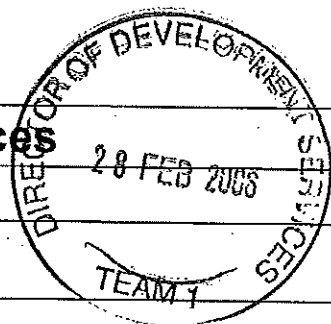


Development Services

Memo



To: Development Control Manager

From: Stuart Henderson, Environmental Technical Officer

Date: 24 February 2006 **Enquiries:** ext. 4771 **Fax:** 4709

Our Ref: PLCO06/002/SH/GB **Your Ref:**

Subject: Planning Application (Consultation) 05/0924/OUT

I refer to the above Planning Application in respect of Change of Use of Timber Yard to Residential Land For the Erection of 36 Dwellinghouses for Carronvale Homes Ltd, Wood Street, Grangemouth, FK3 8LH and would advise you that I have the following observations to make.

Environmental Health

The applicant shall undertake a noise survey to determine the effect of nearby noisy industrial activities on the proposed development. The survey shall be conducted in terms of BS4142 and shall be submitted to and approved by the planning authority.

Contaminated Land Specialist

Given available in-house information indicates industrial activities within the site boundaries and in close proximity, the applicant shall undertake a site investigation to establish if contamination (as defined in Part IIa of the Environmental Protection Act 1990) is present on site.

Where contamination is identified, development shall not begin until a scheme has been submitted to and approved in writing by the Planning Authority.

The scheme shall contain details of proposals to deal with contamination to include:

1. The nature, extent and type(s) of contamination on the site.
2. Measure to treat/remove contamination to ensure site is fit for the use proposed.
3. Measures to deal with contamination during construction works.
4. Condition of the site on completion of decontamination measures.
5. Details of monitoring programme following site redemption.

Before any unit is occupied, the measures to decontaminate the site shall be fully implemented as approved by the Planning Authority.

Development Services

Memo



To: John Milne, Planning Officer
Planning and Transportation (Development Control)

From: Jim Reap
Roads and Design (Roads Development Unit)

Date: 28 October, 2005

Enquiries: 4846

Fax: 4850

Our Ref: WFB/JTR/LM

Your Ref: 05/0924/OUT

Proposal : Change of use of timber yard to residential land for the erection of 36 dwellinghouses
Location : Land to the east of Jupiter Wildlife Park, Wood Street, Grangemouth
Applicant : Carronvale Homes Ltd

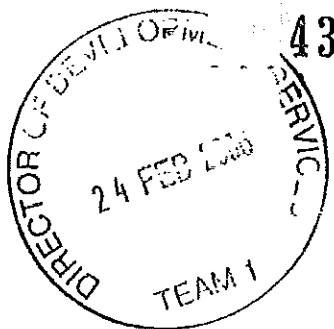
I refer to your consultation received on 17 October 2005 concerning the above application and can advise you that there would be no objection in principle from a roads point of view to residential development of this site.

It is advised that the following be attached to any consent to be granted: -

- 1/ The internal access roads shall be designed in accordance with the Council's Design Guidelines and Construction Standards, including the provision of traffic calming measures to the satisfaction of the Planning Authority.
- 2/ Car parking for residents and visitors should be provided in accordance with the Council's Design Guidelines and Construction Standards.
- 3/ Traffic calming measures shall be provided on Wood Street along the frontage of the application site to the satisfaction of the Planning Authority, details of which shall be submitted for approval at the Reserved Matters/Detailed application stage.
- 4/ Surface water from the development shall be treated in accordance with the SUDS principles details of which shall be submitted for approval at the Reserved Matters/Details application stage.

I return the plan.

[Redacted signature]

**SCOTTISH
WATER** 

21st February 2006

Falkirk Council Development Services
Abbotsford House, Davids Loan
FALKIRK
FK2 7YZ

**SCOTTISH WATER**

Planning & Development Services
419 Balmore Road
Glasgow
G22 6NU

CUSTOMER HELPLINE

T: 0845 601 8855
W: www.scottishwater.co.uk

Dear Sir/Madam

PLANNING APPLICATION NUMBER : 05/0924/OUT
DEVELOPMENT AT : LAND TO THE EAST OF JUPITER WILDLIFE PARK WOOD STREET
GRANGEMOUTH
PROPOSAL : CHANGE OF USE OF TIMBER YARD TO RESIDENTIAL LAND FOR THE ERECTION OF 36 DWELLINGHOUSES

With regard to the above application, Scottish Water would make the following comments:

NO OBJECTIONS SUBJECT TO COMPLIANCE WITH THE CONDITIONS NOTED BELOW.

If the connection to the public sewer or water main requires to be laid through land outwith the applicant's ownership, then the applicant must provide evidence of formal approval from the affected landowner(s) through whose ground the connection to the public wastewater system or water main must pass.

The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and water network at the appropriate time. It is important to note that the granting of planning consent does not guarantee a connection to Scottish Water's assets

Planning & Development Services no longer deal with requests for location of services. Should the developer require this information, they should contact our Property Searches Department, Bullion House, Dundee, DD2 5BB

Scottish Water's sewer network assets have adequate capacity to accommodate this development at the present time. However, I do advise that connection to the public sewer network system is dependant on the spare capacity at the time of application for a sewer connection.

A totally separate drainage system will be required with the surface water discharging to a suitable outlet. Scottish Water supports the principal of a sustainable urban drainage system (SUDS) and the developer should consider utilising this in the surface water drainage design. It is important to note that Scottish Water will not adopt surface water drainage systems that require the flows to be pumped.

Scottish Water's water network infrastructure is not affected by this proposal at this time, however, I do advise that a supply from the public water network is dependent on the spare capacity at the time of application for a water connection.

If the applicant requires any further information regarding the above, he/she must not hesitate to contact Scottish Water.

Yours faithfully



Robert MacKenzie
Planning and Development



Health & Safety Executive
Hazardous Installations Directorate

Head of Unit: John Sumner

Falkirk Council
Development Services
Abbotsford House
David's Loan
Falkirk
FK2 7YZ

Your reference: 05/0924/OUT
Our reference: HID C11B-2005-00878
Date: 28th October 2005



Dear Sir/Madam,

**PROPOSED CHANGE OF USE OF TIMBER YARD TO RESIDENTIAL LAND FOR
THE ERECTION OF 36 DWELLINGHOUSES AT LAND TO THE EAST OF
JUPITER WILDLIFE PARK, WOOD STREET, GRANGEMOUTH**

Thank you for your correspondence dated 11th October 2005, regarding the above.

I understand from the letter submitted with this consultation from the applicant (Carronvale Homes) to the Director of Development Services at Falkirk Council, dated 4th October 2005, that this application is a resubmission of the previous application for this site (your ref: F/2005/0082), and that none of the detail has changed. HSE advised against the granting of planning permission for this application (our ref: HID C11B-2005-00660). The stated reason for the resubmission is that the applicant is of the belief that HSE were ill advised of the nature of the proposal (specifically, the intention to revoke permission for housing at an adjacent site and relocate this approved housing to the above site), and that this was the basis for HSE's advice against. However, it is my understanding that HSE were fully aware of the applicant's intention that planning permission for the approved housing be revoked in return for permission to relocate the housing to the current application site.

The applicant also refers to McLean Bell's pre-planning enquiry with HSE in October 2004. HSE did not advise against this proposal at this time. However, HSE can only work with the information provided, and it was not made clear that the site being referred to was different to the one which already had planning permission (HSE understood the proposal to be an alternative layout on a site with existing planning permission). On receiving the formal consultation from Falkirk Planning Authority, it became apparent that there was actually 2 sites, resulting in HSE advising against the granting of planning permission for this proposal.

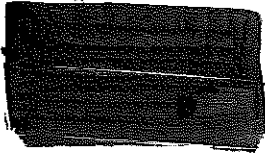
For the reasons above, HSE's advice against the granting of planning permission stands. Approval of this new residential application would be at odds with HSE's policy of discouraging significant population increases within the CD (and, in

particular, the inner zone) of major hazard installations. The current land-use planning methodology adopted by HSE (PADHI), on which this advice is based, can be found at www.hse.gov.uk/landuseplanning/padhi.pdf

As you are aware, one of the major hazard sites affecting this consultation is in the process of amending its hazardous substances consent. This is likely to have an effect on the hazard zones surrounding the site, but until a risk assessment is completed, it is not certain how this will impact on HSE advice in this case.

I hope this is of some help.

Yours faithfully,



 **Mr Alistair McNab**
HM Principal Inspector of Health & Safety



Scottish Environment
Protection Agency

Our Ref: SM/MF
FC/2007/1101
Your Ref: 05/0924/OUT

Development Services
Falkirk Council
Abbotsford House
David's Loan
FALKIRK
FK2 7YZ
FAO: John Milne

If telephoning ask for:
Sonya Millar

11 April 2007

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING SCOTLAND ACT 1997
PLANNING APPLICATION: 05/0924/OUT
CHANGE OF USE OF TIMBER YARD TO RESIDENTIAL LAND FOR THE ERECTION OF 36
DWELLINGHOUSES
LAND TO THE EAST OF JUPITER WILDLIFE PARK, WOOD STREET, GRANGEMOUTH**

Thank you for your consultation that SEPA received on the 26 March 2007 in connection with the above, SEPA has no objection in principle to the above mentioned development proposal, however the following comments apply;

Sewage Disposal

Sewage from the proposed development should be connected to the public foul sewer. Connection to the sewer is subject to the approval of Scottish Water (SW) and permission to connect may depend on the availability of spare capacity. Your attention is drawn to SW's consultation response for clarification of the position.

In line with SEPA's Policy no. WAT-PS-06-08 *Policy and Supporting Guidance on Provision of Waste Water Drainage in Settlements* SEPA would request that the applicant investigates all possible routes to establishing a connection to the public foul sewer as the first option for sewage disposal. This will include the following options in order of preference:

1. Direct connection to the public foul sewer (including pumping where necessary)
2. Removal of surface water in the network to create capacity
3. Negotiation of developer contributions with Scottish Water to upgrade the existing sewerage network and/or increase capacity at the waste water treatment works
4. Provision of mitigation measures at the development site, or elsewhere in the network, which will reduce the volume or strength of the effluent discharged to sewer. Such measures could include storage or prior treatment of effluent before discharging to the foul sewer.

Where SEPA considers that a developer has not taken all reasonable steps to seek connection to the foul sewer SEPA will object to the planning application.

Surface Water

It is unclear from the planning application if surface water will discharge to a combined sewer or a surface water sewer. As described in paragraph 47 of PAN 79 it is best practice to separate foul
Continued...



Chairman
Sir Ken Collins

Chief Executive
Dr Campbell Gemmell

Edinburgh Office

Clearwater House, Heriot Watt Research Park
Avenue north, Riccarton, Edinburgh EH14 4AP
tel 0131 449 7296 fax 0131 449 7277
www.sepa.org.uk

-2-

from surface water drainage, as this reduces pressure on the foul drainage system and therefore reduces the chances of it flooding or polluting. SUDS is not a SEPA requirement if the surface water drainage is discharging to the combined sewer and ultimately a sewage treatment works, however SEPA recommends that the surface water drainage for this site is treated separately from the foul drainage. Should surface water drainage not be discharging ultimately to a sewerage treatment works then the following requirements apply;

The Water Environment (Controlled Activities) (Scotland) Regulations 2005 (CAR) requires general binding rules (GBRs) 10 of CAR to be complied with in relation to surface water drainage, this includes a requirement that the discharge must not result in pollution of the water environment. It also makes Sustainable Urban Drainage Systems (SUDS) a requirement for new development, with the exemptions of runoff from a single dwelling and discharges to coastal waters.

SEPA requests that your authority directs the applicant to come forward with an appropriate SUDS scheme for the site that complies with Planning Advice Note (PAN) 61 and CIRIA's C697 manual entitled *The SUDS Manual*. This entails use of indirect systems such as permeable surfaces, peripheral French drains, soakaways and swales and possibly a pond such as an extended detention basin with a wetland base. A suitable SUD based system should also be able to provide flow attenuation to satisfy your Council's requirements.

As well as providing water quality treatment and attenuation of flow it is important that any pond system is designed as a habitat enhancing landscape feature to maximise the wildlife value. Guidance on good practice can be obtained from SEPA's publication '*Ponds, Pools and Lochans*' (ISBN 1-901322-16-5).

The surface water drainage arrangements will need to meet the requirements of SW, the roads authority and SEPA area staff. As drainage systems based on SUDS principles will have implications for site layout, it is recommended that there is general agreement on the scheme before planning permission is granted. SEPA also recommends the imposition of a planning condition, which makes reference to the requirement for an integrated SUDS scheme.

The 'management train' approach to SUDS must be followed whereby at or near to source SUDS are used and only when these are not practicable should end-of-pipe buried SUDS be installed. At surface SUDS measures, such as swales or wetlands are more environmentally sustainable and should be used where possible rather than buried SUDS systems.

SUD systems may be susceptible to damage because of mud and silt generated during site preparation and construction activity. Work must therefore be phased to ensure minimum risk and temporary silt traps or silt lagoon should be provided where necessary.

Construction and Landscaping

Construction works associated with the development of the site must be carried out with due regard to SEPA's pollution prevention guidelines (PPG 1, 5 & 6). These publications are available free of charge on the SEPA website at <http://www.sepa.org.uk/guidance/ppg/> or from any SEPA office.

There may be waste management licensing implications arising from the importation of waste material such as soil for landscaping or for any other purpose. Generally, waste material can only

Continued...

-3-

be imported to a site if a waste management license is in effect or if an activity exempt from licensing has been registered with SEPA. Similarly, any waste removed from a site must be deposited either at a suitably licensed site or at a site for which a relevant exempt activity has been registered. SEPA regards all soils, including topsoil, removed from sites as waste.

Where waste is either imported to or exported from a site, applicants and their contractors should be fully aware of the relevant requirements relating to the transport of controlled waste by registered carriers and the furnishing and keeping of duty of care waste transfer notes.

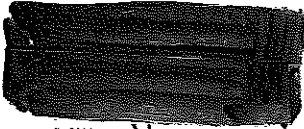
Waste Facilities

The applicant should be aware that waste management facilities for recycling will be required within the development. Contact should be made with the council's Waste Management Department to identify what facilities are appropriate in a development of this size.

General

SEPA's area staff will be able to assist the applicants or their agents in meeting SEPA's requirements. The appropriate initial contact for drainage issues will be the Falkirk and West Lothian Environmental Protection and Improvement Team (Tel 01786 452595).

Yours faithfully



Sonya Millar ✓
Planning Officer

Cc Carronvale Homes Ltd, Wood Street, Grangemouth FK3 8LH

PLANNING APPLICATION DETERMINED BY DIRECTOR OF DEVELOPMENT SERVICES UNDER DELEGATED POWERS – REPORT OF HANDLING

PROPOSAL : Change of Use of Timber Yard to Residential Land For The Erection of 36 Dwellinghouses
LOCATION : Land To The East Of Jupiter Wildlife Park, Wood Street, Grangemouth, ,
APPLICANT : Carronvale Homes Ltd
APPN. NO. : 05/0924/OUT
REGISTRATION DATE : 6 October 2005

1. SITE LOCATION / DESCRIPTION OF PROPOSAL

This application seeks the principal of erecting 36 dwellinghouses on Industrial land off Wood Street, Grangemouth. The applicant has intentionally indicated 36 units, linking the number to a previous planning approval which was granted, initiated but not developed fully.

2. SITE HISTORY

There is extensive site history, including a refusal of planning permission on the site currently under consideration. These refusals have been dismissed through appeal. Planning permission was granted for 60 units over a large area associated with the application site (although not on the current application site itself) of which 24 units were erected.

However, it is the position of the Planning Authority that since development of housing ceased a number of years ago, no residual merit remains through this archive application. The applicant further argues that there is merit in simply transferring the outstanding 36 units to a more suitable location i.e. the application site subject to current consideration, would have value in planning terms.

3. CONSULTATIONS

The following responses to consultation were received:

Central Scotland Police	No comment on application in principle.
Environmental Protection Unit	No comments.
Roads Development Unit	No objections subject to conditions.
Scottish Water	No objections.
Health And Safety Executive	The Health and safety Executive Advise Against the proposal.
Scottish Environment Protection Agency	
Environmental Protection Unit (Re-consultation)	Standard planning condition requested.
Health And Safety Executive (Re-consultation)	The Health and Safety Executive advise against the proposal.
Central Scotland Police (Re-consultation)	No comment received.
Roads Development Unit (Re-	No objections subject to standard consitions.

consultation)

Scottish Environment Protection Agency (Re-consultation) No objections.

Scottish Water (Re-consultation) No objections.

Where the local Community Council requested consultation, their comments appear above.

4. PUBLIC REPRESENTATION

During consideration of the application, no letters of objection or representation were received.

No representations received

5. THE DEVELOPMENT PLAN

The proposed development was assessed against the undernoted Development Plan(s) :

Falkirk Council Structure Plan.

Econ.3 Local Business Development Opportunities

Falkirk Council Local Plan

The proposed development was assessed against the following policy or policies:

EP18 - Major Hazards

EP02 - Land for Business and Industrial Use

SC02 - Windfall Housing Development Within the Urban/Village Limit

5A. MATERIAL CONSIDERATIONS

Planning History

Responses to Consultation

6. PLANNING ASSESSMENT

The Development Plan

The proposal was assessed against both the Falkirk Council Structure Plan and the Falkirk Council Local Plan.

Structure Plan Policies

The proposal is considered contrary to Structure Plan policy ECON.3 in that the site is allocated for Business/Industrial use.

Local Plan Policies

The proposal is considered contrary to Falkirk Local plan Policies EP2 and SC2 in that the proposal seeks to introduce windfall housing on a site allocated for business/Industrial uses. In addition, the site is

specifically allocated under ED.GRA09 to support business/Industrial use.

Critically, the application is contrary to EP18 - Major Hazards - in that the Health and Safety Executive advise against the proposal.

It should also be noted that the applicant has endeavoured to seek alteration of the land designation through representation on the emerging (now adopted) Local Plan. This representation failed and the site remains allocated for business/Industrial use.

Planning History

Planning application ref 05/0082/OUT sought Change of Use of Timber Yard to Residential Land for the Erection of 36 Units. This application was refused. However, the applicant considered that there was insufficient weight given to the merits of the proposal and resubmitted shortly thereafter.

Responses to Consultation

With the application being to secure the principle of development, consultation responses merely seek to safeguard future development standards, which would be addressed in any further MSC application.

However, the Health and Safety Executive Advise Against the proposal, based on the number of units, site area and proximity to a major hazardous installation.

7. CONCLUSION

In conclusion, the specific nature of the site potential (36 Units) combined with the Structure/Local Plan identification of the site for business/Industrial use, the sites close proximity to a major hazardous Installation and the firm planning history on the site to resist housing development leads to the recommendation to refuse the planning application.

8. RECOMMENDATION

Refuse Outline Planning Permission

Refusal is recommended for the following

Reason(s):

1. The proposal is considered contrary to the Falkirk Council Local Plan Economic Development - Proposals and Opportunities - ED.GRA09 Wood Street - in that the application site is allocated to support Business/Industrial development.
2. The proposal is considered contrary to Falkirk Council Local Plan policy SC2- Windfall Housing Development within the Urban/Village Limit - in that the site is not considered brownfield and should be actively retained for Business/Industrial development.
3. The proposal is considered contrary to Falkirk Local plan policy EP2- Land for Business and Industrial Use - in that the site is identified to maintain the business and industrial land supply and the introduction of residential development would erode such provision.
4. The proposal is considered contrary to Falkirk Council Local Plan policy EP18 - Major Hazards- in that the Health and Safety Executive have "Advised Against" the proposal, based on unit numbers and proximity to major hazards.
5. The proposal is considered contrary to Falkirk Council Structure Plan policy ECON.3 - Local Business Development Opportunities- In that the site is allocated within the Falkirk Council Local Plan for Business/Industrial use and the loss of the site to residential use will erode such provision.

Informatives:


Director of Development Services

14.4.11
Date

Contact Officer : John Milne
(Senior Planning Officer) 01324 504815

Reference No. 05/0924/OUT



Falkirk Council

Please note: this permission does not carry with it any necessary consent or approval for the proposed development under any other statutory enactments.

**Town and Country Planning (Scotland) Acts as Amended
Issued under a Statutory Scheme of Delegation.**

Refusal of Planning Permission in Principle

Applicant

Carronvale Homes Ltd
Wood Street
Grangemouth
FK3 8LH

This Notice refers to your application registered on 6 October 2005 for permission in respect of the following development:-

Development Change of Use of Timber Yard to Residential Land For The Erection of 36 Dwellinghouses at

Location Land To The East Of Jupiter Wildlife Park, Wood Street, Grangemouth,

The application was determined under Delegated Powers. Please see the attached guidance notes for further information, including how to request a review of the decision.

In accordance with the plans docketted or itemised in the attached informatives as relative hereto, Falkirk Council, in exercise of its powers under the above legislation, hereby


Refuses Planning Permission in Principle

The Council has made this decision for the following

Reason(s):

1. The proposal is considered contrary to the Falkirk Council Local Plan Economic Development - Proposals and Opportunities - ED.GRA09 Wood Street - in that the application site is allocated to support Business/Industrial development.
2. The proposal is considered contrary to Falkirk Council Local Plan policy SC2- Windfall Housing Development within the Urban/Village Limit - in that the site is not considered brownfield and should be actively retained for Business/Industrial development.
3. The proposal is considered contrary to Falkirk Local plan policy EP2- Land for Business and Industrial Use - in that the site is identified to maintain the business and industrial land supply and the introduction of residential development would erode such provision.
4. The proposal is considered contrary to Falkirk Council Local Plan policy EP18 - Major Hazards- in that the Health and Safety Executive have "Advised Against" the proposal, based on unit numbers and proximity to major hazards.
5. The proposal is considered contrary to Falkirk Council Structure Plan policy ECON.3 - Local Business Development Opportunities- In that the site is allocated within the Falkirk Council Local Plan for Business/Industrial use and the loss of the site to residential use will erode such provision.

24 May 2011


Director of Development Services

POLICY ECON.2**STRATEGIC DEVELOPMENT
OPPORTUNITIES -
DEVELOPMENT CRITERIA**

Development of the strategic development opportunities identified in Policy ECON.1 will be subject to the following conditions:

- 1 high standards of design will be required through a development brief and masterplan for each opportunity which will be approved by the Council and ensure a comprehensive and sensitive approach to site planning;
- 2 provision must be made for walking, cycling and public transport infrastructure to allow a high level of access by transport modes other than the private car;
- 3 the scale of any residential use must comply with the general housing allocations set out in Chapter 4 and adequate social and physical infrastructure must be in place to serve them;
- 4 the scale and nature of out-of-centre retailing and leisure provision must be complementary to provision in Falkirk Town Centre and the District Centres. Accordingly, a Retail/Leisure Impact Assessment will be required to demonstrate this for all retail developments of 2,500 sq. m. gross floorspace or more, and for major commercial leisure developments. Assessment of smaller retail developments (between 1,000 and 2,500 sq.m. gross) may also be required in certain circumstances; and
- 5 development at Grangemouth Docks must not prejudice the operation of the port and should be compatible with the continuing activities of the petrochemical and chemical industries.

- 3.16 Development at the strategic locations will be conditional on the approval of a masterplan to guide development. This will normally be prepared by the developer in accordance with a development brief drawn up by the Council in partnership, where appropriate, with relevant landowners/developers. This will be where the detailed implementation of the principles of sustainable development will occur. Masterplanning will ensure that urban design, landscape, community safety and accessibility factors are properly built into site planning.

POLICY ECON.3**LOCAL BUSINESS DEVELOPMENT
OPPORTUNITIES**

Provision will be made for business and industrial land to meet local needs within settlements. Local Plans will assess local need and identify and safeguard suitable sites which should meet all relevant environmental, amenity, access and infrastructure requirements giving priority to previously developed sites.

- 3.17 Apart from the strategic development opportunities, there will still be a need for a supply of business sites to meet local business needs. Such sites will continue to be identified through Local Plans. Other opportunity sites may arise which meet the appropriate detailed criteria.
- 3.18 In the rural area planning policies will be developed to encourage economic activity and workspace in appropriate locations. This will support the Council's Community Regeneration Strategy (see also Policy COM 4) and farm diversification.

Managing Risk from Major Hazards

- 5.51 The various industrial chemical complexes in Grangemouth and the pipelines that serve them form the largest concentration of COMAH (Control of Major Accident Hazards Regulations 1999) "Top Tier" establishments in Scotland, and one of the biggest in Britain. The sites concerned are subject to stringent controls under existing health and safety legislation in order to make sure that no accident occurs. However, it is also prudent to control the scale and nature of new development within their vicinity so as to limit the public safety implications in the unlikely event of an accident. The Health and Safety Executive (HSE) defines hazard consultation zones around each complex. The HSE has to be notified of any planning application within these zones which is assessed through the Planning Advice for Developments near Hazardous Installations software tool (PADHI+). The HSE assesses these applications against a set of criteria, the aim of which is to reduce the population within these zones. The current guidance on such situations is set out in Scottish Office Circular 5/93 and "Risk criteria for land use planning in the vicinity of major industrial hazards," HSE 1989. The practical effect of the HSE's approach is that parts of the Falkirk Council area are constrained in terms of new development options.
- 5.52 Whilst the principle of maintaining an appropriate separation between new development and hazardous installations is an obvious one, establishing what is an appropriate distance is far from straightforward. In defining the hazard consultation zones, the HSE uses an established and respected methodology, but nonetheless the outcome is dependent on a range of technical assumptions. Small changes in these assumptions can make a big difference to the area of land subject to planning restrictions. More information on how consultation distances are derived is set out in a Council Technical Report entitled "Extent of Consultation Distances for Hazardous Installations." In addition, new development to serve the needs of a community already in close proximity to hazardous installations need not necessarily result in an increase in the total population at risk.
- 5.53 The Local Plan identifies some sites within hazard zones for new development. Whether such development unacceptably increases the population at risk will depend on a detailed assessment of the proposal and a thorough understanding of the nature of the hazards involved. Ultimately, Falkirk Council will have to balance the benefits of the development against any increase in risk. Therefore, when a planning application falls within a hazard zone Falkirk Council will consider the advice provided by the HSE. When appropriate the Council will take into account site specific information pertaining to the hazard, existing uses and the regeneration benefits. Falkirk Council will produce a Supplementary Planning Guidance note explaining the information that should be submitted for development falling within hazard consultation zones.
- 5.54
- EP18 MAJOR HAZARDS**

Within the Major Hazard and Pipeline Consultation Zones identified on the Proposals Map, proposals will be judged in relation to the following criteria:

 - (1) The increase in the number of people exposed to risk in the area, taking into account the advice of the Health and Safety Executive, any local information pertaining to the hazard, and the existing permitted use of the site or buildings;
 - (2) The extent to which the proposal may achieve regeneration benefits, which cannot be secured by any other means; and
 - (3) The potential impact that the proposals may have upon chemical and petrochemical establishments.
- 5.55 The chemical companies in Grangemouth are of major economic importance in both a Scottish and a local context and are recognised as such in National Planning Framework 2. The opportunity to build on their presence in the town, particularly with the local downstream manufacture of their primary products is a key goal of both the economic development strategies of Scottish Enterprise and the Council.
- 5.56 However, as mentioned above, the chemical companies also create a local constraint. Significant areas of Falkirk Council area are therefore already constrained in terms of possible development options. To increase off site restrictions still further would not be acceptable. There will therefore be a presumption against any proposal that will extend the size and extent of hazard consultation zones within urban areas beyond their present coverage or prejudice the development of sites allocated in the Local Plan.

5.57 In addition, Falkirk Council will seek to work with the chemical companies to continue to improve their safety and environmental performance. Wherever possible the Council will seek to negotiate reductions in the inventories of hazard substances held by chemical companies in order to reduce the offsite development constraints in the Falkirk Council area. Falkirk Council will produce its own guidance setting out how it will determine applications for Hazardous Substances Consent.

5.58 **EP19 HAZARDOUS SUBSTANCES
CONSENT**

There will be a general presumption against applications for hazardous substances consent which would extend the hazard consultation zones within urban areas beyond their present coverage or prejudice the development of sites allocated in the Local Plan.

5.59 An area immediately to the east of Grangemouth at Kinneil Kerse has been a longstanding safeguarded site for petrochemical development, in the national interest. It will continue to be safeguarded, although the site is no longer specifically mentioned in the SPP. Along with the safeguarded site, a zone surrounding the site has been identified in order that developments in that zone do not unacceptably restrict potential petrochemical and industrial uses.

5.60 **EP20 KINNEIL KERSE SITE
SAFEGUARDING ZONE**

Within the Kinneil Kerse Safeguarding Zone identified on the Proposals Map there will be a general presumption against development which would impose restrictions on the type of petrochemical uses permitted within the safeguarded site at Kinneil Kerse.

5.61 **Managing Risk from Major Hazards - Actions and Indicators**

Actions:

- Produce Supplementary Planning Guidance for development within hazard consultation areas and applications for hazardous substance consent
- Produce an updated development brief for the safeguarded petrochemical site at Kinneil Kerse

Indicators:

- Total population within hazard consultation zones
- Change in inventories of hazardous substances

ENABLING BUSINESS GROWTH IN SUSTAINABLE LOCATIONS

5.7 In order to support economic growth, the SPP emphasises the importance of providing a range and choice of marketable sites and locations for businesses. The Business Property Strategy commissioned by the Council and Scottish Enterprise has shown that, although reserves of allocated employment land exist, there are critical issues of deliverability. The delivery of sites may be affected by infrastructure costs, timescale issues, ownership constraints, and commercial viability. Demand from inward investors, and from local companies wishing to relocate cannot always be satisfied.

5.8 Within this context, there is continuing need to safeguard employment land, but also an ongoing need to resolve constraints and improve the effectiveness of the supply. Strategic sites which form part of the Strategic Development Opportunities identified in Table 5.1 will be given a high priority. However, the Structure Plan also emphasises the need to maintain a local supply of business land in communities. It is also important that existing industrial estates are safeguarded from changes of use which would damage their role and contribution to the local economy.

5.9 EP2 LAND FOR BUSINESS AND INDUSTRIAL USE

In order to maintain the business and industrial land supply and the employment role of existing business and industrial areas:

- (1) The sites for new business and industrial development identified on the Proposals Map will be safeguarded for the employment use specified for each site; and
- (2) The areas for retention in business and industrial use identified on the Proposals Map will be retained and reserved for Class 4, 5 or 6 uses, except for the established business parks of Callendar Park and Gateway Business Park, Grangemouth which will be reserved for Class 4 uses only and the Glasgow Road Camelon Industrial Area which may include a food retail element to meet local needs as part of the mix;

Other ancillary employment uses may be permitted within these areas where they are compatible with the principal business/industrial use of the site, will not result in a significant reduction in the availability of business land or property, and are consistent with other Local Plan policies.

5.10 It will not be desirable to retain all current industrial areas in employment use. The location of some older industrial areas may no longer be appropriate given the surrounding land uses, access and environmental factors. Regeneration of such areas may be better served by allowing comprehensive redevelopment for other purposes. Those areas where change would be encouraged are highlighted on the Proposals Map and development proposals will be judged against Policy EP3.

5.11 EP3 EXISTING BUSINESS AND INDUSTRIAL AREAS WITH POTENTIAL FOR REDEVELOPMENT

(1) Within the business and industrial areas with potential for redevelopment identified on the Proposals Map, the Council will consider favourably proposals for comprehensive redevelopment for other uses which:

- are appropriate in terms of the character of the surrounding area;
- are satisfactory in terms of environmental, access, traffic generation and other detailed considerations; and
- comply with other Local Plan policies.

Pending any such redevelopment, use of these sites for Class 4, 5 or 6 development will continue to be supported.

(2) Changes of use or redevelopment of other business/industrial land or premises within the Urban Limit which are not safeguarded under Policy EP2 may be permitted subject to amenity, environmental, access, traffic generation and other detailed considerations.

5.12 The sites safeguarded under Policy EP2 are the preferred locations for new business and industrial development, and development in Classes 4, 5 and 6 will be directed to these locations. In addition, business development within the areas with potential for change under Policy EP3(1) will also be supported pending comprehensive proposals for their redevelopment, and office development will be seen as a beneficial use within Town Centres. Whilst flexibility is needed to allow business use in other locations within the urban area, environmental and amenity issues are more likely to arise and the criteria in Policy EP4 will apply.

Windfall Housing Development within the Urban and Village Limits

- 4.10 In addition to the housing proposals identified specifically in the Local Plan, other housing development within the Urban or Village Limits will be supported where it meets the criteria set out in Policy SC2. Such windfall development will generally be on brownfield sites and will assist in meeting the general objective of recycling redundant land and minimising take up of greenfield sites. However, sites must meet requirements in terms of accessibility, amenity and infrastructure availability. An estimate of the output from windfall sites has been built into the housing land requirement calculation, and monitoring will take place to check the actual output against the estimate.

4.11

SC2 WINDFALL HOUSING DEVELOPMENT WITHIN THE URBAN/VILLAGE LIMIT

Housing development within the Urban and Village Limits, in addition to proposals identified within the Local Plan, will be supported where the following criteria are met:

- (1) The site is a brownfield one, or comprises urban open space whose loss can be justified in terms of Policy SC12;
- (2) The proposed housing use is compatible with neighbouring uses and a satisfactory level of residential amenity can be achieved;
- (3) The site enjoys good accessibility by public transport, walking and cycling to shopping, recreational and other community facilities;
- (4) Existing physical infrastructure, such as roads and drainage, water supply, sewage capacity, and community facilities, such as education and healthcare, have the capacity to accommodate the increase in use associated with the proposed development, or can be upgraded through appropriate developer contributions as required by Policy SC11;
- (5) In the case of small gap sites and sub-divided plots, Policy SC8 is satisfied; and
- (6) There is no conflict with any other Local Plan policy or proposal.

Housing in the Countryside

- 4.12 There is continuing pressure for the development of individual houses or groups of houses in the countryside. Structure Plan Policy ENV.1 and Local Plan Policy EQ19 set out the broad approach of restricting new development in the countryside unless a countryside location is required. Policy SC3 contains detailed criteria for assessing the acceptability of proposals. In general, housing will be permitted where it is required to support a genuine rural economic activity. Further opportunities will arise from the rehabilitation of redundant properties and from appropriate infill sites.

4.13

SC3 HOUSING DEVELOPMENT IN THE COUNTRYSIDE

Housing development in the countryside will only be permitted in the following circumstances:

- (1) Housing essential to the pursuance of agriculture, horticulture or forestry, or the management of a business for which a countryside location is essential. In these instances, the applicant must demonstrate all of the following:
 - The operational need for the additional house in association with the business;
 - That no existing dwelling which might have served that need has been sold or otherwise alienated from the holding;
 - That there are no reasonable opportunities for reusing or converting redundant buildings rather than building a new dwellinghouse; and
 - That the business as a whole is capable of providing the main source of income for the occupant;
- (2) Proposals involving the rehabilitation of former residential properties, or the conversion of farm and other buildings to residential use, where all of the following criteria are met:
 - The building, by virtue of its existing character, makes a positive contribution to the rural landscape;
 - The building is in a reasonable state of repair, still stands substantially intact and is capable of beneficial restoration, as verified by a report and certificate from a qualified structural engineer;
 - The restored or converted building is of comparable scale and character to the original building; and
 - In the case of former non-residential buildings, the building is no longer required for the purpose for which it was built; or
- (3) Appropriate infill opportunities within the envelope of an existing group of residential buildings, where the development would not result in ribbon, backland or sporadic development, and the proposal satisfies Policy SC8.

Grangemouth

- 11.44.5 ED.GRA05 South Bridge Street**
- Opportunity:** General Industrial/Storage/Retail
- Site Area:** 2.9 hectares
- Agency:** Falkirk Council/Private
- Comments:** Important for any development to recognise the prominence of the site as an entrance to the town centre and docks. Site has been identified as being at medium to high risk of flooding. A flood risk assessment and drainage impact assessment will be required. These assessments may influence the scale, layout and form of development.
- 11.44.6 ED.GRA06 Glensburgh Road**
- Opportunity:** Class 4 Business/Tourism/Motor Retail
- Site Area:** 4.5 hectares
- Agency:** Falkirk Council/Private
- Comments:** Proposal must address access and likely ground condition problems. Reservation must be made for any land requirements associated with Glensburgh Road junction improvement. Site has been identified as being at medium to high risk of flooding. A flood risk assessment and drainage impact assessment will be required. These assessments may influence the scale, layout and form of development.
- 11.44.7 ED.GRA07 Earls Gate Park**
- Opportunity:** Business/Industry/Motor Retail
- Site Area:** 14.1 hectares
- Agency:** KemFine UK Ltd.
- Comments:** Site would be particularly suitable for general industrial uses with an opportunity to share spare capacity in power and effluent treatment. Any proposals for hazardous substance consent will require to be assessed under Policy EP 19. Site has been identified as being at medium to high risk of flooding. A flood risk assessment will be required. This assessment may influence the scale, layout and form of development.
- 11.44.8 ED.GRA08 Earls Gate Park Phase 2**
- Opportunity:** Business/Industry
- Site Area:** 14.0 hectares
- Agency:** KemFine UK Ltd./SE
- Comments:** Site would be suitable for use classes 4, 5, and 6, with an opportunity to share spare capacity in power and effluent treatment. Development of the site should retain the woodland area and important trees. The loss of sports facilities requires to be addressed either by replacing them with new ones, or upgrading existing ones, all in line with national planning policy guidance. Other matters which potentially have to be addressed include flooding, access, and European protected species. Any proposals for hazardous substances consent will require to be assessed under Policy EP19.
- 11.44.9 ED.GRA09 Wood Street**
- Opportunity:** Business/Industrial Development
- Site Area:** 7.0 hectares
- Agency:** Private
- Comments:** Any proposal must address the need for a new access and the relationship between the proposed use and adjoining residential properties. Proximity to major hazards will require HSE issues to be taken into account in developing this site.

