

**FALKIRK COUNCIL**

**Subject:** **ERECTION OF RECYCLING BUILDING AT KINNEIL KERSE  
RECYCLING CENTRE, GRANGEMOUTH ROAD, BO'NESS  
EH51 0PU FOR FALKIRK COUNCIL - P/12/0830/FUL**

**Meeting:** **PLANNING COMMITTEE**

**Date:** **27 February 2013**

**Author:** **DIRECTOR OF DEVELOPMENT SERVICES**

**Local Members:** **Ward - Bo'ness and Blackness**

**Councillor Adrian Mahoney**

**Councillor Ann Ritchie**

**Councillor Sandy Turner**

**Community Council:** **Bo'ness**

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

**1. DESCRIPTION OF PROPOSAL / SITE LOCATION**

- 1.1 This application refers to land at Kinneil Kerse Recycling Centre Waste Transfer Station at the north side of Grangemouth Road, Bo'ness. It is proposed to erect a recycling building at an existing raised concrete platform.
- 1.2 The proposed recycling building consists of a building measuring 15 metres long x 6 metres wide x 2.8 metres in height to the ridge. The building would be of metal cladding construction with a masonry base course and polycarbonate rooflights.
- 1.3 The proposed building would be utilised to extract a greater percentage of recyclable materials from the waste currently being imported into the site.
- 1.4 The proposed building is intended as a shelter. It is not proposed to connect the building to the water main or other utilities.

**2. REASON FOR COMMITTEE CONSIDERATION**

- 2.1 The application site is owned by Falkirk Council. The application has been made by Falkirk Council. Under the Council's amended Scheme of Delegation, such applications require consideration by the Planning Committee.

### **3. SITE HISTORY**

3.1 The planning history in respect of the Kinneil Kerse Waste Transfer Station is:-

- F/2000/0564 - Certificate of Lawful Use for civic amenity facility was approved on 29 March 2001.
- F/2003/0333 - Extension to civic amenity site to form waste transfer station (Notice of Intention to Develop) was approved on 18 June 2003.
- F/2003/1085 - Alterations to waste transfer station, including installation of lighting columns (Notice of Intention to Develop) was approved on 13 February 2004.

### **4. CONSULTATIONS**

- 4.1 The Roads Development Unit has raised no objections and advised that no Roads related conditions need be attached.
- 4.2 The Environmental Protection Unit has advised that contamination can be addressed by condition and that noise need not be considered a determining factor.
- 4.3 The Scottish Environmental Protection Agency has advised that drainage details be approved prior to the commencement of development on site. It is advised that the approval of drainage details can be addressed by condition.
- 4.4 Scottish Natural Heritage has raised no objections.
- 4.5 BP Midstream Pipelines has raised no objections.
- 4.6 There is no impact in terms of the Health and Safety Executive planning advice for developments near hazardous installations (PADHI+).

### **5. COMMUNITY COUNCIL**

- 5.1 No objections received.

### **6. PUBLIC REPRESENTATION**

- 6.1 No objections 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

### ***Falkirk Structure Plan***

7a.1 There are no strategic issues raised by the proposed development.

### ***Falkirk Council Local Plan***

7a.2 Policy EP2 - "Land for Business and Industrial Use" states:

*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.*

7a.3 The proposed development would not compromise the future industrial use of the Class 5 industrial Kinneil Kerse Recycling Centre.

7a.4 The proposed development accords with Policy EP2.

7a.5 Policy EP5 - "Business and Industrial Development In The Countryside" states:

*New business and industrial development in the countryside will only be permitted in the following circumstances:*

- (1) Areas specifically identified for business and industrial development on the Proposals Map;*
- (2) Business/industrial development where the need for a countryside location is demonstrated and the proposal could not more appropriately be accommodated within the Urban or Village Limits;*
- (3) Proposals involving the reuse of vacant industrial, commercial or institutional land or premises, or the conversion of farm or other buildings for business use where the scale and nature of the activity is compatible with the location;*
- (4) Limited extensions to existing established businesses in the countryside which can be accommodated without any additional adverse impact on the rural environment;*
- (5) Proposals for the processing of secondary materials including construction and demolition wastes at existing mineral sites in addition to industrial sites; or*
- (6) Appropriate leisure and tourism development that accords with Policy EP16. Proposals will be subject to rigorous assessment of their impact on the rural environment, having particular regard to Local Plan policies protecting natural heritage (EQ19-EQ30) and built heritage (EQ12-EQ18).*

- 7a.6 The proposed development constitutes an additional facility within an existing Class 5 industrial waste recycling facility which is established in the countryside setting. The proposed development would be compatible with the existing waste transfer station in terms of scale and design. There would be no increase in the volume of waste being imported into the site.
- 7a.7 The proposed development accords with Policy EP5. Furthermore, in being in accordance with Policy EP5 in respect of a site in a countryside setting, the proposed development accords with Policy EQ19 - "Countryside", detailed in section 7a.14 of this report.
- 7a.8 Policy EP18 - "Major Hazards" states:

*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*

- 7a.9 The proposed development would not significantly increase the number of people exposed to risk in the area. The advice of the Health and Safety Executive referred to in section 4.6 of this report is noted.
- 7a.10 The proposed development accords with Policy EP18.
- 7a.11 Policy EP20 - "SPP Site Safeguarding Zone" states:

*Within the SPP 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.*

- 7a.12 The proposed development would not impose restrictions on the type of petrochemical uses permitted within the safeguarded site at Kinneil Kerse.
- 7a.13 The proposed development accords with Policy EP20.
- 7a.14 Proposal EQ19 - "Countryside" states:

- (1) The Urban and Village Limits represent the desirable limit to the expansion of settlements for the period of the Local Plan. Land outwith these boundaries is designated as countryside and will be subject to the detailed policies for specific uses indicated in Table 3.3. Development proposals in the countryside for uses not covered by these policies will only be permitted where:  
it can be demonstrated that they require a countryside location;  
they constitute appropriate infill development; or  
they utilise suitable existing buildings.*

- (2) *In circumstances where development meets the relevant countryside policy criteria, the scale, siting and design of development will be strictly controlled to ensure that there is no adverse impact on the character of the countryside. In particular:*  
*the siting should be unobtrusive, making use of natural features to integrate development into the landform and avoiding skylines;*  
*building design should be sympathetic to vernacular building styles and comply with the design principles contained within the Councils Design Guide for Buildings in the Rural Areas; and*  
*boundary and curtilage treatments should be sympathetic to the rural area, with a preference for stone walling and hedging using native species.*

7a.15 Sections 7a.6 and 7a.7 of this report are noted.

7a.16 The proposed development accords with Policy EQ19.

7a.17 Policy EQ20 - "Green Belt" states:

*There will be a strong presumption against development in the Green Belt except where it can be demonstrated that:*

- (1) *The proposal satisfies Policy EQ19 and any relevant countryside policies as set out in Table 3.3; and*  
(2) *The proposal will not undermine the role of the Green Belt by detracting from its existing landscape character; reducing the visual separation between settlements; or compromising its existing or potential future use for countryside recreation.*

*Where proposals satisfy these criteria, developer contributions to landscape improvement, access and countryside recreation will be sought in accordance with Policy EQ21.*

7a.18 The proposed development would not have a significant impact on the visual amenity, or the settlement separation and recreational functions, of the Green Belt setting of the Kinneil Kerse site.

7a.19 The proposed development accords with Policy EQ20.

7a.20 Policy ST18 - "Waste Management Facilities" states:

*Proposals for large scale waste management facilities will be directed to locations within or adjacent to existing waste management facilities and general industrial areas as indicated by Policy EP2. Proposals must:*

- (1) *comply with the objectives of the Zero Waste Plan;*  
(2) *promote sustainable transport and the proximity principle;*  
(3) *consider the need for the facility;*  
(4) *demonstrate that the impact on the environment and local communities is acceptable; and*  
(5) *comply with other Local Plan policies.*

7a.21 The proposed development would increase the volume of waste being extracted and recycled at the Kinneil Kerse Recycling Centre. There would be no significant impact on the environment.

7a.22 The proposed development accords with the principles of Policy ST18.

7a.23 Policy ST11 - 'Sustainable Urban Drainage' states:

*"Surface water management for new development should comply with current best practice on sustainable urban drainage systems, including opportunities for promoting biodiversity through habitat creation. A drainage strategy, as set out in PAN 61, should be submitted with planning applications and must include flood attenuation measures, details for the long term maintenance of any necessary features and a risk assessment."*

7a.24 It is noted that the Scottish Environment Protection Agency (SEPA) has advised that drainage details should be approved prior to the commencement of works on site and that the approval of drainage details can be addressed by condition.

7a.25 The proposed development accords with Policy ST11.

7a.26 The proposed development accords with the Falkirk Council Local Plan.

7a.27 Accordingly, the proposed development accords with the Development Plan.

## **7b Material Considerations**

7b.1 The material considerations to be assessed are Scottish Planning Policy, Planning Advice Note 63 "Waste Management Planning", the Forth Valley Area Waste Plan and Consultation Responses.

### ***Scottish Planning Policy***

7b.2 In respect of waste management, Scottish Planning Policy (SPP) promotes a zero waste goal. The achievement of this will require eliminating unnecessary use of raw materials by a variety of means, including recovering value from products when they reach the end of their life by recycling. Furthermore, the SPP advises that an increase in the number, range and type of waste management installations will be required, including waste transfer stations and recycling facilities.

7b.3 It is noted that the proposed development would increase the efficiency of the recycling of waste materials at the Kinneil Kerse waste transfer station. The proposed development accords with the principles of Scottish Planning Policy.

### ***Planning Advice Note 63 "Waste Management Planning"***

7b.4 Planning Advice Note (PAN) 63 highlights a number of environmental issues which must be considered and safeguarded when waste related proposals are being considered. These issues include visual amenity and protection of water sources. Furthermore, it is advised that area waste plans should be considered together with the potential requirement for an Environmental Impact Assessment (EIA).

7b.5 It is not considered that the proposed development would have an impact in terms of visual amenity, flooding or drainage. It is not considered that an EIA is required in this instance. The Forth Valley Area Waste Plan is detailed in section 7b.7 of this report.

7b.6 The proposed development accords with PAN 63.

### ***Forth Valley Area Waste Plan***

7b.7 The Forth Valley Area Waste Plan (FVAWP) is consistent with the aims of the National Waste Strategy and promotes sustainable development and making the maximum possible contribution to reducing society's impact. The FVAWP seeks to adopt an integrated, systematic and coherent approach to sustainable waste treatment, including recycling. In 2003, less than 6% of municipal solid waste (MSW) was recycled or composted. It is the aim of the FVAWP to recycle 28% of MSW by 2020, with composting a further 25% of MSW.

7b.8 The proposed development would contribute towards the achievement of the recycling target of the FVAWP. The proposal accords with the Forth Valley Area Waste Plan.

### ***Consultation Responses***

7b.9 It is noted that no objections have been raised by consultees subject to planning conditions being imposed as detailed in paragraph 4.

### **7c Conclusion**

7c.1 The proposed development accords with the Development Plan. Furthermore, the proposal accords with Scottish Planning Policy in respect of waste management, Planning Advice Note 63 "Waste Management Planning" and the Forth Valley Area Waste Plan.

7c.2 The visual impact would not be significant. The amenity of the Green Belt countryside setting would be safeguarded.

7c.3 The proposed development would increase the efficiency of recycling at the Kinneil Kerse Waste Transfer Station.

## **8. RECOMMENDATION**

8.1 It is therefore recommended that Committee grant planning permission subject to the following conditions:-

- (1) There shall be no commencement of work on site until such time as details of the exterior colour(s) of the proposed development has been submitted to, and approved in writing by, the Planning Authority.
- (2) i. No development shall commence on site unless otherwise agreed with the planning authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority.

- ii. Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy should be submitted to the Planning Authority demonstrating that the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination. The scheme must be approved in writing by the Planning Authority.
  - iii. Prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority.
  - iv. If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue.
- (3) The development shall not commence on site until such time as a detailed drainage scheme has been approved in writing by the Planning Authority, the scheme to include the treatment of surface water runoff by sustainable urban drainage methods.

**Reason(s):-**

- (1) To safeguard the visual amenity of the area.
- (2) To ensure the ground is suitable for the proposed development.
- (3) To ensure adequate drainage.

**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 a period 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) 01.

**Pp**

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**Director of Development Services**

**Date: 19 February 2013**

**LIST OF BACKGROUND PAPERS**

- 1. Falkirk Council Local Plan.

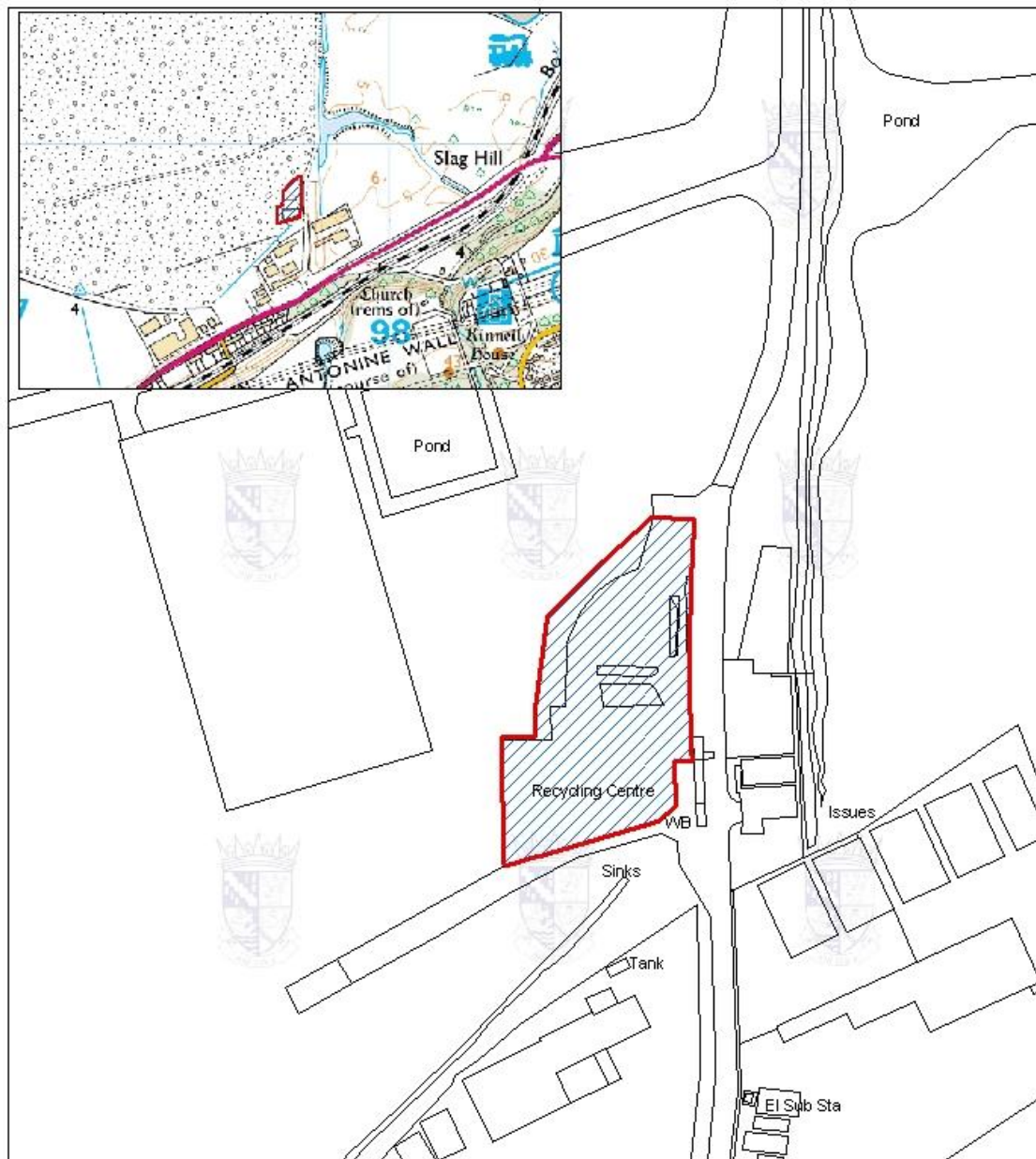
2. Scottish Planning Policy.
3. Planning Advice Note 63 "Waste Management Planning".
4. Forth Valley Area Waste Plan.

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/12/0830/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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