

Issue 7	Grangemouth Housing Sites	
Development plan reference:	<u>Chapter 4 Settlement Statements</u> Grangemouth (pages 32 – 33) <u>Appendix 1 Site Schedule</u> Housing – Grangemouth (page a1-05) Mixed Use – Grangemouth (page a1-14) <u>Proposals Map 5</u> Grangemouth and Polmont	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Chemical Cluster Companies (00878) Scottish Enterprise (00447) Mr Garry Sneddon (01105) New River Retail & Cabri 3 Ltd (01265)		
Provision of the development plan to which the issue relates:	The allocation of specific sites for housing in Grangemouth, as identified in the Grangemouth Settlement Statement, and detailed in Appendix 1.	
Planning authority's summary of the representation(s):		
<p><u>Allocated Housing Site H34 – Wood St, Grangemouth</u></p> <p>Chemical Cluster Companies (00878/2001/001):- The housing site at Wood Street (H34) should be replaced with the designation of a core business area under proposed Policy BUS02, with the housing figures reduced for Grangemouth by 30 units and consequential changes made. The site is contrary to draft SPP (CD02) and NPF3 (CD05) which seek to protect nationally important clusters of industries handling hazardous substances. The site was rejected as a housing site at the last local plan inquiry and its development will prejudice future growth of the chemical industries. The remainder of the wider site is also likely to come forward for housing, further impacting on the chemical sites by limiting their future growth. The Environmental Report (CD17) notes that the site is within the Grangemouth AQMA and residents will be exposed to reduced air quality. The site assessment contained within Technical Report 2 (CD21) should be revised to reflect this. The reference to the area having "a more attractive residential character which would be enhanced with further housebuilding" in Technical Report 3 (CD22) page 24 is not accepted. A statement in support of the representation has been submitted (RD7.3).</p> <p>Scottish Enterprise (00447/2001/005):- The LDP should recognise the constraints that are placed on the chemical and petrochemical sector in relation to the proximity of housing and any proposal which serves to detract from the attractiveness of Grangemouth as a potential investment should be modified. The housing allocation at Wood Street would create a negative investment</p>		

environment for investors at Grangemouth Port / chemical cluster. As it lies within the COMAH consultation area, 'reverse-COMAH' would apply – the concept that existing (and future) chemical / petrochemical sector businesses would be liable to mitigate against the increased societal risk promoted by the growth in population i.e. the business sector would have to consider changing existing working practices or investment decisions to accommodate the LDP allocation.

Whilst it is recognised that there is a need to provide for a choice of locations for residential development and that previous decisions have been made in respect of the Wood Street site, the allocation should be changed from housing and Map 5 amended accordingly, to encourage and support the growth of the Port and Chemical Sciences sector at Grangemouth. There are other sites available within the District to accommodate this loss of housing land. Relocation of the chemical sector is not an option.

Allocated Housing Site H35 - Oxbang Road, Grangemouth

Mr Garry Sneddon (01105/2001/001):- While the principle of housing growth is supported, objection is made to the allocation of site H35 at Oxbang Road (H35) for housing. Details of the proposed development are requested and assurances on a number of factors including, road safety, building height, the protection of trees and boundary treatments. The consultation letter was the first information received about the proposal and earlier consultation in the development plan process would have been preferred.

General Housing - Grangemouth

New River Retail & Cabri 3 Ltd (01265/2001/003):- A more proactive approach is necessary by the Council in seeking to identify new housing opportunities in Grangemouth, to provide choice of housing for residents, arrest population decline as evidenced in Table 4.2 of Technical Report 1 (CD16 Monitoring Statement), and sustain and enhance existing facilities and services in the town. The Council should work with the HSE to define areas where population growth could be delivered to achieve the regeneration benefits referred to in Policy BUS05.

Modifications sought by those submitting representations:

Allocated Housing Site H34 – Wood Street, Grangemouth

Chemical Cluster Companies (00878/2001/001):- Delete Proposal H34 (Wood Street) and designate the site as a core business area under BUS02. Make consequential changes to the plan.

Scottish Enterprise (00447/2001/005):- Delete Proposal H34 (Wood Street).

Allocated Housing Site H35 - Oxbang Road, Grangemouth

Mr Garry Sneddon (01105/2001/001):- Amend supporting information for Proposal H35 Oxbang Road to provide more detail of the proposal.

General Housing – Grangemouth

New River Retail & Cabri 3 Ltd (01265/2001/003):- Allocate additional sites for housing development in Grangemouth.

Summary of responses (including reasons) by planning authority:

Allocated Housing Site H34 – Wood St, Grangemouth

Chemical Cluster Companies (00878/2001/001); Scottish Enterprise (00447/2001/005):- The Council considers that site H34 (Wood Street) represents an appropriate site for residential development.

Site History

Site H34 forms the north eastern part of a wider area of vacant land which has been subject to site assessment as part of the preparation of the MIR (CD21 site ref GRA/C/01). This wider area is currently allocated as Opportunity ED.GRA09 for business/industrial development in the current Local Plan (CD10, page 162). Historically, the Council has supported the retention of the wider site for business/industry. An objection requesting its allocation for housing was considered at the Local Plan inquiry (CD12, page 202) in 2009. The Reporter (CD12, paragraph 9.4.13) acknowledged that the case for maintaining the site for business and industry was weak and that the site was capable of becoming an effective housing site, but concluded that on balance it should not at that time be allocated for housing.

The Wood Street area has been subject to a number of planning applications for housing over recent years, some of which have been refused, and some granted. A development of 24 houses on the south side of the wider site has been completed.

Most recently, an application for the H34 site for 36 units (ref 05/0924/OUT) was refused planning permission in 2011 on the grounds that it was allocated as a business and industry site and was contrary to Policy EP18 on Major Hazards, the HSE having advised against granting consent. The decision was appealed to the Local Review Board (LRB). The LRB decided that it was minded to grant permission subject to restricting the number of units to 30 and a condition on the location of the houses which would no longer generate an 'advise against' decision from the HSE. This consent is subject to the conclusion of a S75 agreement. Since the appeal was made, the applicant Carronvale Homes has gone into receivership and no progress has yet been made on concluding the S75 with a new interested party.

In the Proposed LDP, the Council no longer considers it appropriate to safeguard the wider site for business and industry. The north eastern part has been allocated for housing as Proposal H34 on the basis of the aforementioned 'minded to grant' decision on the planning application, and is considered capable of delivering units within the first phase of the LDP. The remainder of the wider

site is designated as a business area with potential for redevelopment for other uses under Policy BUS03.

Major Hazards Planning Policy

The site is covered by 2 major hazard consultation distances (CDs) associated with the CalaChem and Syngenta sites (CD80 Wood Street Zones). The criteria applied by the HSE in respect of different types of proposed development within the inner, middle and outer zones of CDs are contained in the HSE's PAHDI + guidance (CD81). The HSE assessment carried out by the planning authority through PADHI + relates to the potential risk for residents of any proposed development rather than any impact on major hazard sites themselves in terms of increased on site safety costs. Most of the site (1ha) is within the middle zone of the CD's where housing up to 30 units and of a density of less than 40 units/hectare would generally attract a 'do not advise against' recommendation by the Health and Safety Executive (HSE). A small portion of the site (0.1ha) is within the inner zone where no more than 1 or 2 units would be acceptable. General business and industrial uses are usually acceptable within CDs subject to no more than 100 people occupying each building and storey height being limited.

Response to Representations

Wood Street is characterised by a mixture of housing and industrial uses and the site is separated from the chemical companies by an industrial site and the railway to the north west. The Jupiter Wildlife site to the north west of the wider site is leased from CalaChem by the Wildlife Trust. Site ED12 in the proposed plan is for general business and industry use and also separates the CalaChem complex from the Wood St site. This site has been developed by CalaChem for general business and industry use and currently has a number of office uses on site. Similarly land to the south west of CalaChem bounded by Earls Gate Road and Glensburgh Road has been marketed for general business and industry uses with a supermarket storage and distribution unit on site. The majority of the site H34 is in the middle zone of a CD and, as the HSE advice for such areas is that housing sites can be acceptable dependent on scale and density, the site is considered to be compatible with the nearby major hazard sites. Grangemouth is characterised by both housing and business/industrial areas being located in close proximity to one another and these tensions are reflected in proposed Policy BUS05 in the Proposed LDP (page 56). It is considered that the description of the area in Technical Report 3 (Revised) (CD22, page 24) as one with a more attractive residential character which would be enhanced by further housebuilding is an accurate reflection of the changes that have taken place on Wood Street.

The overall population of Grangemouth has declined by 3.2% between 2001 and 2011 (CD82) and the redevelopment of two Council housing sites with lower density housing on Wood Street and at Chisholm Place has also resulted in a reduction of the total number of residential units within the CDs around Wood Street. Scottish Enterprise and the Chemical Cluster Companies consider that the gradual increase in population within CDs will over time require additional safety measures to be implemented on site at a cost to the chemical companies which will restrict the potential growth of these businesses. The development of housing

at Wood Street is not however, considered likely to lead to significant increased on-site costs for the chemical industry, as the population in Grangemouth is expected to continue to decline. There are no significant sites for new housing proposed for the area and Grangemouth is generally constrained by the Forth, River Carron, the M9 motorway, flood risk and major hazard sites in terms of its ability to grow.

The whole of Grangemouth is designated as an Air Quality Management Area (AQMA) because of industrial emissions and all residents are potentially affected by this issue. This reflects the difficulties of managing business and residential uses in close proximity with other uses. However given the declining population in Grangemouth and the Council's proactively seeking to reduce pollution levels through an AQMA Action Plan the allocation of the site is considered to be acceptable.

The Chemical Cluster Companies consider that the proposal is contrary to draft SPP and NPF3. While the draft SPP (CD02) requires strategic development plans (LDPs are assumed to be included in this requirement although not stated in the draft SPP) to safeguard industries handling hazardous substances from development which would compromise their continued operation or growth potential, this is not contained within the current SPP (CD01). It also suggests that in combination effects from development be considered. The reference to in combination effects in the draft SPP is understood to relate to the concept of societal risk which refers to the risk of harm to groups of people from an accident involving a major hazard. It is not considered possible at present to make any meaningful assessment of the impact of cumulative development within CDs on the wider societal risks for the area and by implication any potential impact on major hazard sites.

No agreed mechanism exists at present to measure societal risk although it has been investigated by the HSE. There is also no agreement at Government level that societal risk be included in planning considerations as no model has yet been developed by the HSE to allow such assessment or ministerial agreement been given to the HSE to take this forward. Proposals must therefore come forward on an individual basis which would not be contrary to HSE advice when assessed through the PADHI+ system.

NPF3 MIR (CD05, page 60, paragraph 5.3.2) proposes that the Grangemouth Investment Zone be designated as a national development which includes a reference to chemical sciences. The development of H34 for housing is not considered to be contrary to NPF3 MIR as the main thrust of the investment zone concerns freight and dock development as well as associated transport infrastructure.

EU Directive Seveso II (CD83) requires member states to ensure that their land use and other policies take account of the need in the long term to maintain appropriate distances between major hazard sites and residential areas. Policy BUS05 of the Proposed LDP (page 56, paragraph 5.74) acknowledges that all proposals within CDs should be assessed in relation to the likely increase in the number of people exposed to risk, 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. The importance of the chemical and petrochemical industries is therefore recognised in the Proposed LDP, at the same time as seeking to balance the health and safety considerations of development with the potential benefits for the area. The requirements of Seveso II and Seveso III (due in 2015) are adopted into UK policy through relevant legislation and it is considered that the Proposed LDP accords with these requirements taking into account the HSE advice on the proposal.

For these reasons, and bearing in mind the 'minded to grant' decision on the planning application for housing on the site, the Council considers the site to be an appropriate housing allocation and does not agree to modify the plan in response to these representations.

Allocated Housing Site H35 - Oxgang Road, Grangemouth

Mr Garry Sneddon (01105/2001/001):- Proposal H35 (Oxgang Road) was allocated as a housing site within the current Local Plan (CD10, page 158, site H.GRA04), and is being carried forward into the LDP. The level of detail requested is not available and would be considered at a planning application stage. It is acknowledged however that the proposal could be developed for Council housing through permitted development rights without a planning application process being required. The Council would undertake some consultation on the proposal if this were to be the case. The site could also be marketed for private housing. Whilst no detailed scheme has yet been prepared, the site is considered capable of being developed without any loss of amenity to adjacent properties. The site would be likely to include 2 storey properties and the change in outlook from Mr Sneddon's property is not considered to be a valid planning consideration. The development of the site is not considered likely to require traffic calming to be carried out. However if Oxgang Road did meet the criteria any proposals would be put on the list of traffic management works required and these works would be carried out when funding became available. Traffic calming required in association with a development could be funded by the developer. For these reasons, the Council does not agree to modify the plan in response to this representation.

General Housing – Grangemouth

New River Retail/Cabri 3 Ltd (01265/2001/003):- The Settlement Statement for Grangemouth in the Proposed LDP (page 32) and information in Technical Report 3 (Revised) (CD22, page 24) clearly identifies the issues which constrain housing growth in the town. Updated figures show that the overall population of Grangemouth has declined by 3.2% between 2001 and 2011 (CD82) and the population in Grangemouth is expected to continue to decline as there are no significant sites for new housing proposed for the area. While this is less than the previous estimates it is still a trend which is expected to continue.

Grangemouth is physically constrained by the Forth, River Carron, the M9 motorway and by flood risk and the limitations on housing imposed by

consultation distances (CDs) around the major hazard sites. The CDs effectively delineate where housing may be acceptable to the HSE subject to the PADHI+ guidelines. This guidance exists to inform developers of the impact of consultation distances around major hazard sites and pipelines on development proposals. The Council welcomes discussions with developers while acknowledging the constraints that exist in Grangemouth which limit the potential for additional housing sites.

Proposed Policy BUS05 (page 56) acknowledges that regeneration benefits should be taken into account in assessing proposals within the CDs around major hazard sites. Should proposals come forward for Grangemouth Town Centre or elsewhere in Grangemouth they would be assessed against this policy. A number of areas around Wood Street and north of Dalgrain Road are also identified as areas with potential for redevelopment under proposed Policy BUS 03 (page 55) and could be considered for small scale housing developments subject to compliance with other LDP policies such as Policy BUS05 and Policy RW06 on flooding.

Given the level of constraints in Grangemouth, it is considered that the Council has set out as balanced an approach as is possible within the LDP, and for these reasons, the Council does not agree to modify the plan in response to this representation.

Reporter's conclusions:

Reporter's recommendations: