

Agenda Item	5.4
Report No	PLS/30/24

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 18 June 2024

Report Title: 24/01598/PAN: West Fraser Europe Ltd
Land at West Fraser Europe Ltd, Morayhill, Inverness

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Construction of a rail sidings yard, connection to the main line, associated gantry crane and associated infrastructure works and facilities

Ward: 17 – Culloden and Ardersier

Recommendation

Members are asked to note the submission of the PAN and highlight any material issues they wish to be brought to the attention of the applicant before the submission of the application for planning permission.

1. BACKGROUND

- 1.1 To inform the Planning Applications Committee of the submission of the attached Proposal of Application Notice (PAN).
- 1.2 The submission of the PAN accords with the provisions of the Planning etc. (Scotland) Act 2006 and was lodged on the 15 April 2024. Members are asked to note this may form the basis of a subsequent planning application.
- 1.3 The submitted information attached includes:
 - Proposal of Application Notice
 - Location Plan
- 1.4 The prospective developer will hold the first public event on 06 June 2024 at Croy Village Hall, with a second event following on 27 June 2024 at the same location. The advertisement for both events will be published in the Inverness Courier in accordance with the statutory timescales.
- 1.5 In addition to the above, the developer has set up a project website where interested parties can view the proposals, with presentation boards available to download from 10.00am on each day of each event:
<https://www.montagu-evans.co.uk/public-consultation-forwest-fraser-inverness/>
- 1.6 The applicant has intimated that the Proposal of Application Notice was served on the following community councils – Ardersier and Petty; Croy and Culloden Moor; and Balloch, as well as local Elected Members, MP and MSP on 15 April 2024.
- 1.7 Any subsequent application will be accompanied by a Pre-Application Consultation (PAC) report explaining the consultation undertaken, feedback received, and any resultant amendments made to the planning application.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The PAN provides notice of the developer's intention to submit a planning application classified as a major development. The proposed development is for the construction of a rail sidings yard, connection to the main line, associated gantry crane and associated infrastructure works and facilities.
- 2.2 The submitted PAN indicates that the proposal comprises the installation of two rail sidings and associated infrastructure, to connect West Fraser's OSB mill at Morayhill with the Aberdeen to Inverness railway line, which runs adjacent to the facility to the north.
- 2.3 The objective of the proposed development is to provide an alternative means of transporting materials to and from West Fraser's existing site via the use of rail instead of road. The Proposed Development is anticipated to remove the need for around 20,000 HGV journeys per year and support West Fraser's planned expansion of their business in Scotland.

- 2.4 The preferred design option comprises two rail sidings of approximately 560m in length to the south of the existing railway line; a connection to the main line to the west of the sidings; and the use of a gantry crane to carry out loading and unloading of containers. It is anticipated that the crane will be in the region of 24 to 30 metres in height.
- 2.5 A new concrete slab hardstanding will be constructed on land to the south of the railway line in order to accommodate the two rail sidings; an entry and exit road; three lanes for the storage of containers; and the gantry crane with sufficient space to accommodate its runway.
- 2.6 The PAN further advises that the vehicles using the main hard standing area will include articulated lorries, with road access via the existing site access from the A96(T). Additional development proposed will likely include portable buildings for office use, and the installation of a SUDS scheme.
- 2.7 The PAN indicates that approximately 16,000 square metres of forest will require to be felled to facilitate development.

3. SITE DESCRIPTION

- 3.1 The site is an area of open land in the countryside lying immediately to the northeast of the existing West Fraser Europe's factory complex located approximately 2.5 kilometres southwest of Inverness Airport and to the north of the A96(T). It immediately adjoins the Aberdeen – Inverness railway line. A significant proportion of the site is woodland.

4. DEVELOPMENT PLAN

The following policies are relevant to the assessment of the application.

4.1 National Planning Framework 4 (2023)

- 1 – Tackling Climate Change
- 2 – Climate Mitigation and Adaptation
- 3 – Biodiversity
- 6 – Forestry, woodland and trees
- 12 – Zero waste
- 13 – Sustainable transport
- 22 – Flood risk and water management
- 23 – Health and safety
- 26 – Business and industry
- 29 – Rural development

4.2 Highland Wide Local Development Plan 2012

- 28 – Sustainable Design
- 29 – Design Quality & Place-making
- 31 – Developer Contributions
- 36 – Development in the Wider Countryside
- 51 – Trees and Development
- 52 – Principle of Development in Woodland
- 56 - Travel

- 57 – Natural, Built and Cultural Heritage
- 58 – Protected Species
- 59 – Other Important Species
- 61 – Landscape
- 64 – Flood Risk
- 65 – Waste Water Treatment
- 66 – Surface Water Drainage

4.2 Inner Moray Firth Local Development Plan 2015

No site specific policies apply.

4.3 Inner Moray Local Development Plan 2 2024 – Intention to Adopt

- 1 – Low and Zero Carbon Development
- 2 – Nature Protection, Restoration and Enhancement
- 7 – Industrial Land
- 14 – Transport

4.4 Highland Council Supplementary Planning Policy Guidance

- Flood Risk & Drainage Impact Assessment (Jan 2013)
- Highland's Statutorily Protected Species (Mar 2013)
- Managing Waste in New Developments (Mar 2013)
- Trees, Woodlands and Development (Jan 2013)
- Sustainable Design Guide (Jan 2013)

4.5 Scottish Government Planning Guidance

- PAN 1/2011 - Planning and Noise (2011)
- PAN 60 – Planning for Natural Heritage (Jan 2008)
- Circular 1/2017: Environmental Impact Assessment Regulations (2017)
- Developing with Nature Guidance (NatureScot 2023)

5. POTENTIAL MATERIAL PLANNING CONSIDERATIONS

- 5.1
- (a) Development Plan and other planning policies;
 - (b) Roads and transport;
 - (c) Flood risk and drainage impacts;
 - (d) Trees and woodland;
 - (e) Built, natural, and cultural heritage; and
 - (f) Siting, layout and design.

6. CONCLUSION

- 6.1 The report sets out the information submitted to date as part of the PAN. Summarised are the policy considerations against which any future planning application will be considered as well as the potential material planning considerations and key issues based on the information available to date. The list is not exhaustive and further matters may arise as and when a planning application is received and in the light of public representations and consultation responses.

7. IMPLICATIONS

- 7.1 Resource: Not applicable
- 7.2 Legal: Not applicable
- 7.3 Community (Equality, Poverty and Rural): Not applicable
- 7.4 Climate Change/Carbon Clever: Not applicable
- 7.5 Risk: Not applicable
- 7.6 Gaelic: Not applicable

8. RECOMMENDATION

It is recommended the Committee notes the submission of the PAN and advises of any material issues it wishes to be brought to the applicant's attention.

Signature: David Mudie
Designation: Area Planning Manager – South
Author: John Kelly
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – Proposal of Application Notice Form
Plan 2 – Location Plan

The Town and Country Planning (Scotland) Act 1997 as amended by the Planning Etc. (Scotland) Act 2006 and Planning (Scotland) Act 2019

Town and Country Planning (Pre-Application Consultation) (Scotland) Regulations 2021

The Council will respond within 21 days of validation the Notice. It will advise whether the proposed Pre-application Consultation is satisfactory or if additional notification and consultation above the statutory minimum is required.

Please note that a planning application for this proposed development cannot be submitted less than 12 weeks from the date the Proposal of Application Notice is received by the Council and without the statutory consultation requirements having been undertaken. The planning application must be accompanied by a Pre-application consultation report.

The Proposal of Application Notice will be valid for a period of 18 months from the date of validation of the notice by the Council.

Data Protection

Your personal data will be managed in compliance with the Data Protection legislation. You can read our privacy notice for planning related certificates on the Council's website at: https://www.highland.gov.uk/directory_record/1052173/planning_applications_consents_and_notice_of_review

I have read and understood the privacy notice.

Contact Details

Applicant	West Fraser Europe Ltd	Agent	Montagu Evans
Address	Morayhill Dalcross Inverness IV2 7JQ Scotland	Address	4 th Floor Exchange Tower 19 Canning Street Edinburgh EH3 8EG
Phone	+44 (0)1463 792 424	Phone	07342 054 133
Email	brian.robertson@westfraser.com	Email	lisa.proudfoot@montagu-evans.co.uk

Address or Location of Proposed Development

Please state the postal address of the prospective development site. If there is no postal address, please describe its location. Please outline the site in red on a base plan to a recognised metric scale and attach it to this completed Notice.

West Fraser Europe Ltd
Morayhill, Inverness
IV2 7JQ

Description of Development

Please include detail where appropriate – e.g. the number of residential units; the gross floorspace in m² of any buildings not for residential use; the capacity of any electricity generation or waste management facility; and the length of any infrastructure project. Please attach any additional supporting information.

“Construction of a rail sidings yard including new rail sidings and connection to the main line, associated gantry crane, areas of hard standing, new access road, vehicle parking, fencing, drainage, landscaping and associated infrastructure works and facilities.”

The Proposed Development comprises the installation of two rail sidings and associated infrastructure, to connect West Fraser’s OSB mill at Morayhill with the Aberdeen to Inverness railway line, which runs adjacent to the facility to the north.

The objective of the Proposed Development is to provide an alternative means of transporting materials to and from West Fraser’s existing site via the use of rail instead of road. The Proposed Development is anticipated to remove the need for around 20,000 HGV journeys per year and support West Fraser’s planned expansion of their business in Scotland.

Whilst the design of the Proposed Development has not been finalised, the preferred option at this stage of design development comprises:

- Two approximately 560 m long rail sidings to the south of the existing Aberdeen-Inverness railway line;
- Connection to the main line to the west of the sidings; and
- The use of a gantry crane to carry out the loading and unloading of containers.

The height of the proposed gantry crane is anticipated to be 24 – 30 m AOD, allowing for ground height.

The Proposed Development will involve the creation of a new area of hard standing on land south of the railway line. It is anticipated this will be a reinforced concrete slab, the dimensions for which will depend on the final design. As it stands, this will need to accommodate:

- The two rail sidings;
- An entry and exit road;
- Three lanes for the storage of containers; and
- A gantry crane with space for its required runway.

The vehicles using the main hard standing area will include articulated lorries. The gantry crane will be used to move containers between freight trains on sidings 1 and 2, the three container storage lanes, and the articulated lorries.

An office building (likely consisting of portacabins) and appropriate parking for the freight facility will form part of the final design, though their location and sizing is still under review.

Road access to the Proposed Development is proposed to be via an existing access road from the A96 to West Fraser’s existing site.

Sustainable Drainage Systems (SuDS) will form part of the drainage design and be accommodated within the area of the red line boundary. Two wetland ponds are proposed to be created to the south of the area of hard standing, one to the west of the Site and the other

to the east.

To accommodate the Proposed Development, a forested area of approximately 16000 m² will require clearing.

Fencing and access routes to the Proposed Development will be designed to meet the requirements for rail safety and site security.

Pre-application Screening Notice

Has a Screening Opinion been issued on the need for a Proposal of Application notice by the Highland Council in respect of the proposed development?

If yes, please provide a copy of this Opinion.

Yes

No

Community Consultation

State which other parties have received a copy of this Proposal of Application Notice.

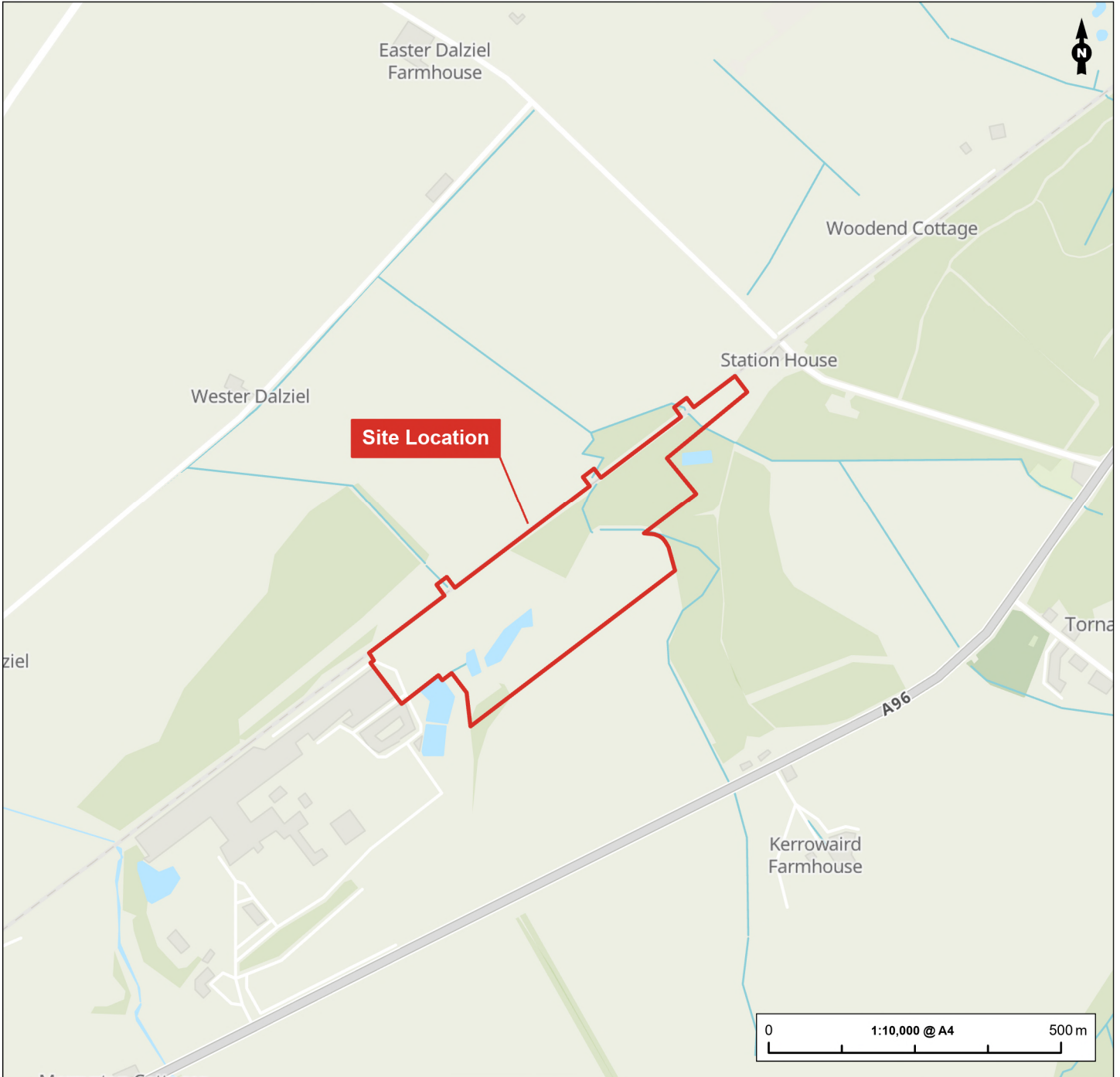
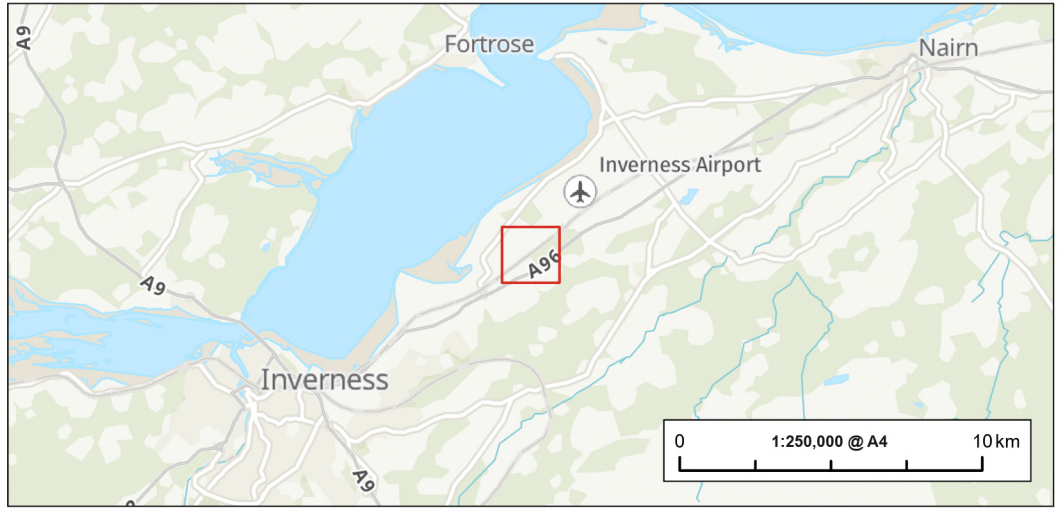
Community Council/s	Date Notice Served
Ardersier and Petty Community Council Croy and Culloden Moor Community Council Balloch Community Council	15 April 2024
Local Elected Members	Date Notice Served
Ward 17 Culloden and Ardersier: <ul style="list-style-type: none">• Cllr Glynis Campbell Sinclair• Cllr Morven Reid• Cllr Trish Robertson	15 April 2024
Members of Scottish Parliament and Members of Parliament	Date Notice Served
Drew Hendry MP Fergus Ewing MSP	15 April 2024
Names / details of other parties	Date Notice Served
Tornagrain Community Association	15 April 2024

Details of Proposed Consultation		
Proposed Public Event 1	Venue	Date and Time
In-person Public Consultation Event 1	TBC (potentially in Ardersier, Croy or Tornagrain Village Hall)	w/c 20th May 2024 – 3pm to 7pm (final details TBC)
Proposed Public Event 2 <i>(at least 14 days after Public Event 1)</i>	Venue	Date and Time
In-person Public Consultation Event 2	TBC (potentially in Ardersier, Croy or Tornagrain Village Hall)	w/c 10th June 2024 – 3pm to 7pm (no closer than 14 days between Event 1) (final details TBC)


Publication of Event		
Newspaper Advert	Name of Newspaper	Advert Date
Public Event 1	Inverness Courier	TBC May 2024 (i.e. at least 7 days in advance of event)
Public Event 2	Inverness Courier	TBC June 2024 (i.e. at least 7 days in advance of event)

Details of any other consultation methods (date, time and with whom)
<p>Details of the project and information on the public events will be available online at a dedicated webpage.</p> <p>Undertake a letter drop to properties within close vicinity of the site to provide information on the proposed development, raise awareness of the consultation event, and provide an opportunity for feedback on the proposal.</p> <p>Meetings with the local community councils have been offered.</p>

Signed	Montagu Evans LLP	Date	15/04/2024
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	Figure Title Site Location	Project Name West Fraser Rail Sidings	Date April 2024	
	Client West Fraser Europe Limited	Project No./Filey ID 1620016155 / REH2023N02602	Prepared By PH	Figure No. 2.1
			Scale As Shown	Revision 2.0