



AGENDA ITEM

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**ERECTION OF SPRINKLER TANK,
PUMPHOUSE, STORAGE CABIN,
STACKED STAFF WELFARE UNIT,
WEIGHBRIDGE TICKET OFFICE,
FUEL TANK, VEHICLE WASH KIOSK
AND UNDERGROUND
WEIGHBRIDGES AT MASTERTON
LTD, BO'NESS ROAD,
GRANGEMOUTH, FK3 9XF FOR FCC
ENVIRONMENT - P/16/0260/FUL**

FALKIRK COUNCIL

Subject: ERECTION OF SPRINKLER TANK, PUMPHOUSE, STORAGE CABIN, STACKED STAFF WELFARE UNIT, WEIGHBRIDGE TICKET OFFICE, FUEL TANK, VEHICLE WASH KIOSK AND UNDERGROUND WEIGHBRIDGES AT MASTERTON LTD, BO'NESS ROAD, GRANGEMOUTH, FK3 9XF FOR FCC ENVIRONMENT - P/16/0260/FUL

Meeting: PLANNING COMMITTEE

Date: 17 August 2016

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Grangemouth

Councillor David Balfour
Councillor Allyson Black
Baillie Joan Paterson
Councillor Robert Spears

Community Council: Grangemouth Community Council

Case Officer: David Paterson (Planning Officer), Ext. 4757

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application site is located at the west side of Inchyra Road, Grangemouth, measuring 0.5 hectares in area.
- 1.2 The application site forms part of the former site operated by Mastertons as a sui-generis waste recycling and transfer facility.
- 1.3 The applicant would continue to use the application site for a similar sui-generis waste recycling and transfer use. The application proposes the development of equipment and facilities which would allow operation of the proposed use independent from the previous larger site. The larger site previously operated by Mastertons has been sub-divided. The application site would take access from the existing adjacent access onto Inchyra Road. This access is in the control of the applicant.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 This application requires consideration by the Planning Committee as it has been called in by Councillor Spears in order that the impact on the application site and the community can be assessed.

3. SITE HISTORY

- 3.1 Relevant site history is: -
- 3.2 05/0938/FUL - Construction of temporary warehouse to hold raw materials – Approved 18 January 2006.
- 3.3 P/08/0087/FUL - Erection of 2.4 metre high palisade fence – Approved 13 March 2008.
- 3.4 P/10/0423/FUL - Operations yard / waste recycling / transfer facility at Sabic Innovative Plastics, Bo'ness Road, Grangemouth – Approved 10 November 2011.

4. CONSULTATIONS

- 4.1 The Roads Development Unit has raised no objections.
- 4.2 The Environmental Protection Unit has raised no objections. It is noted that the Scottish Environment Protection Agency (SEPA) would be the monitoring authority in respect of the proposed development.
- 4.3 The Health and Safety Executive's Planning Advice for Developments Near Hazardous Installations (PADHI) does not advise against the proposed development.
- 4.4 The application is not located in an area of high risk from historical mining activity. Coal risk can be addressed by means of an informative.
- 4.5 Scottish Water has made no comment.

5. COMMUNITY COUNCIL

- 5.1 The Grangemouth Community Council has made no comment.

6. PUBLIC REPRESENTATION

- 6.1 No public representations have been received.

7. DETAILED APPRAISAL

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

7a The Development Plan

- 7a.1 The Falkirk Local Development Plan was adopted on 16 July 2015. The proposed development was assessed against the following policies: -

7a.2 Policy 'BUS02 - Core Business Areas' states: -

"The core business areas identified on the Proposals Map will be retained primarily in business and industrial use. Class 4, 5 and 6 uses will be supported in principle within these areas, apart from Callendar Business Park, and Gateway Business Park, Grangemouth, where only Class 4 uses will be appropriate. Other employment uses will be permitted where they are compatible with the business/industrial character of the area and comply with other LDP policies."

7a.3 It is noted that the proposed use of the site as a sui-generis waste recycling and transfer use does not fall within Class 4, 5 or 6. However, the proposed use of the site would continue the last use of the site operated over a wider area by the former operator, Mastertons. It is considered that the sui-generis waste recycling and transfer use would be compatible with the industrial character of the area. Furthermore, it is not considered that the proposed development would prejudice future use of the site for Class 4, 5 or 6 uses. The proposed development is considered to accord with Policy BUS02.

7a.4 Policy 'BUS05 - Major Hazards and Pipelines' states:-

"1. Proposals within Major Hazard and Pipeline Consultation Zones as defined by the HSE and shown on the Proposals Map will be assessed in relation to the following factors:

- The increase in the number of people exposed to risk in the area;*
- The existing permitted use of the site or buildings;*
- The extent to which the proposal may achieve regeneration benefits, which cannot be secured by any other means; and*
- The potential impact on existing chemical and petrochemical sites and pipelines.*

2. The Council will give careful consideration to applications for hazardous substances consent (HSC) that would extend major hazard distances within the urban area, to balance the desirability of growth and development at nationally important clusters of industries handling hazardous substances with the possibility of prejudice to the development of sites allocated in the LDP. Applications for HSC should demonstrate that off-site constraints have been minimised as far as possible through the optimum location and method of storage, and by ensuring that the quantity/type of materials applied for is specifically related to operational needs.

3. The revocation of HSC consents where the use on the site has ceased will be pursued.

4. The preferred location for new pipelines will be in existing Pipeline Consultation Zones."

7a.5 It is not considered that the proposed development would increase the number of people at risk in the area. Also, the proposed development would continue the last authorised use of the site as a sui-generis waste recycling and transfer use. Furthermore, it is noted that the Health and Safety Executive's PADHI advice, referred to in section 4.3 of this report, does not advise against the proposed development. The proposed development accords with Policy BUS05.

7a.6 Policy 'D02 - Sustainable Design Principles' states:-

"New development will be required to achieve a high standard of design quality and compliance with principles of sustainable development. Proposals should accord with the following principles:

- 1. Natural and Built Heritage. Existing natural, built or cultural heritage features should be identified, conserved, enhanced and integrated sensitively into development;*
- 2. Urban and Landscape Design. The scale, siting and design of new development should respond positively and sympathetically to the site's surroundings, and create buildings and spaces that are attractive, distinctive, welcoming, adaptable, safe and easy to use;*
- 3. Accessibility. Development should be designed to encourage the use of sustainable, integrated transport and to provide safe access for all users;*
- 4. Climate Change & Resource Use. Development should promote the efficient use of natural resources and the minimisation of greenhouse gas emissions through energy efficient design, choice and sourcing of materials, reduction of waste, recycling of materials and exploitation of renewable energy;*
- 5. Infrastructure. Infrastructure needs and their impacts should be identified and addressed by sustainable mitigation techniques, with particular regard to drainage, surface water management, flooding, traffic, road safety and noise; and*
- 6. Maintenance. Proposals should demonstrate that provision will be made for the satisfactory future management and maintenance of all public areas, landscaping and infrastructure.*

Masterplans will be required for significant development proposals requiring a co-ordinated approach to design and infrastructure, and should demonstrate how the above principles have been incorporated into the proposals. Masterplans should be informed by a development framework or brief where relevant.

Figure 5.3, Sustainable Design Principles - Supporting Policies/Guidance provides further guidance."

7a.7 The proposed development would respect the application site and its setting in terms of scale and character. The application site is screened from public open space and residential development to the west by a substantial tree belt which would satisfactorily safeguard visual amenity. It is noted that the application site would take access from an existing access which is in the control of the applicant. No infrastructure issues have been raised. The proposed development accords with Policy D02.

7a.8 There is no relevant supplementary guidance.

7a.9 Accordingly, the proposed development accords with the Falkirk Local Development Plan.

7b Material Considerations

- 7b.1 The material consideration to be assessed are the site history, consultation responses and consideration of the site in relation to coal mining legacy.

Site History

- 7b.2 Planning permission P/10/0423/FUL detailed in section 3.4 of this report authorised the use of the wider former Masterton site for sui-generis waste recycling and transfer use. It is noted that the application site forms part of the former wider Masterton site. It is noted that the applicant would continue a similar sui-generis waste recycling and transfer use.

Consultation Responses

- 7b.3 It is noted that no objections were raised by consultees.

Consideration of the Site in relation to Coal Mining Legacy

- 7b.4 The application site falls within, or is partially within, the Development Low Risk Area as defined by the Coal Authority. However, as coal mining activity was undertaken at depth, no recorded surface hazards currently exist which could pose a risk to new development. Unrecorded coal mining related hazards could still exist. It is not necessary to consult the Coal Authority on any planning applications which fall within the Development Low Risk Area. When planning permission is to be granted, an appropriate informative note appears on the Decision Notice.

7c Conclusion

- 7c.1 The proposed development accords with the Falkirk Local Development Plan. There are no material considerations to warrant refusal of this application and it is recommended that planning permission can be granted.

8. RECOMMENDATION

- 8.1 It is therefore recommended that Committee grant permission subject to the following condition(s): -

1. The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this permission unless a variation is required by a condition of this permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.

Reason(s):-

1. As these drawings and details constitute the development.

Informative(s):-

- 1. In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.**
- 2. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A, 02B, 03, 04 and 05.**
- 3. The application site falls within or is partially within the Development Low Risk Area as defined by the Coal Authority. However, as coal mining activity was undertaken at depth, no recorded surface hazards currently exist which could pose a risk to new development. Unrecorded coal mining related hazards could still exist. It is not necessary to consult the Coal Authority on any planning applications which fall within the Development Low Risk Area.**

Where planning permission is to be granted, an appropriate informative note appears on the Decision Notice.

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pp Director of Development Services

Date: 8 August 2016

LIST OF BACKGROUND PAPERS

1. The Falkirk Local Development Plan.
2. Planning permission 05/0938/FUL.
3. Planning permission P/08/0087/FUL.
4. Planning permission P/10/0423/FUL.

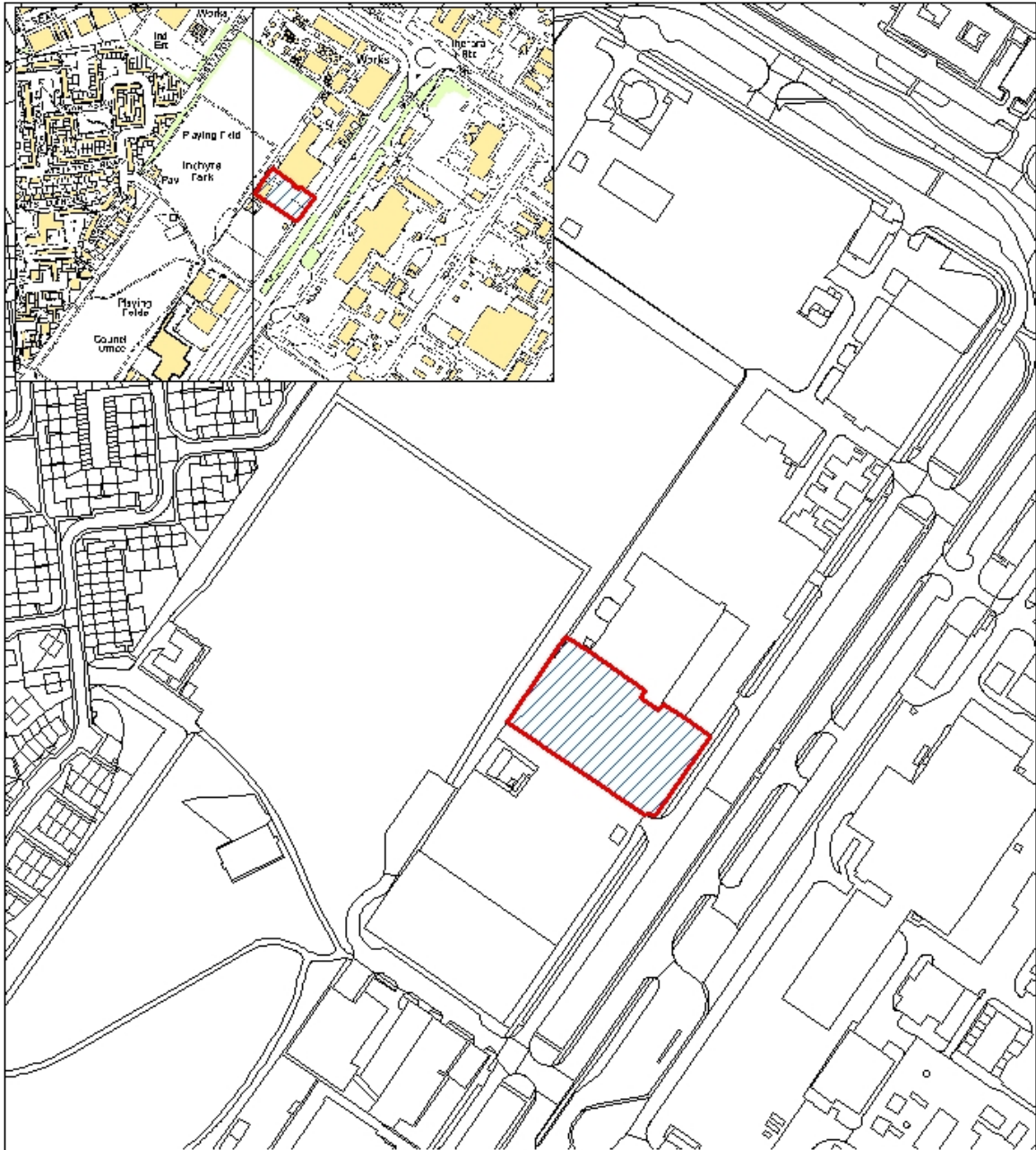
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504757 and ask for David Paterson, Planning Officer.

Planning Committee

Planning Application Location Plan

P/16/0260/FUL

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



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