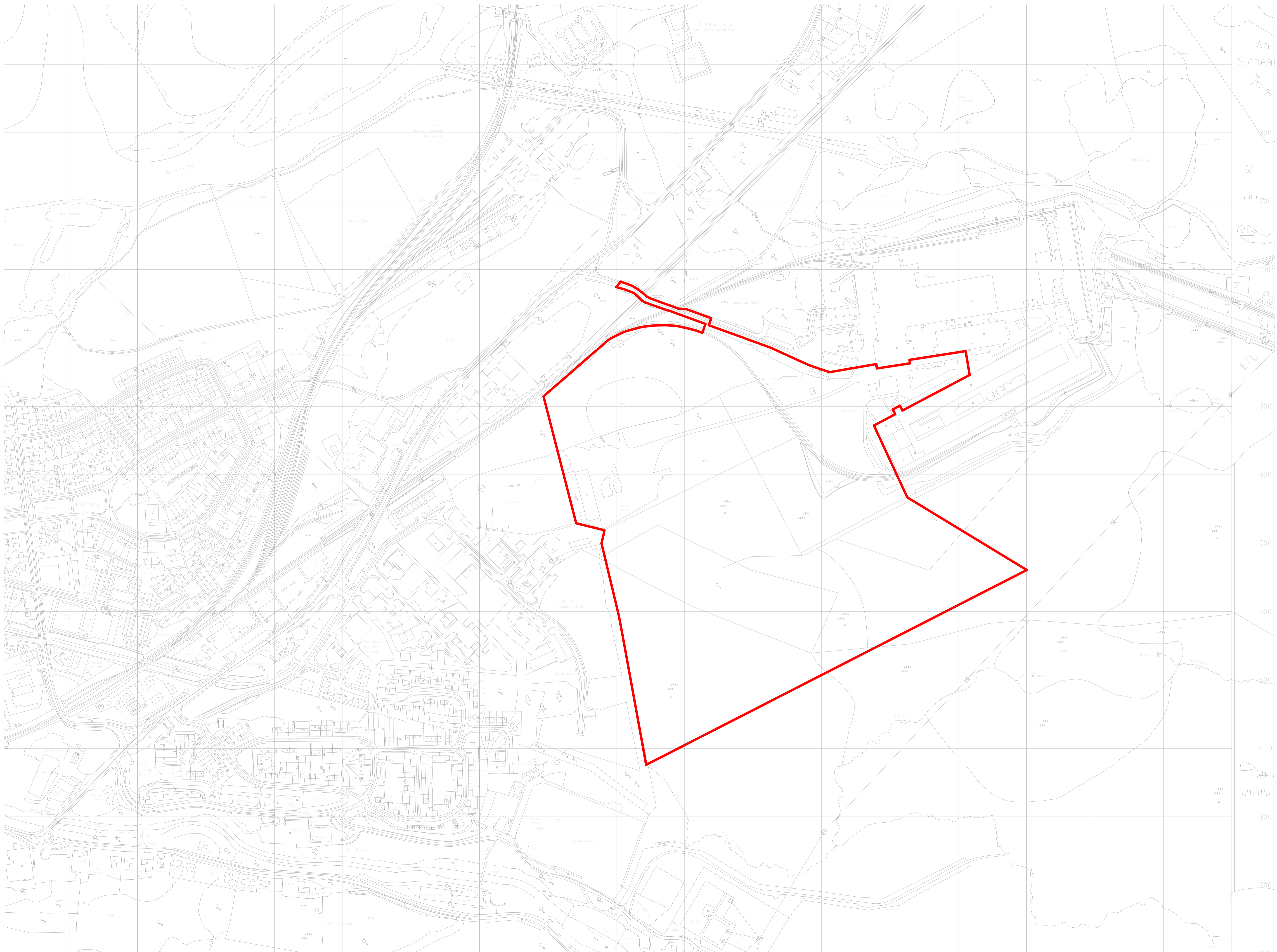
\*2 Base Date – Set out in Supplementary Guidance on Developer Contributions

\*3 TOC/CC – The earlier of the issue of either a temporary occupation certificate or a completion certificate – or specify alternative time if appropriate

\*4 Accounting dates - 1 April & 1 October each year of development (if the contribution is to be paid on a basis other than related to units completed in the preceding 6 months (e.g. lump sum on a specific date) then indicate this instead of the Apr/Oct payment dates)

\*5 Clawback – 15 years for Major development; 20 years for Local development

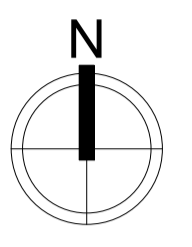
<sup>1</sup> If the contribution is to be used towards infrastructure projects involving building e.g. new school, new cycle route etc BCIS ALL IN TENDER will be the index, if it doesn't involve building then another appropriate index may need to be chosen with the agreement of Team Leader



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 All dimensions are to be checked on site before any work is put in hand. IF IN DOUBT ASK.

CDM: Hazard Elimination & 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"

0 50 100 150m  
 Scale 1:2500



**Legend**  
 — Proposed Site Boundary  
 (Recycling & Billet Casting Facility)

REV	DESCRIPTION	DRN	CHK'D	DATE
P02	Planning	EF	AM	01.04.21
P01	For Information	EF	AM	17.03.21



GLASGOW  
 169 West Regent Street  
 Glasgow  
 G2 4RL  
 Tel: 0141 204 0066

[www.keppiedesign.co.uk](http://www.keppiedesign.co.uk)  
 Client:  
 ALVANCE

Project:  
 Recycling & Billet Casting Facility

Drawing:  
 Location Plan

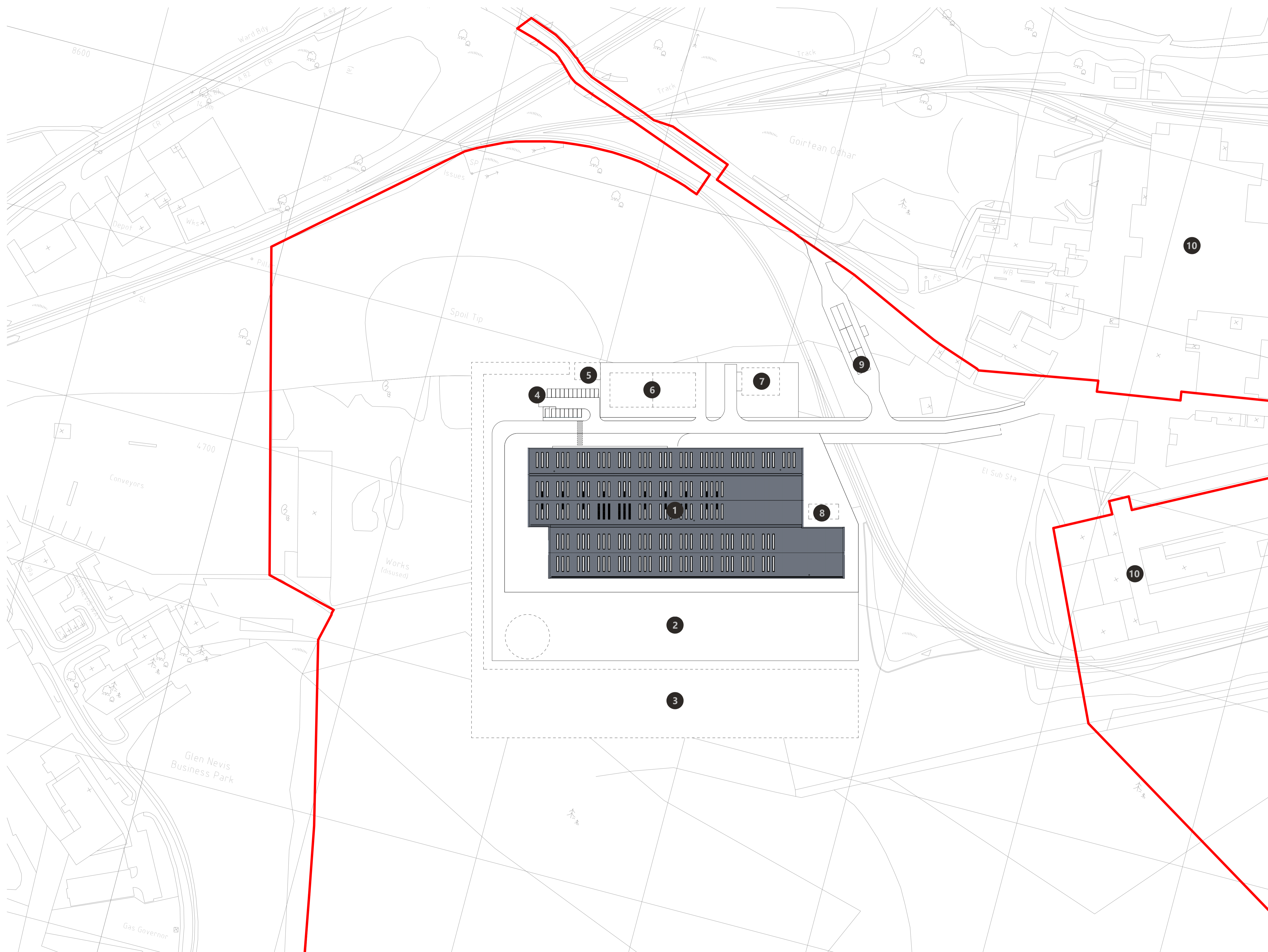
Project No.  
 P20095

Drawing No. Rev  
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Status Status Code  
 Planning S4

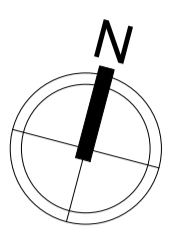
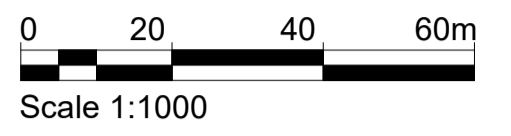
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**Location Plan**  
 Scale - 1 : 2500



**Proposed Site Plan (Extract)**  
Scale - 1 : 1000

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CDM: Hazard Elimination & 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"



- Legend**
- Proposed Site Boundary (Recycling & Billet Casting Facility)
- Site Key**
- 1** Proposed Recycling & Billet Casting Facility
  - 2** Proposed Yard & Laydown Area
  - 3** Proposed SUDS and Swale
  - 4** Proposed Car Park with dedicated pedestrian route to Main Entrance. 20 car parking spaces proposed, including 2 ambulant disabled and 2 active electric vehicle spaces (+ 10 passive electric vehicle spaces)
  - 5** MV/ LV Electrical Plant circa 15x10m footprint, circa 4m high
  - 6** Water Treatment Plant -Water Cooling Plant circa 25x20m footprint, circa 4m high with 3 no. cooling tanks (circa 9m high)
  - 7** Gas Facility circa 22x16m footprint, circa 4m high with banded earth sides and green roof
  - 8** Process Gases Storage
  - 9** Weigh Bridge
  - 10** Existing Smelter Facility

REV	DESCRIPTION	DRN	CHK'D	DATE
P03	Planning	EF	AM	01.04.21
P02	For Information	EF	AM	17.09.21
P01	For Information	EF	AM	25.02.21



GLASGOW  
169 West Regent Street  
Glasgow  
G2 4RL  
Tel: 0141 204 0066

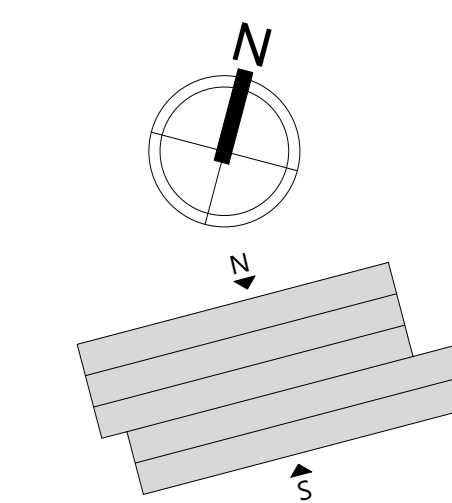
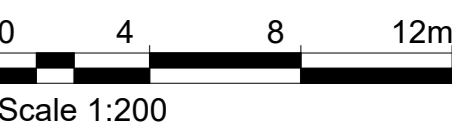
www.keppiedesign.co.uk  
Client:  
ALVANCE

Project:  
Recycling & Billet Casting Facility

Drawing:  
Proposed Site Plan (Extract)

Project No.  
P20095  
Drawing No.  
XXX-KEP-XX-XX-DR-A-601004  
Status  
Planning  
Rev  
P03  
Status Code  
S4  
Created: EF  
Date: 25.02.21  
Checked: AM  
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@ A1 indicated



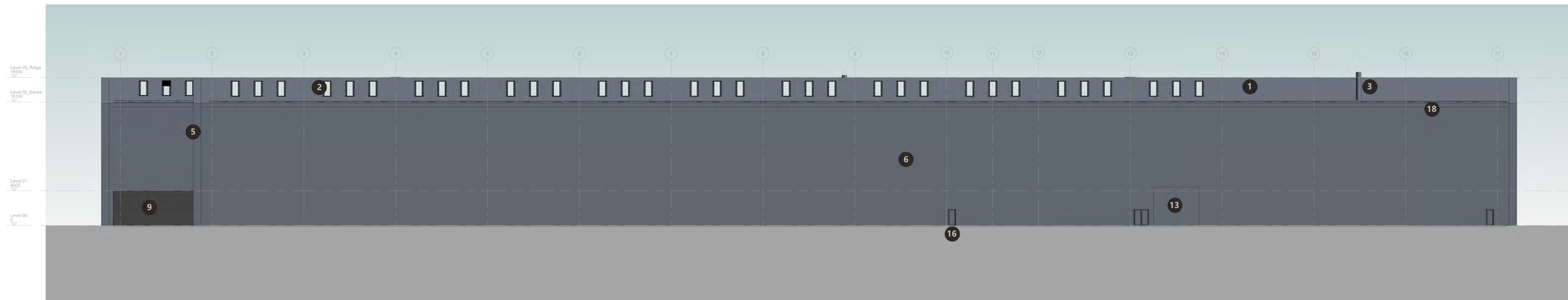


**Elevation Key**

- 1 Trapezoidal profiled insulated metal roof panel system  
Colour: Dark grey TBC
- 2 Translucent panel roof light system  
Colour: TBC
- 3 Process stack  
Colour: Dark grey TBC
- 4 Translucent panel north light system  
Colour: TBC
- 5 PPC aluminium panel flashing forming elevation feature ribbon  
Colour: Dark grey TBC
- 6 Trapezoidal profiled insulated metal wall panel system  
Colour: Dark grey TBC
- 7 ALVANCE signage zone  
Colour: ALVANCE pink and grey
- 8 Glazed Curtain Walling System with PPC Aluminium Frame  
Colour: Dark grey TBC
- 9 Aluminium louvre system  
Colour: Dark grey TBC
- 10 Aluminium louvre system  
Colour: Light grey TBC
- 11 Locally sourced larch timber cladding
- 12 PPC aluminium panel flashing forming entrance feature ribbon  
Colour: Light grey TBC
- 13 Sectional overhead roller shutter door  
Colour: To match adjacent cladding/wall
- 14 Fairfaced Concrete Blockwork  
Colour: Light grey TBC
- 15 Metal doorset  
Colour: Light grey
- 16 Metal doorset  
Colour: Dark grey
- 17 Metal doorset  
Colour: TBC
- 18 Ridge flashing  
Colour: Dark grey
- 19 Trapezoidal profiled insulated metal wall panel system  
Colour: Light grey TBC



**A-703 Elevation 01\_North**  
Scale - 1:200



**A-703 Elevation 03\_South**  
Scale - 1:200

REV	DESCRIPTION	BY	CHKD	DATE
P03	Planning (Notes updated)	GP	AK	21.09.21
P02	Planning	GP	AK	01.09.21
P01	Final Specification	GP	AK	12.08.21



GLASSGOW  
360 West Regent Street  
G1 2HG  
Tel: 0141 284 8866

www.keppedesign.co.uk  
Client: ALVANCE

Project: Recycling & Billet Casting Facility

Drawing: Proposed North and South Elevations

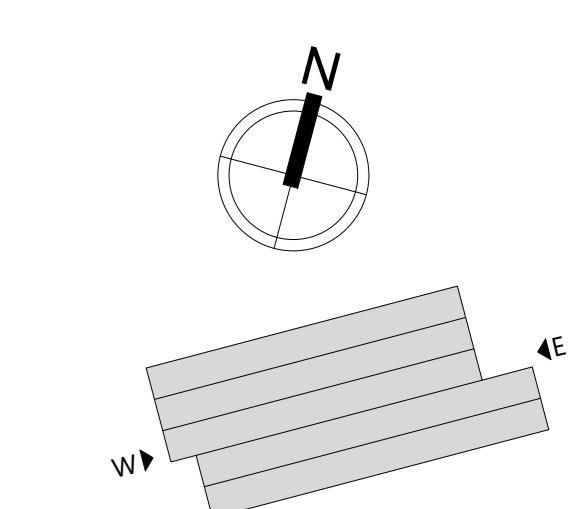
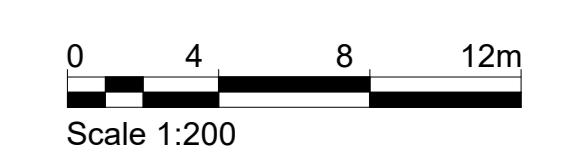
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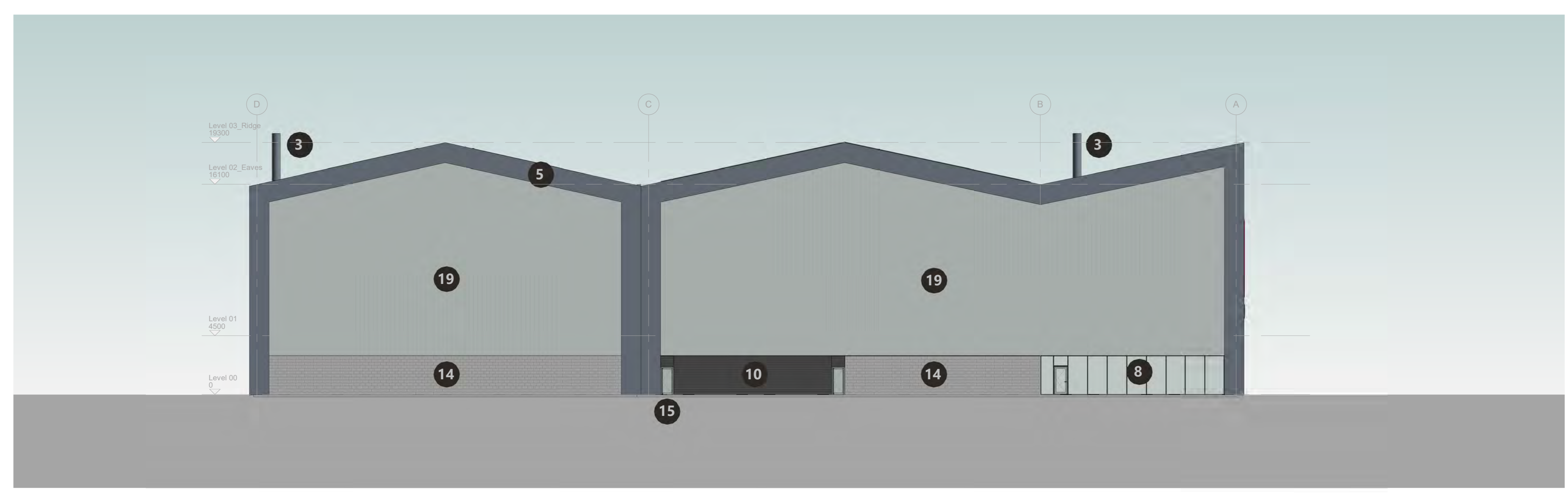
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Planning S4

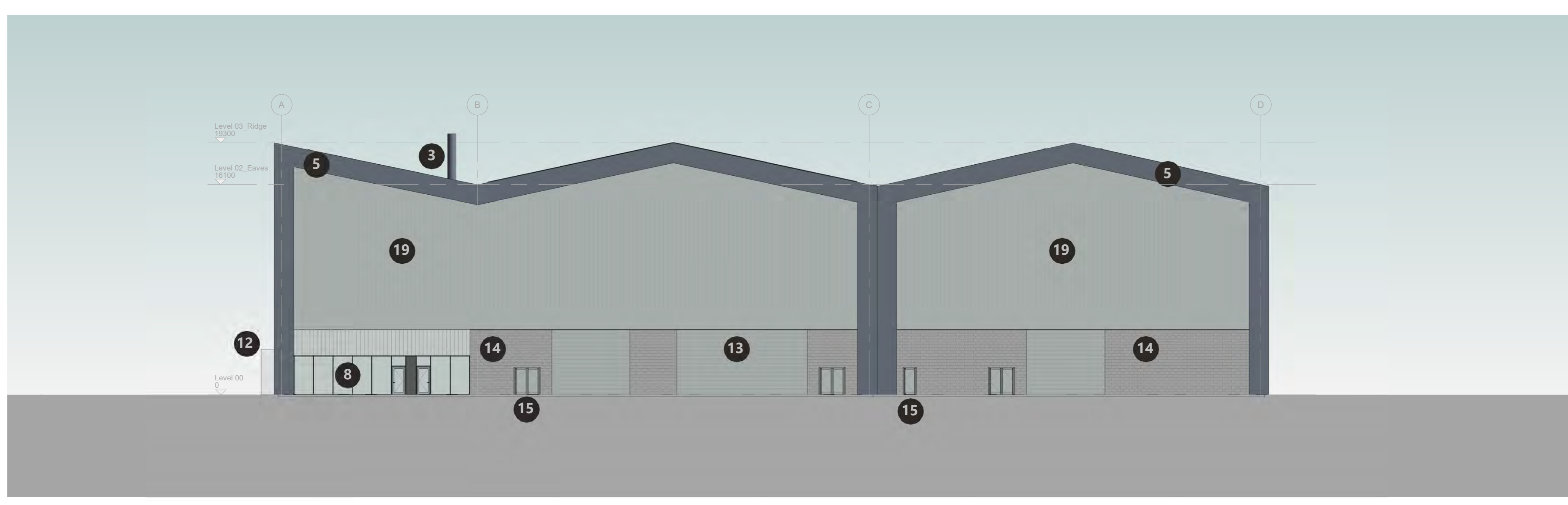
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- Materials Key**
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Colour: Dark grey TEC
  - 2 Translucent panel roof light system  
Colour: TEC
  - 3 Process stack  
Colour: Dark grey TEC
  - 4 Translucent panel north light system  
Colour: TEC
  - 5 PPC aluminium panel flashing forming elevation feature ribbon  
Colour: Dark grey TEC
  - 6 Trapezoidal profiled insulated metal wall panel system  
Colour: Dark grey TEC
  - 7 'ALVANCE' signage zone  
Colour: ALVANCE pink and grey
  - 8 Glazed Curtain Walling System with PPC Aluminium Frame  
Colour: Dark grey TEC
  - 9 Aluminium louvre system  
Colour: Dark grey TEC
  - 10 Aluminium louvre system  
Colour: Light grey TEC
  - 11 Locally sourced larch timber cladding
  - 12 PPC aluminium panel flashing forming entrance feature ribbon  
Colour: Light grey TEC
  - 13 Sectional overhead roller shutter door  
Colour: To match adjacent cladding/wall
  - 14 Fairfaced Concrete Blockwork  
Colour: Light grey TEC
  - 15 Metal doorset  
Colour: Light grey
  - 16 Metal doorset  
Colour: Dark grey
  - 17 Metal doorset  
Colour: TEC
  - 18 Ridge flashing  
Colour: Dark grey
  - 19 Trapezoidal profiled insulated metal wall panel system  
Colour: Light grey TEC



**A-703 Elevation 02\_East**  
 Scale - 1 : 200



**A-703 Elevation 04\_West**  
 Scale - 1 : 200

REV	DESCRIPTION	BY	CHKD	DATE
P03	Planning (Notes updated)	GF	AK	21.09.21
P02	Planning	GF	AK	01.09.21
P01	Final Specification	GF	AK	12.08.21

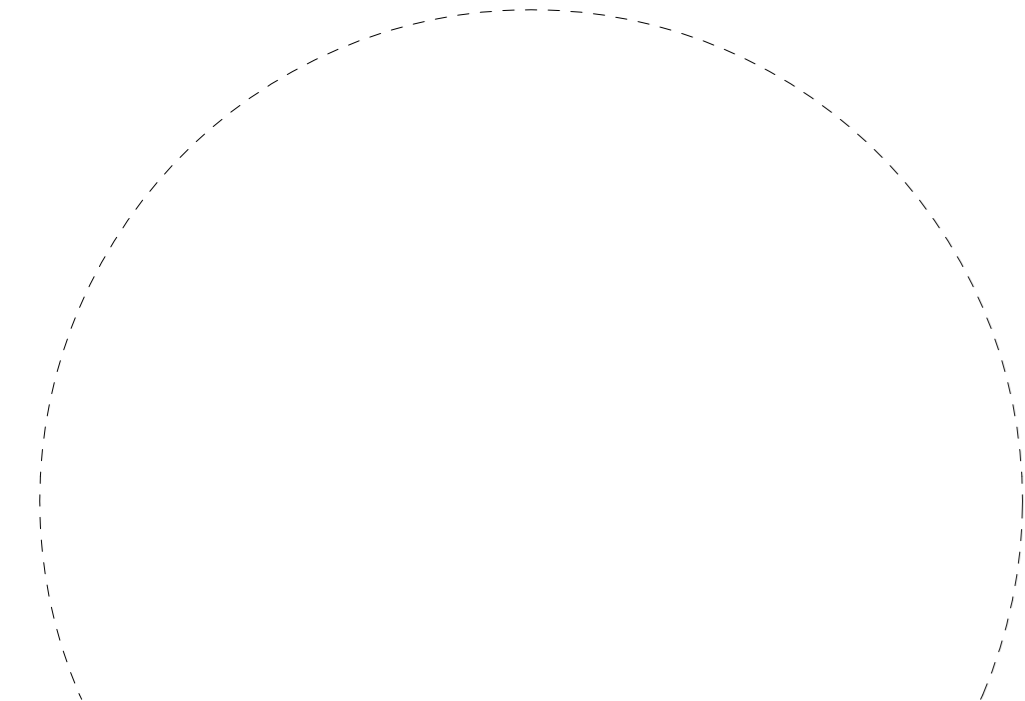
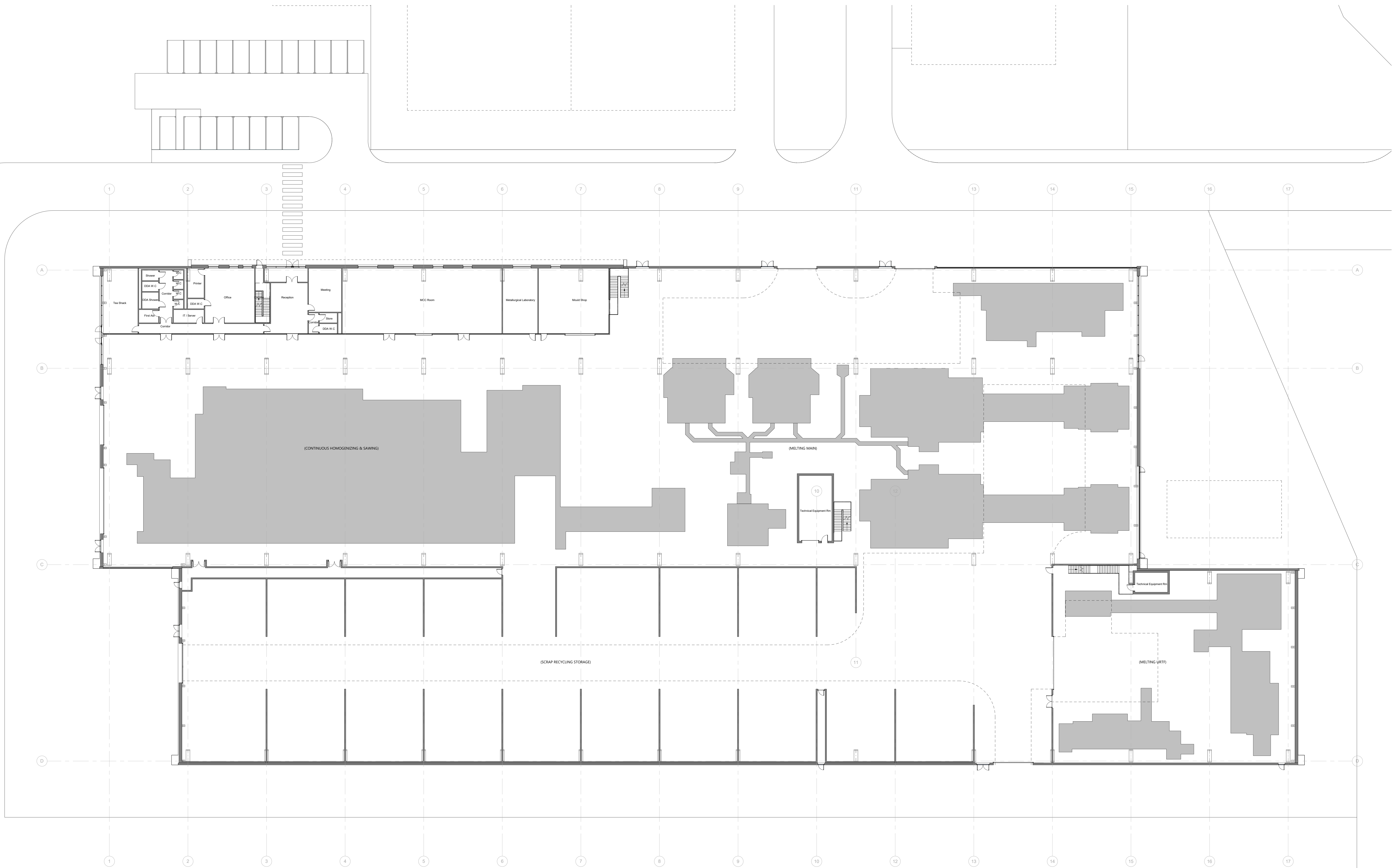
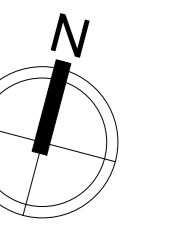


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 Tels: 0141 284 8866  
[www.keppedesign.co.uk](http://www.keppedesign.co.uk)  
 Name: ALVANCE

Project:  
 Recycling & Billet Casting Facility

Drawing:  
 Proposed East and West Elevations

Project No:	P28095
Drawing No.:	XXX-RSP-XX-DR-A-703002
Status:	Planning S4
Created:	21.09.21
Scale:	As Issued



REV	DESCRIPTION	BY	CHKD	DATE
P03	Planning updates to (structure strategy)	DF	AK	27.04.21
P02	Planning updates to (structure strategy)	DF	AK	01.04.21
P01	Initial development	DF	AK	12.03.21



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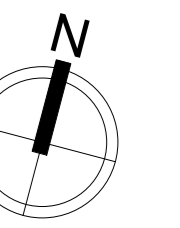
Project: Recycling & Billet Casting Facility

Drawing: Ground Floor Plan

Project No: P28095  
 Drawing No: XXX-RSP-XX-08-DR-A-786801  
 Rev: P03

Status: Status Code  
 Planning S4  
 Created By: 27.03.21  
 Checked By: AK  
 Date: 27.03.21  
 Scale: 1 : 2000 A4

Ground Floor Plan  
 Scale 1:200



**Mezzanine Floor Plan**  
 Scale - 1:200

REV	DESCRIPTION	BY	CHKD	DATE
P03	Planning Update to incorporate strategy	AF	AK	27.04.21
P02	Planning	AF	AK	01.04.21
P01	Initial Definition	AF	AK	12.03.21



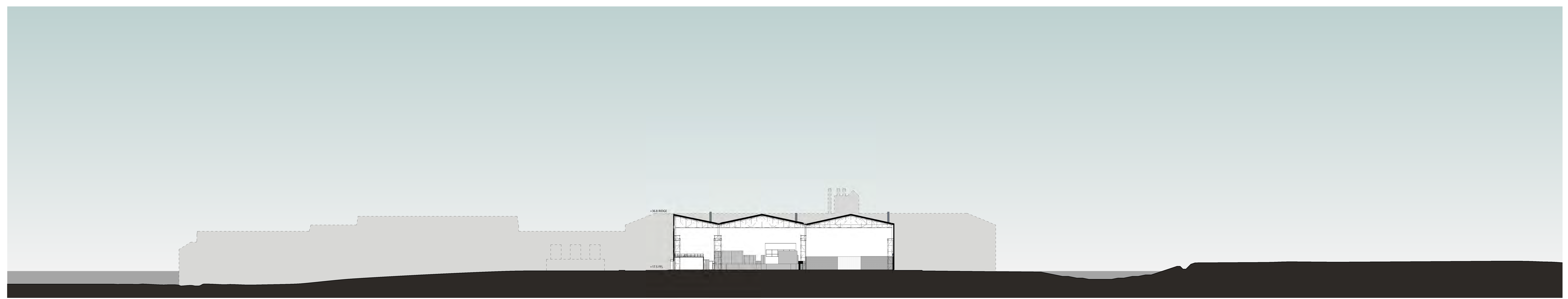
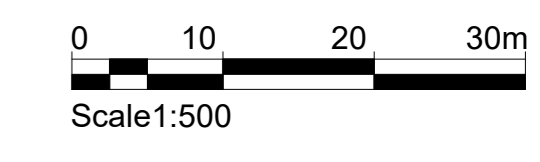
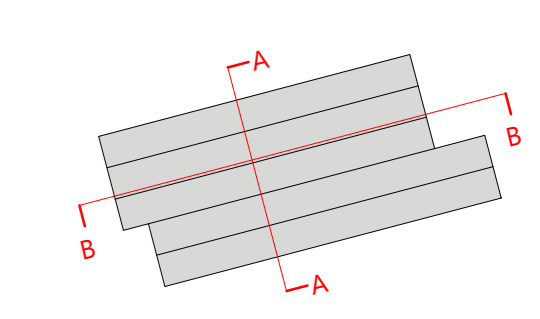
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Client:  
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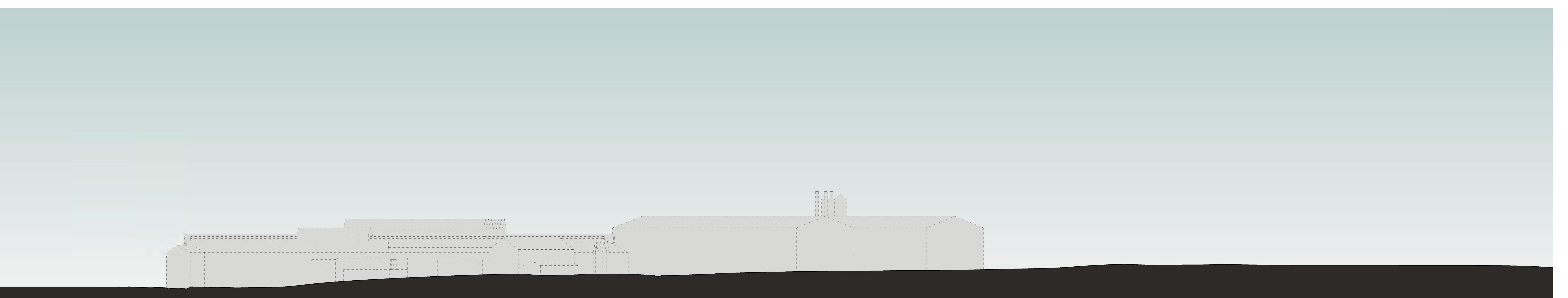
Project:  
 Recycling & Billet Casting Facility

Drawing:  
 Mezzanine Floor Plan

Project No.	Rev
P20095	P03
Drawing No.	Rev
XXX-RSP-XX-01-DR-A-706001	P03
Status	Status Code
Planning	S4
Created: 27.03.21	Checked: AK
Date:	Scale: 1 : 2000 A4



**A-601\_Proposed Site Section A-A**  
 Scale - 1 : 500



**A-601\_Existing Site Section A-A**  
 Scale - 1 : 500

REV	DESCRIPTION	BY	CHKD	DATE
01	Issue for Planning	AK	AK	21.04.21
02	Issue for Planning	AK	AK	21.04.21



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Client:  
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Project:  
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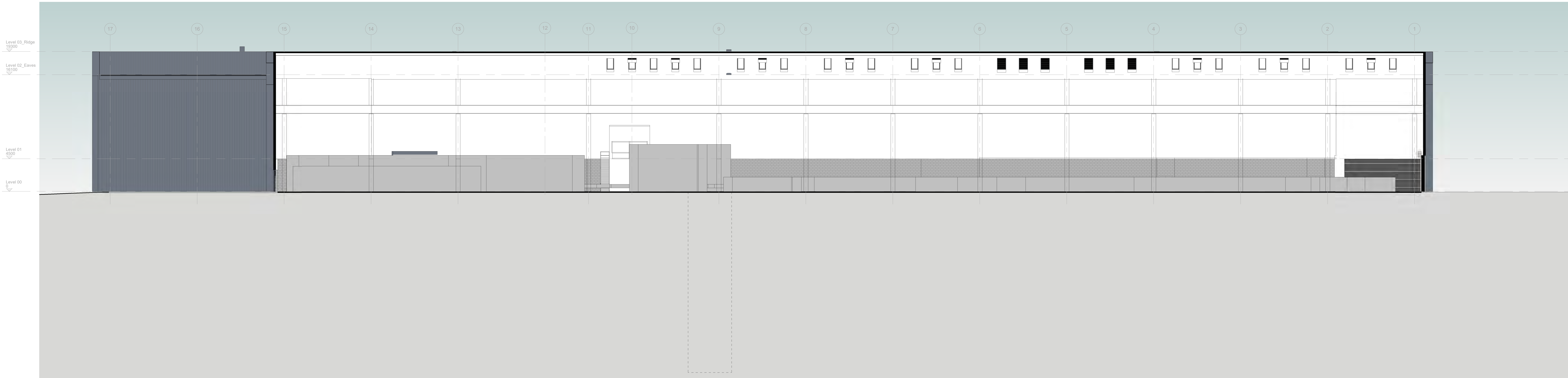
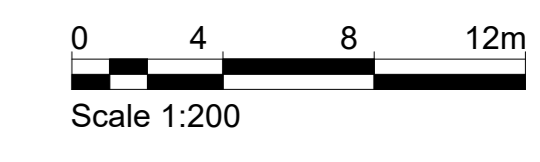
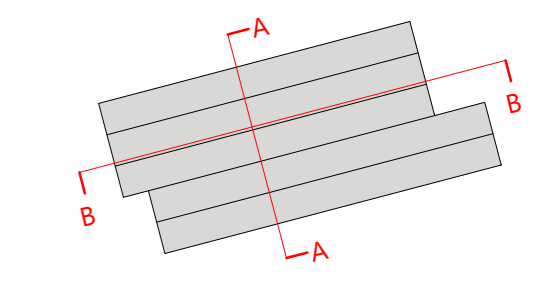
Drawing:  
 Existing & Proposed Site Section A

Project No:  
 P20095

Drawing No.: Rev  
 XXX-RSP-XX-XX-DR-A-001005 P02

Status: Status Code  
**Planning S4**

Created: 18.02.21  
 Date: 18.02.21  
 Scale: As Shown  
 Author: AK  
 Checked: AK  
 Date: 04/04/2020



**A-708 Section B-B**  
 Scale - 1:200

REV	DESCRIPTION	BY	CHKD	DATE
P02	Planning (structural updates)	AF	AF	21.04.21
P01	Planning	AF	AF	16.04.21



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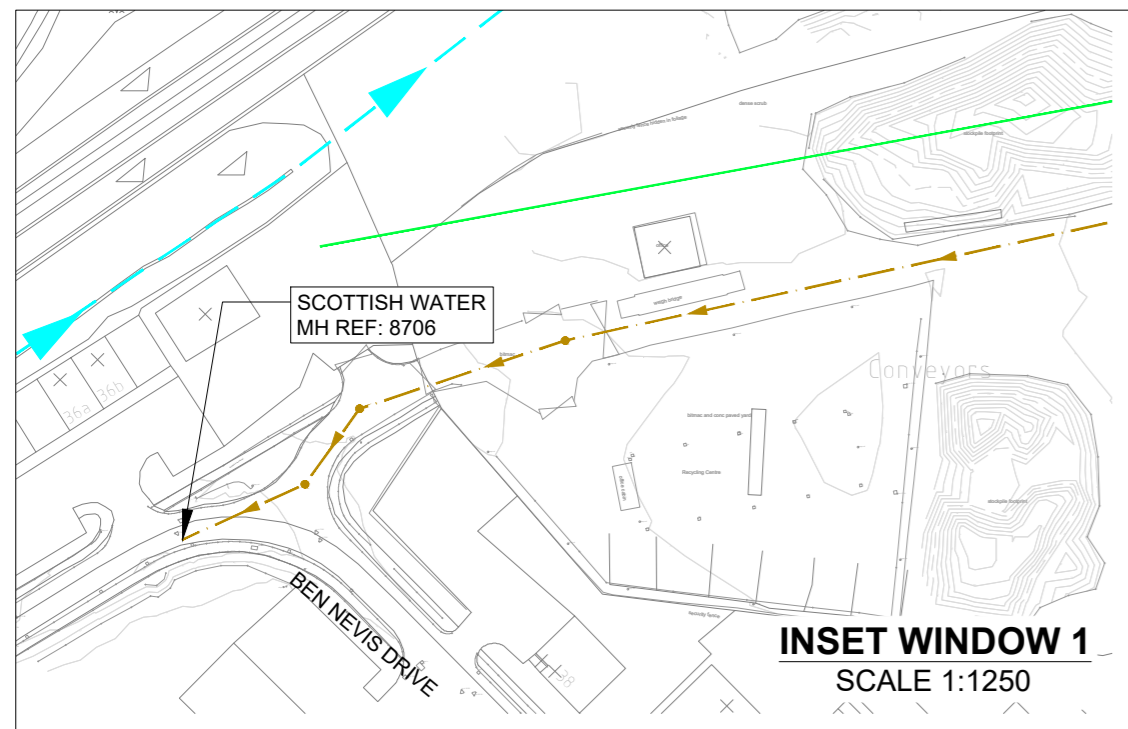
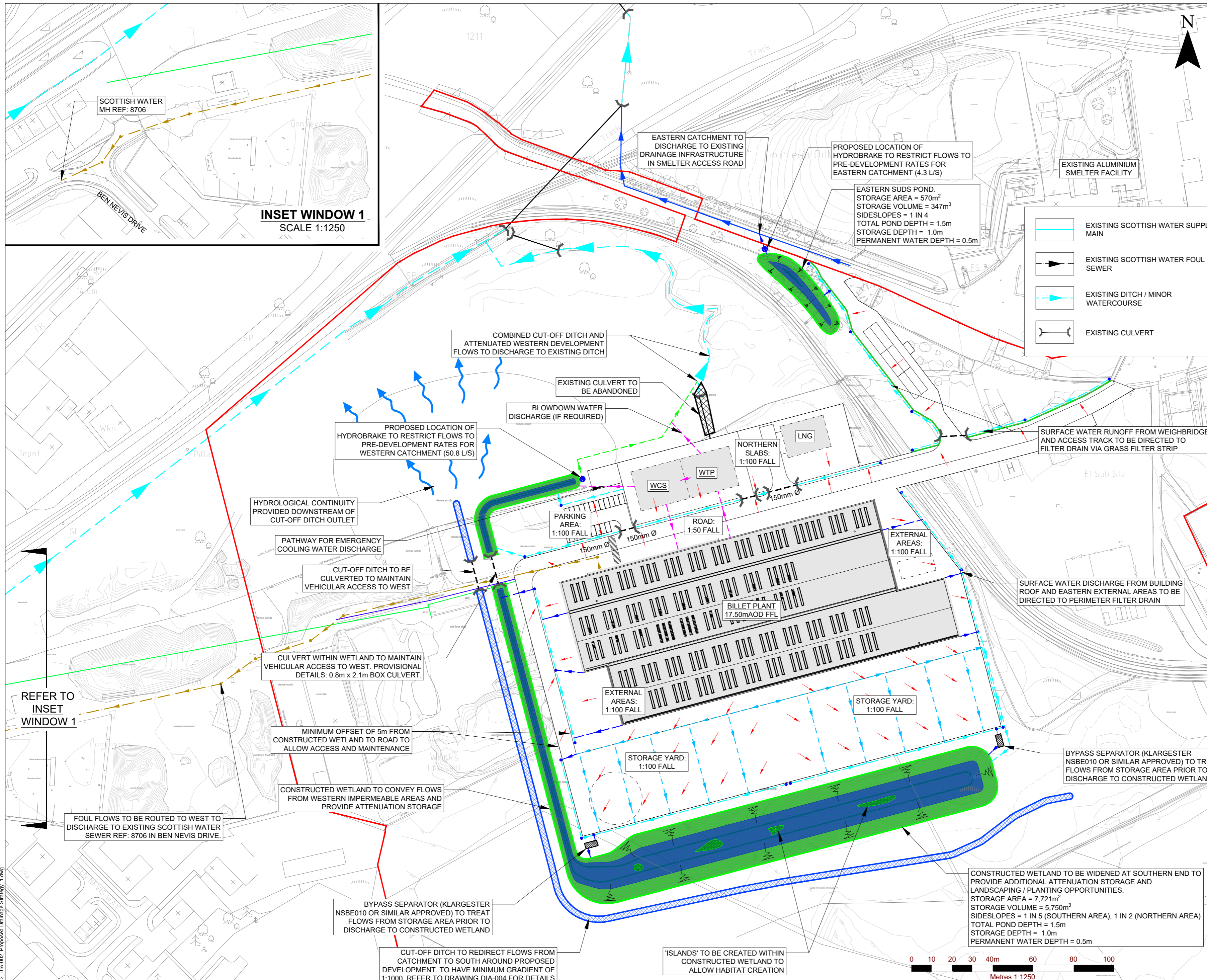
Project:  
 Recycling & Billet Casting Facility

Drawing:  
 Proposed Building Section B

Product No:  
 P20095

Drawing No.: XXX-KSP-XX-XX-DR-A-708002 Rev: P02

Status: S4  
 Checked: 18.02.21 By: AS  
 Date: 18.02.21 Scale: As Shown



- NOTES**
- SITE LAYOUT BASED ON DRAWING 'KEP-XX-XX-DR-A-601003\_Proposed Site Plan' REV P05 PROVIDED BY KEPPIE DESIGN ON 5<sup>TH</sup> APRIL 2021.
  - TOPOGRAPHIC SURVEY BASED ON DRAWING '11576.dwg' PROVIDED BY ALVANCE BRITISH ALUMINIUM ON 12<sup>TH</sup> JANUARY 2021.
  - EXISTING ON-SITE SERVICES BASED ON DRAWING 'services.dwg' PROVIDED BY ALVANCE BRITISH ALUMINIUM OF 12<sup>TH</sup> JANUARY 2021.
  - EXISTING SCOTTISH WATER SERVICE ALIGNMENTS BASED ON SCOTTISH WATER DRAWINGS '354041 Land Near Lochaber Smelter fresh' AND '354041 Land Near Lochaber Smelter waste' PROVIDED BY PAUL HODGSON ON 16<sup>TH</sup> JANUARY 2020.
  - DESIGN SHOWN SHOULD BE CONSIDERED PROVISIONAL OUTLINE DETAIL. FINAL LEVELS, GRADIENTS, EXACT ALIGNMENTS AND DETAILS TO BE CONFIRMED AT LATER DESIGN STAGES.

- LEGEND**
- EXISTING SCOTTISH WATER SUPPLY MAIN
  - EXISTING SCOTTISH WATER FOUL SEWER
  - EXISTING DITCH / MINOR WATERCOURSE
  - EXISTING CULVERT
  - RED LINE BOUNDARY
  - PROPOSED PERIMETER CUT-OFF DITCH
  - PROPOSED CONSTRUCTED WETLAND
  - PROPOSED CULVERT
  - PROPOSED FILTER DRAIN
  - PROPOSED LINEAR DRAIN (ACO S200 2300 OR SIMILAR APPROVED)
  - PROPOSED SWALE
  - PROPOSED SURFACE WATER PIPEWORK
  - PROPOSED GRASS FILTER STRIP (0.5m WIDTH)
  - PROPOSED PROCESS PIPEWORK (INDICATIVE FOR INFORMATION)
  - PROPOSED FINISHED SURFACE FALLS
  - PROPOSED FOUL WATER PIPEWORK
  - EXISTING ON-SITE POTABLE WATER INFRASTRUCTURE
  - ABANDONED ON-SITE FIRE MAIN

REV	DATE	DESCRIPTION	BY	CHK
1	04/21	UPDATED TO SUIT NEW LAYOUT	RL	ZR
0	02/21	INITIAL ISSUE	RL	ZR

CLIENT:  
**ALVANCE BRITISH ALUMINIUM**



PROJECT:  
**ALUMINIUM BILLET PLANT**

DRAWING TITLE:  
**PROPOSED DRAINAGE STRATEGY**

SCALE:  
 1:1250 @ A2

DATE:  
 APRIL 2021

DRAWING NUMBER:  
**DIA-002**

DRAWING STATUS:  
**DRAINAGE IMPACT ASSESSMENT**

4<sup>TH</sup> FLOOR CENTRUM HOUSE  
 108-114 DUNDAS STREET  
 EDINBURGH  
 EH3 6DQ  
 T: +44 (0)131 557 8325  
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3985 DIA-002\_Proposed Drainage Strategy\_1.dwg

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A-709\_Artists Impression - Eye Level View from North East  
 Scale: NTS @ A1

REV	DESCRIPTION	DRN	CHK'D	DATE



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Drawing:  
 Artists Impression  
 (Eye Level View from North East)

Project No.  
 P20095

Drawing No. \_\_\_\_\_ Rev  
 XXX-KEP-XX-XX-VS-A-709B02

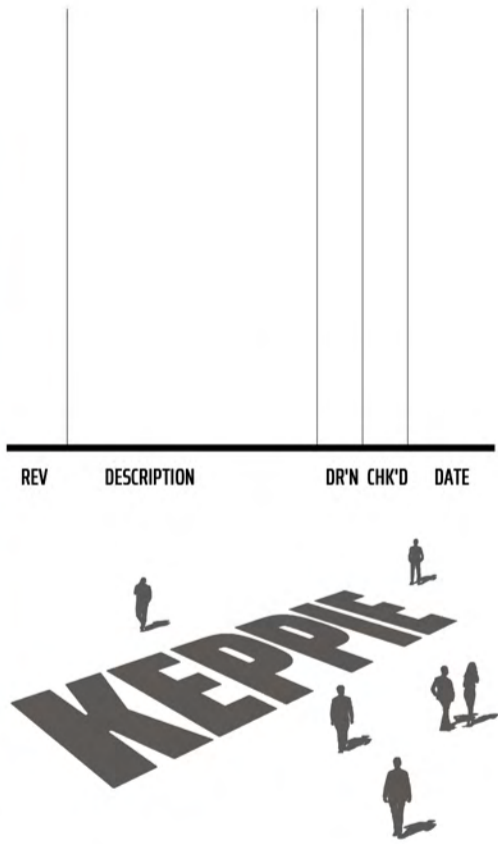
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 Planning S4

Created: EF \_\_\_\_\_ Checked: AH  
 Date: 01.04.21 Scale: \_\_\_\_\_ @ A1





A-709\_Artists Impression - Aerial View from North East  
 Scale: NTS @ A1



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 (Aerial View from North East)

Project No.  
 P20095

Drawing No.  
 XXX-KEP-XX-XX-VS-A-709001

Status  
 Planning

Status Code  
 S4

Created: EF  
 Date: 16.02.21  
 Checked: AH  
 Scale: 1:1  
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A-709\_Artists Impression - Eye Level View from North West  
 Scale: NTS @ A1

REV	DESCRIPTION	DRN	CHK'D	DATE



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 Facility

Drawing:  
 Artists Impression  
 (Eye Level View from North West)

Project No.  
 P28095

Drawing No.  
 XXX-KEP-XX-XX-VS-A-709803

Status  
 Planning

Status Code  
 S4

Created: EF  
 Date: 01.04.21  
 Checked: AH  
 Scale: 1:100  
 © A1