

Agenda Item	7.3
Report No	PLS/07/26

## HIGHLAND COUNCIL

**Committee:** South Planning Applications Committee

**Date:** 05 February 2026

**Report Title:** 25/03481/s42: West Fraser Europe Ltd  
Land 870M NE of Norbord Europe Ltd, Dalcross

**Report By:** Area Planning Manager

### Purpose/Executive Summary

**Description:** Application under Section 42 to amend Condition 19 (train movements & operational time restrictions) of 24/05253/FUL relating to the construction of a rail sidings yard including new rail sidings and connection to the main line, associated gantry crane (and/or reach-stackers), areas of hard standing, access road, vehicle parking, fencing, drainage, landscaping and associated infrastructure works and facilities

**Ward:** 17 – Culloden and Ardersier

**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 Planning permission is sought under Section 42 (S42) of the Town and Country Planning (Scotland) Act 1997 ('the Act') to develop land without compliance with conditions imposed on an earlier planning permission, namely Condition 19 (hours of operation) of planning permission 24/05253/FUL which was granted by the Council on 1<sup>st</sup> July 2025 for the construction of a rail sidings yard including new rail sidings and a connection to the main line, associated gantry crane (and/or reach-stackers), areas of hard standing, access road, vehicle parking, fencing, drainage, landscaping and associated infrastructure works and facilities at the West Fraser Europe site, Dalcross, Inverness.

1.2 Condition 19 states:

"Operations associated with this development for which noise is audible at the curtilage of any noise sensitive property shall be restricted to the following times unless otherwise agreed by the Planning Authority:

- Monday to Friday 07:00 – 19:00 and Saturday 08.00 – 13.00 for train movements and
- Monday to Friday 08:00 – 20:00 and Saturday 08:00 – 13:00 for loading and unloading of containers and all other operations.

Reason: In order to safeguard the amenity of neighbouring properties and occupants."

1.3 The applicant wishes to vary Condition 19 to permit the following:

- Monday to Saturday 07:00 – 19:00 for train movements and
- Monday to Saturday 08:00 – 20:00 for freight operations

1.4 Members may wish to note that when the earlier application was presented to South Planning Applications Committee on 18<sup>th</sup> June 2025, Members were asked to include the hours specified in paragraph 1.3 above. However, during debate, discussion took place concerning the proposed operating hours and the consensus from Members was that the requested operating hours should be reduced, given the proximity of noise sensitive receptors. This was subsequently agreed by Committee, resulting in the restriction of operating hours as set out in paragraph 1.2 above.

1.5 The applicant has submitted information demonstrating that the reduced hours contained within Condition 19 of planning permission 24/05253/FUL would conflict with the future planned operation of train timetables, where up to two trains would arrive and depart from Dalcross during the working days of Monday to Saturday inclusive. This is discussed further in Section 8 of this report.

1.6 The proposed development, which has lawfully commenced on site, comprises of two lengths of rail sidings, approximately 560m in length, located immediately south of the Aberdeen – Inverness rail line; a connection to the main line to the west of the sidings; and the installation of a gantry crane (and/or reach stacker) to carry out the loading and unloading of containers. The gantry crane is anticipated to be between 24m and 30m in height, Above Ordnance Datum. In addition, an area of hardstanding in the form of a reinforced concrete slab will be constructed to facilitate the loading and unloading of containers.

- 1.7 Ancillary works will consist of three lanes for the storage of containers; a parking area for articulated lorries and trailers; and an entry and exit road. An office building, in the form of a portable building, and additional car parking is also proposed.
- 1.8 An area of woodland measuring 2.36 hectares will require to be felled, with replacement planting on a like-for like basis within the application site boundary to compensate for this. In addition, proposals now also include measures to manage an 8ha area of conifer woodland adjacent to the site to create conditions conducive to the development of an ancient woodland.
- 1.9 Access to the site is via the existing access from the A96 Trunk Road ((A96(T)). Two wetland ponds will be created and a SUDS scheme installed.
- 1.10 Pre Application Consultation (PAC): Not required for a S42 application.
- 1.11 Supporting Information: The following information relevant to the determination of this application has been submitted:
  - Supporting Statement
- 1.12 Variations: None

## 2. SITE DESCRIPTION

- 2.1 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 large proportion of the site is woodland. The factory comprises an Oriented Strand Board (OSB) mill.
- 2.2 The development site extends to the northeast of the existing site and southeast of the neighbouring Aberdeen – Inverness railway line and the planning application red line boundary extends to an area of approximately 11.7 hectares, with the longest length alongside the existing railway measuring approximately 783m. The western portion of the site is characterised by marshy shrubland, with two existing wetland ponds, while the eastern portion of the site is covered by woodland. To the southwest is the OSB mill, timber storage yards, associated buildings and infrastructure. To the south of the site lies farmland, with the A96 located approximately 350m from the southern boundary of the site.

## 3. PLANNING HISTORY

3.1	02 May 2024 (Date of Submission)	24/01598/PAN: Construction of a rail sidings yard, connection to the main line, associated gantry crane and associated infrastructure works and facilities	Decision: N/A
3.2	15 August 2024	24/00532/PREMAJ: The Development Response comprises two rail sidings to the south of the existing Aberdeen-Inverness rail line, a connection to the main line to the West of the sidings, the use of a gantry crane to carry out	Response Issued

		the loading and unloading of containers and associated works.	
3.3	29 August 2024	24/01594/SCOP: Installation of two rail sidings and associated infrastructure, to connect West Fraser's OSB mill at Morayhill with the Aberdeen to Inverness railway line	Scoping Decision Issued
3.4	01 July 2025	24/05253/FUL: Construction of a rail sidings yard including new rail sidings and connection to the main line, associated gantry crane (and/or reach-stackers), areas of hard standing, access road, vehicle parking, fencing, drainage, landscaping and associated infrastructure works and facilities	Planning Permission Granted

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

4.1 Advertised: Schedule 3 Development  
 Date Advertised: 10 October 2025  
 Representation deadline: 24 October 2025

Timeous representations: N/A

Late representations: N/A

#### **5. CONSULTATIONS**

5.1 **Historic Environment Team (Archaeology):** No comments to make on application.

5.2 **Environmental Health:** No objection. The proposed times are as previously suggested by Environmental Health. However, based on the railway timetable information provided by the applicant and to mitigate the potential impact on neighbouring noise sensitive receptors, a compromise is suggested and a condition has been recommended that all operations associated with this development (including train movements and freight handling operations) for which noise is audible at the curtilage of any noise sensitive property is limited to Monday to Saturday 0900 – 1800, unless otherwise agreed in writing by the Planning Authority. In addition, it is recommended that the condition includes a requirement for train engines to be switched off whilst stationary.

5.3 **Flood Risk Management Team (FRM):** No comments to make on application.

5.4 **Network Rail:** No comments/objection to this application.

#### **6. DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

6.1 **National Planning Framework 4 (2023) (NPF4)**

Policy 1 - Tackling the Climate and Nature Crises  
Policy 2 - Climate Mitigation and Adaptation  
Policy 3 - Biodiversity  
Policy 4 - Natural Places  
Policy 5 - Soils  
Policy 6 - Forestry, Woodland and Trees  
Policy 7 - Historic Assets and Places  
Policy 13 - Sustainable Transport  
Policy 14 - Design Quality and Place  
Policy 18 - Infrastructure First  
Policy 20 - Blue and Green Infrastructure  
Policy 22 - Flood Risk and Water Management  
Policy 23 - Health and Safety  
Policy 25 - Community Wealth Building  
Policy 26 - Business and Industry  
Policy 29 - Rural Development

## 6.2 **Highland Wide Local Development Plan 2012 (HwLDP)**

28 - Sustainable Design  
29 - Design Quality and Place-making  
31 - Developer Contributions  
36 - Development in the Wider Countryside  
41 - Business and Industrial Land  
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  
60 - Other Importance Habitats  
63 - Water Environment  
64 - Flood Risk  
66 - Surface Water Drainage  
74 - Green Networks

## 6.3 **Inner Moray Firth Local Development Plan 2 (2024) (IMFLDP2)**

1 – Low Carbon Development  
2 – Nature Protection, Preservation and Enhancement  
7 – Industrial Land  
8 – Placemaking  
9 – Delivering Development and Infrastructure  
14 - Transport

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

Biodiversity Planning Guidance (May 2024)  
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)  
Standards for Archaeological Work (March 2012)  
Sustainable Design Guide (Jan 2013)  
Trees, Woodlands and Development (Jan 2013)

## **7. OTHER MATERIAL POLICY CONSIDERATIONS**

7.1 None

## **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:

- compliance with the development plan and other planning policy
- any other material considerations

### **Development plan/other planning policy**

8.4 Whilst the various policies listed under Section 6 above are of relevance to the development as a whole, the principle of development and an assessment against those policies have already been fully considered and established through the granting of planning permission 24/05253/FUL. The proposed variation of Condition 19 imposed on that permission does not raise any new material matters in relation to the development plan.

### **Other material considerations**

8.5 S42 of the Act requires the Planning Authority to consider only the question of the conditions subject to which planning permission should be granted. If it is determined that planning permission should be granted subject to different conditions, it should

be granted accordingly, and if it is determined that permission should be granted subject to the same conditions, the Planning Authority is obliged to refuse the application.

- 8.6 The S42 process enables the Planning Authority to look at all conditions subject to which permission could be granted and not simply those proposed by the applicant.
- 8.7 The determining issue in this case is whether the proposed change to the planning condition that seeks to regulate the hours of operation of the development requested by the applicant is reasonable and justifies the grant of a new planning permission with revised conditions.
- 8.8 The applicant's Supporting Statement advises that in order to accommodate the train timetable, it is anticipated that trains will arrive at Dalcross at approximately 10:10 and then must leave by either 12:52 or 13:17. For future requirements, i.e. for when two trains are to be used, it is anticipated that trains would arrive at approximately 14:31 or 14:51 and then leave by 17:32 or 17:42.
- 8.9 The applicant advises that to enable operations to take place before, during and after these timings, including the loading and unloading of containers, Condition 19 requires to be amended.
- 8.10 The Supporting Statement acknowledges that additional noise mitigation measures will be introduced, including restrictions on hours of operation; a reduction in the number of reach stackers being operated; sound emission limits for the proposed reach stackers; and operation of an electric gantry crane with broadband movement alarms. Additional mitigation proposed includes a restriction on idling of locomotives within the proposed sidings and a requirement for further assessment of real-world operational noise emissions.
- 8.11 The applicant considers that the variation of Condition 19 is a necessary approach to allow for the successful operation of the proposed development.

#### **Non-material considerations**

- 8.12 None

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

- 8.13 None

### **9. CONCLUSION**

- 9.1 Planning permission is sought under S42 to vary the authorised hours of operation for the proposed development of a rail sidings yard at the West Fraser factory, Dalcross.
- 9.2 The extant planning permission restricts train movements to the hours of 07:00 and 19:00 Monday to Friday and 08:00 until 13:00 on Saturdays; and the loading and unloading of containers and other operations between 08:00 and 20:00 Monday to Friday, and 08:00 until 13:00 on Saturdays. The applicant has submitted information demonstrating that this would conflict with the future planned operation of train

timetables where up to two trains would arrive and depart from Dalcross during the working days of Monday to Saturday inclusive.

9.3 Following consultation, Environmental Health has suggested a compromise that would enable all operations at the site to take place between the hours of 09:00 and 18:00, Monday to Saturday, with an additional requirement that train engines are switched off whilst stationary. This is considered reasonable and is included as Condition 18 at the end of this report. All other conditions that were imposed on the earlier permission have, where appropriate, been updated to reflect that certain suspensive condition elements have subsequently been discharged.

## **10. IMPLICATIONS**

10.1 Resource: Not applicable

10.2 Legal: Not applicable

10.3 Community (Equality, Poverty and Rural): Not applicable

10.4 Climate Change/Carbon Clever: Not applicable

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

## **11. RECOMMENDATION**

**Action required before decision issued** N

Notification to Scottish Ministers N

Conclusion of Section 75 Obligation N

Revocation of previous permission N

Recommended to **GRANT** the application subject to the following conditions and reasons:

1. Development shall progress in full accordance with the following details:

<b>Document Type</b>	<b>Document No.</b>	<b>Version No.</b>
Location Plan	60733247-ACM-DRG- ECV-001001	REV P02
General Arrangement	60733247-ACM-DRG- ECV-001002	REV P03
Site Layout Plan	60733247-ACM-DRG- ECV-001003	REV P02
Earthworks Plan	60733247-ACM-DRG- ECV-001004	REV P03
Site Section Plan	60733247-ACM-DRG- ECV-001005	REV P02
Surfacing Plan	60733247-ACM-DRG- ECV-001006	REV P03
Elevation Plan	60733247-ACM-DRG-	REV P02

Floor Plan	ECV-001007 000001	REV B	20.01
Section Plan	NR/OTK/SD/BM/101	REV B01	20.01
Section Plan	NR/OTK/SD/BM/105	REV B01	20.01
Elevation Plan	24078-BTB-00-ZZ-DR-C- 100	REV P01	29.01
Floor/Elevation Plan	24078-BTB-00-ZZ-DR-C- 101	REV P01	29.01
Elevation Plan	46989-0		29.01
Landscaping Plan	1620016155	REV P4	25.04

All as approved under the terms of planning permission 24/05253/FUL by Decision Notice dated 1<sup>st</sup> July 2025.

**Reason:** To clarify the terms of this planning permission.

- Development and work shall progress in full accordance with the Archaeological Watching Brief Data Structure Report dated 30<sup>th</sup> September 2025 by AOC Archaeology Group, submitted to and approved by the Planning Authority in compliance with Condition 2 of planning permission 24/05253/FUL.

Should the archaeological works reveal the need for post excavation analysis, the development hereby approved shall not be occupied or brought into use unless a Post-Excavation Research Design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the Planning Authority. The PERD shall be carried out in complete accordance with the approved details.

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

- Development and work shall progress in full accordance with the details and mitigation measures set out in the Flood Risk Assessment Update Report dated 2<sup>nd</sup> July 2025 by Ramboll, submitted to and approved by the Planning Authority in compliance with Condition 3 of planning permission 24/05253/FUL.

**Reason:** To ensure that adequate measures are put in place to manage flood risk, in the interests of environmental protection.

- Development and work shall progress in accordance with the details and measures set out in the Habitat Management Plan (HMP) dated 30<sup>th</sup> July 2025 by Ramboll, submitted to and approved by the Planning Authority in compliance with Condition 5 of planning permission 24/05253/FUL.

Until otherwise approved in advance in writing by the Planning Authority, the approved HMP (as amended as required from time to time with written approval of the Planning Authority) shall be implemented in full in line with the timescales set out in the approved plan.

**Reason:** In the interests of good land management and the protection of habitats.

5. Development and work shall progress in accordance with the details and measures set out in the Construction Environment Management Plan (CEMP) dated 21<sup>st</sup> July 2025 by Ramboll, submitted to and approved by the Planning Authority in compliance with Condition 6 of planning permission 24/05253/FUL.

The approved CEMP shall be implemented throughout the construction, post-construction site reinstatement and operational phases in full unless otherwise approved in advance in writing by the Planning Authority.

**Reason:** To ensure that all construction operations are carried out in a manner that minimises their impact on the environment and that the mitigation measures which accompanied the application, or as otherwise agreed, are fully implemented.

6. Development and work shall progress in accordance with the details and measures set out in the Pre-Construction Technical Note dated 23<sup>rd</sup> July 2025 by Ramboll and submitted to and approved by the Planning Authority in compliance with Condition 7 of planning permission 24/05253/FUL.

**Reason:** To ensure that all construction operations are carried out in a manner that minimises their impact on protected species and that the mitigation measures which accompanied the application, or as otherwise agreed, are fully implemented.

7. Development and work shall progress in accordance with the Construction Traffic Management Plan (CTMP) submitted to and approved by the Planning Authority in compliance with Condition 8 of planning permission 24/05253/FUL. All construction traffic associated with the development shall conform to the requirements of the agreed CTMP.

**Reason:** To mitigate the adverse impact of construction traffic on the safe and efficient operation of the trunk road and local road network.

8. Development and work shall progress in accordance with the Tree Protection Plan No. 10.1 Revision 2.0 dated 23<sup>rd</sup> July 2025 and accompanying Tree Protection Plan Note submitted to and approved by the Planning Authority in compliance with Condition 9 of planning permission 24/05253/FUL.

**Reason:** To ensure the protection of retained trees during construction and thereafter.

9. All retained trees shall be protected against construction damage using protective barriers located as per the approved Tree Protection Plan referred to in Condition 8 above and in accordance with BS 5837:2012 Trees in Relation to Design, Demolition and Construction, or any superseding guidance prevailing at that time. These barriers shall remain in place throughout the construction period and shall not be moved or removed during the construction period without the prior written approval of the Planning Authority.

**Reason:** In order to ensure the protection of retained trees, which are important amenity assets, both during construction and thereafter.

10. The Compensatory Planting Plan submitted to and approved by the Planning Authority in compliance with Condition 11 of planning permission 24/05253/FUL shall be implemented in full, prior to first commissioning of the development. The compensatory planting shall be maintained thereafter in accordance with the approved scheme, until established and then shall remain as woodland in perpetuity.

Where compensatory planting takes place on land located outside the planning application boundary and/or is not under the ownership of the applicant, agreement in writing from the landowner shall be provided to the Planning Authority.

The applicant shall provide the Planning Authority with a GIS shapefile clearly identifying the approved area(s) of woodland removal and the associated area(s) of compensatory planting, prior to the commencement of works in those areas.

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

11. GIS Shapefiles shall be supplied to the Planning Authority of all the proposed enhancement areas prior to the commencement of works in those areas.

**Reason:** To allow the compensation and enhancement areas to be mapped to ensure no developments occur on these sites for a minimum of 30 years.

12. No works relating to the installation of the gantry crane shall commence until full details and specifications for the gantry crane have been submitted to, and approved in writing by, the Planning Authority. This shall include full details and specifications of the design and height of the gantry crane, along with any required external lighting. Thereafter, development and work shall progress in accordance with the approved details.

**Reason:** In order to enable the Planning Authority to consider these matters in detail prior to the commencement of development; in the interests of amenity.

13. No development relating to the siting/installation and/or construction of any buildings shall be carried out until full details of the design, layout and external finishes have been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with the approved details.

**Reason:** In order to enable the Planning Authority to consider these matters in detail prior to the commencement of development; in the interests of amenity.

14. No development relating to the installation of any operational external lighting shall be carried out until full details of the finalised external lighting scheme

have been submitted to, and approved in writing by, the Planning Authority. Such information shall include full details of the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any direct illumination, glare or light spillage outwith the site boundary. The scheme shall include a revised lighting impact assessment which demonstrates that external lighting will not have a significant impact at sensitive receptors. Thereafter only the approved details shall be implemented.

**Reason:** In order to safeguard the amenity of neighbouring properties and occupants.

15. Prior to installation, details of the final surface water drainage design for the development shall be submitted to, and approved in writing by, the Planning Authority. Thereafter, development and works shall progress in accordance with the approved surface water drainage design and be completed before first operation of the development.

**Reason:** To enable consideration of this matter in the interests of environmental protection.

16. Any stacked containers shall not exceed a maximum of four containers high.

**Reason:** In the interests of visual amenity.

17. Development and work shall progress in accordance with the mitigation measures set out in the Revised Noise Impact Assessment dated 22<sup>nd</sup> July 2025 by Ramboll, submitted to and approved by the Planning Authority in compliance with Condition 18 of planning permission 24/05253/FUL. All approved mitigation measures shall be in place prior to the first occupation/use of the development, or as otherwise may be agreed in writing by the Planning Authority.

**Reason:** In order to safeguard the amenity of neighbouring properties and occupants.

18. Operations associated with this development, (including train movements and freight handling operations,) for which noise is audible at the curtilage of any noise sensitive property, shall be restricted to Monday to Saturday 09:00 – 18:00 unless otherwise agreed in writing by the Planning Authority.

Train engines shall be switched off while stationary.

**Reason:** In order to safeguard the amenity of neighbouring properties and occupants.

## 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.

## **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.

### **Transport Scotland – Abnormal Loads**

Prior to the movement of any components and/or construction materials, any additional signing or temporary traffic control measures deemed necessary due to the size or length of any abnormal loads being transported, shall be undertaken by a recognised QA traffic management consultant, to be approved by Transport Scotland. This is to ensure that the transportation of abnormal loads will not have any detrimental effect on the trunk road network.

### **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 and 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.

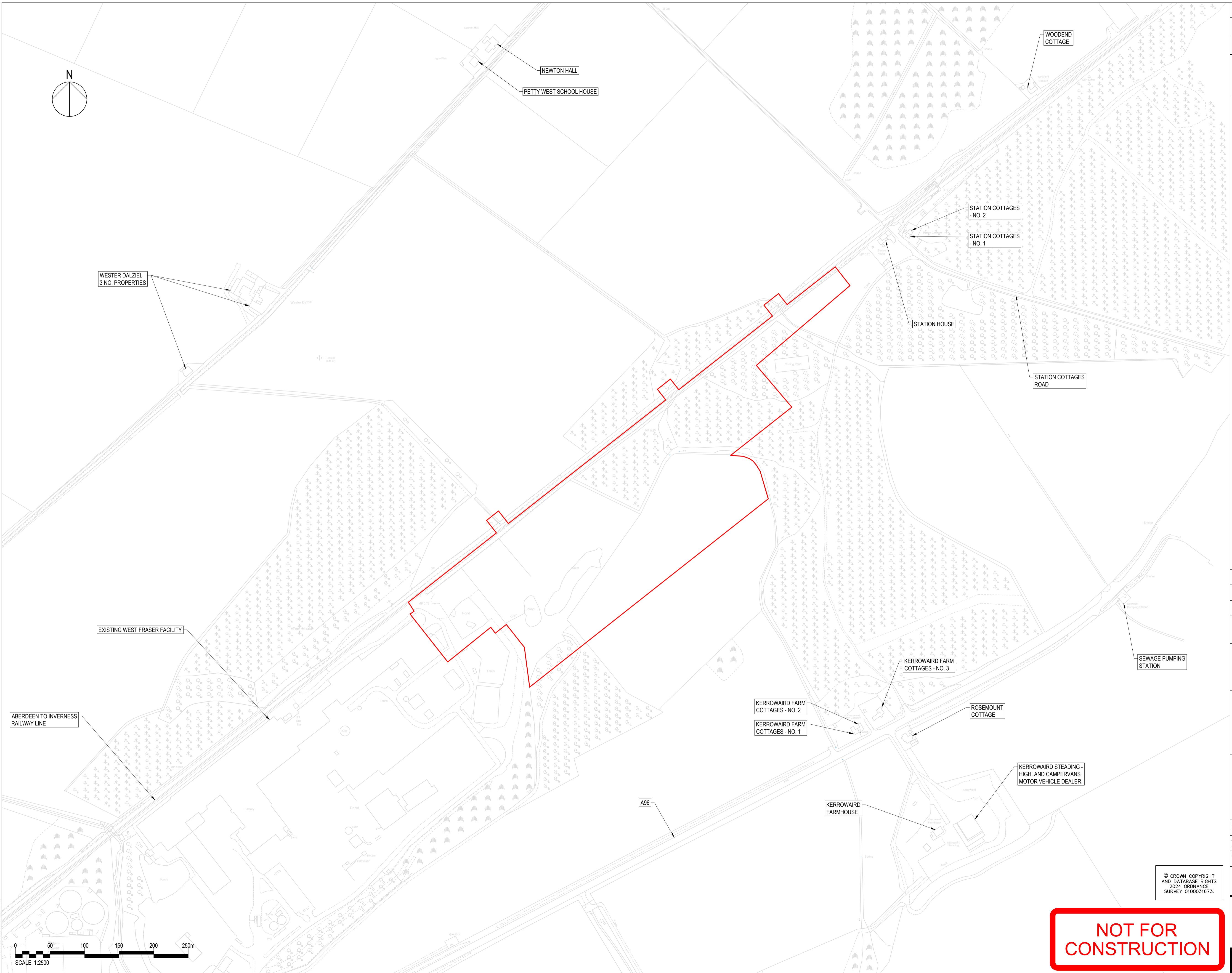
If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. 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 NatureScot 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 NatureScot: <https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species>

Signature: Bob Robertson

Designation: (Acting) Planning Manager - South  
Author: John Kelly  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 – Location Plan



SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION BOX  
IT IS ASSUMED THAT ALL WORKS ON THIS DRAWING WILL BE CARRIED OUT BY A COMPETENT CONTRACTOR WORKING, WHERE APPROPRIATE, TO AN APPROPRIATE METHOD STATEMENT.

THIS DRAWING IS TO BE USED ONLY FOR THE PURPOSE OF ISSUE THAT IT WAS ISSUED FOR AND IS SUBJECT TO AMENDMENT.

NOTES

1. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT DOCUMENTATION.
2. NOT TO SCALE FROM THIS DRAWING, USE ONLY PRINTED DIMENSIONS.
3. ALL DIMENSIONS IN MILLIMETRES, ALL CHANGES, LEVELS AND COORDINATES ARE IN METRES UNLESS DEFINED OTHERWISE.
4. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE PROJECT HEALTH & SAFETY STATEMENT AND IDENTIFIED RISKS.
5. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE FOLLOWING DRAWINGS:
  - 60733247-ACM-DRG-ECV-001002 - PROPOSED GENERAL ARRANGEMENT
  - 60733247-ACM-DRG-ECV-001003 - SITE PLAN
  - 60733247-ACM-DRG-ECV-001004 - PROPOSED EARTHWORKS PLAN
  - 60733247-ACM-DRG-ECV-001005 - EARTHWORKS CROSS SECTIONS
  - 60733247-ACM-DRG-ECV-001006 - PROPOSED SURFACING PLAN
  - 60733247-ACM-DRG-ECV-001007 - ELEVATIONS

KEY:  
SURVEY / OS MAPPING  
EXTENT OF PERMANENT WORKS

ISSUED FOR PLANNING	LD	16/08/24	P02
ISSUED FOR COMMENT	LD	05/07/24	P01
Revision Details	By Check	Date	Suffix

Purpose of issue

FOR PLANNING  
Client  
**NetworkRail**

Project Title

**WEST FRASER**

Drawing Title

**LOCATION PLAN**

Designed LD	Drawn LD	Checked NM	Approved DH	Date July 24
AECOM Internal Project No. 60733247	Suitability -	Project Manager David Martin		
Scale @ A1 1:2500	Zone/ELR/Mileage ANI 3	david.martin@aecom.com 0141 202 0500		

THIS DRAWING HAS BEEN PREPARED FOR THE USE OF AECOM'S CLIENT. IT MAY NOT BE USED, MODIFIED, REPRODUCED OR RELIED UPON BY THIRD PARTIES, EXCEPT AS AGREED BY AECOM OR AS REQUIRED BY LAW. AECOM ACCEPTS NO RESPONSIBILITY, AND DENIES ANY LIABILITY WHATSOEVER, TO ANY PARTY THAT USES OR RELIES ON THIS DRAWING.

AECOM Infrastructure & Environment UK Limited  
177 Bothwell Street  
Glasgow  
G2 7ER  
Tel: +44 (0)141 202 0500  
Fax: [www.aecom.com](http://www.aecom.com)

Drawing Number 60733247-ACM-DRG-ECV-001001 Rev P02