

Planning Development Management Committee

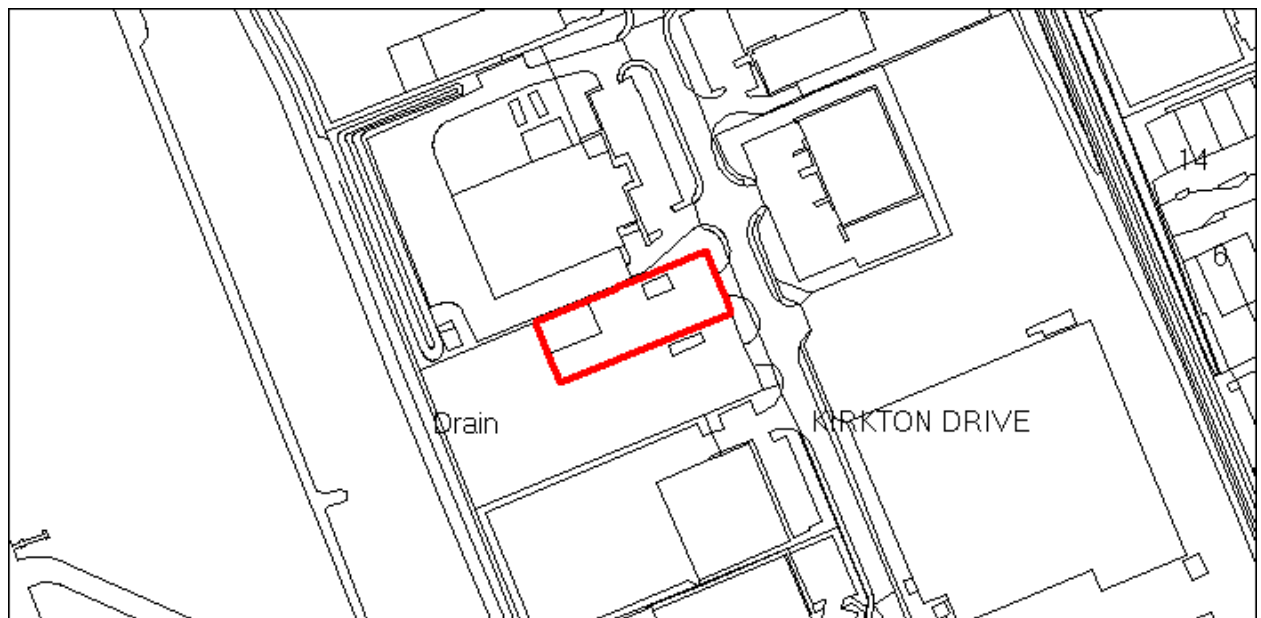
SITE 6 KIRKTON DRIVE, RAITHS INDUSTRIAL ESTATE

HAZARDOUS SUBSTANCES CONSENT TO PERMIT STORAGE OF 48 TONNES LPG

For: Johnston Gas Ltd

Application Type : Hazardous Substances
Consent
Application Ref. : P131414
Application Date: 26/09/2013
Officer: Jane Forbes
Ward : Dyce/Bucksburn/Danestone(B Crockett/G
Lawrence/N MacGregor/G Samarai)

Advert : Hazardous Substances
Advertised on: 2 August 2013
Committee Date: 13 February 2014
Community Council : No response
received



RECOMMENDATION:

Approve subject to conditions

DESCRIPTION

The application site is located along the south-western section of Kirkton Drive, Dyce within the Raiths Industrial Estate, with Aberdeen International Airport lying directly to the west. The site currently operates as an industrial yard for the storage and onward distribution of domestic propane (LPG) gas bottles and includes an office portacabin and associated car parking.

PROPOSAL

Hazardous substances consent is sought to permit the storage of 48 tonnes of liquefied propane gas (LPG) on site, and does not relate to associated development works which are dealt with by associated planning application (Ref: 130621) which is currently under consideration. The LPG would be either stored in several outside tanks (41 tonnes) or cylinders (7 tonnes) to a maximum of 48 tonnes. Under Schedule 1 of the Hazardous Substances (Scotland) Regulations 1993 (as amended) consent is required to store any quantity of LPG over 25 tonnes.

Supporting Documents

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?131414>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

REASON FOR REFERRAL TO COMMITTEE

Applications for Hazardous Substances Consent fall outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – No observations.

Environmental Health – No observations.

Enterprise, Planning & Infrastructure (Flooding) – No observations.

Scottish Environment Protection Agency – No objection and confirm the proposal falls below the threshold for which Control of Major Hazard Regulations (COMAH) apply.

Scottish Natural Heritage – No observations.

Aberdeenshire Council – No response.

Grampian Fire and Resucue Service – No response.

Scottish and Southern Energy – No objections.

Scotland Gas Networks – No response.

Health and Safety Executive – The Hazardous Installations Directorate assessed the application and concluded that the additional risks to the surrounding population arising from the proposed operations were so small that there were no significant reasons, on safety grounds, for refusing hazardous substances consent. On the advice of the Health and Safety Executive, a condition is to be applied clearly limiting the quantity of hazardous substances to be stored on site to that indicated on the application form and approved drawings.

REPRESENTATIONS

No representations have been received.

PLANNING POLICY

Aberdeen Local Development Plan

Policy B11 (Business and Industrial Land) - The site is located within an area zoned as B11. The expansion of existing concerns and development of new business and industrial uses will be permitted in principle within areas zoned for this purpose.

EVALUATION

The Planning (Hazardous Substances)(Scotland) Act 1997, Section 7(2) requires the planning authority, when determining an application for hazardous substances consent, to take into account the following factors, as well as any other relevant material considerations (a) any current or contemplated use of the land to which the application relates; (b) the way in which the land in the vicinity is being used or is likely to be used; (c) any planning permission that has been granted for development of the land in the vicinity; (d) the provisions of the development plan; and (e) any advice which the Health and Safety Executive have given in response to consultations.

The site lies within an area zoned for business and industrial use, and already operates as an industrial yard for the storage and onward distribution of domestic propane (LPG) gas bottles. Having taken into account the existing and proposed uses in this business and industrial area, which are predominantly for warehouses, workshops and to a lesser extent office buildings, it is considered that the proposal to increase the quantity of liquefied propane gas (LPG) stored on site would be compatible with existing uses and therefore compliant with Policy B11 (Business and Industrial Land) in the Aberdeen Local Development Plan.

The Health and Safety Executive have advised that the additional risk to the surrounding population arising from the proposed operations on site is so small that there are no significant reasons to refuse Hazardous Substances Consent on safety grounds. There are no residential properties within a distance of at least 500 metres from the site, and no proposed uses or planning permission granted but as yet not implemented, for any development in the surrounding area which could potentially cause conflict with storage of a hazardous substance on this site. Taking into account the requirements of the Planning (Hazardous Substances) (Scotland) Act 1997, as outlined above, it is considered that there

are no factors which would warrant refusal of hazardous substances consent. There would appear to be no other material considerations relevant to the determination of this application.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

The application site is located within Raiths Industrial Estate, with no residential properties nearby, and no proposed uses or planning permissions granted for uses in the surrounding area which would likely be in conflict with the storage of this hazardous substance. It is therefore deemed that the proposal to store 48 tonnes of liquefied propane gas (LPG) on site would be in accordance with Policy BI1 (Business and Industrial Land) in the Aberdeen Local Development Plan.

The Health and Safety Executive have raised no objection to the proposal, and whilst requesting that a condition be applied to any consent granted, limiting the level of storage to that proposed, have stated there is no reason to refuse consent on safety grounds.

In conclusion, having taken into account the consultation response received from the Hazardous Installation Directorate of the Health and Safety Executive, the requirements of the Planning (Hazardous Substances) (Scotland) Act 1997, and with no other material considerations, it is considered that the proposed storage of 48 tonnes of liquefied propane gas (LPG) on site would be appropriate in this instance.

CONDITIONS

it is recommended that approval is granted subject to the following conditions:-

(1) The hazardous substance shall not be kept or used other than in accordance with the application particulars provided in the hazardous substances consent application form (revised as per email dated 19th December 2013), nor outside the areas marked for storage of the substance on the plan which formed part of the application (see Drawing No 9751/9000 Revision C: Proposed water main and site storage layout, dated 23 August 2013) - in order to ensure that the circumstances on site remain in line with those on which the assessment by the Health and Safety Executive was carried out.

Dr Margaret Bochel

Head of Planning and Sustainable Development.