

**EAST AYRSHIRE COUNCIL**

**CENTRAL LOCAL PLANNING COMMITTEE: 13 OCTOBER 2000**

**00/0426/HA & 00/0427/HA: PROPOSED STORAGE OF NATURAL GAS  
AT KILMARNOCK NORTH HOLDER STATION AND KILMARNOCK SOUTH  
HOLDER STATION, HOLMQUARRY ROAD, KILMARNOCK  
BY BG TRANSCO PLC**

**EXECUTIVE SUMMARY SHEET**

**1. DEVELOPMENT DESCRIPTION**

1.1 The applicant has advised that both applications are submitted for the continuation of a deemed consent granted in 1993. The applications are made in anticipation of a change in control of part of the site following the re-organisation of the former BG plc (previously known as British Gas plc). Under Section 15(i) of Planning (Hazardous Substances) (Scotland) Act 1997, hazardous substances consent would be revoked if there is a change in the person in control of part of the land covered by that consent unless an application is made for continuation of the consent previously made to the Planning Authority. The substance stored within the site is natural gas and it is stored in the following maximum capacities (in tonnes).

Kilmarnock South Holder Station – 40  
Kilmarnock North Holder Station - 82

**2. RECOMMENDATION**

**2.1 It is recommended that the application No. 00/0426/HA be approved subject to the condition indicated on the enclosed sheet.**

**2.2 It is recommended that the application No. 00/0427/HA also be approved subject to the condition indicated on the enclosed sheet.**

**3. SUMMARY OF ANALYSIS**

3.1 The proposed developments are not considered to be contrary to the East Ayrshire Local Plan Finalised Version. The two sites are existing and taking into account the advice provided by the applicant and statutory consultees it is recommended that the applications for the continuation of existing deemed consents for the two sites be approved.

**Alan Neish**  
**Head of Planning and Building Control**

**Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.**

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BY BG TRANSCO PLC**

**Report by Head of Planning and Building Control**

### **1. PURPOSE OF REPORT**

1.1 The purpose of this report is to present for determination a joint report for two applications for Hazardous Substances Consent which is to be considered by the Local Planning Committee in accordance with the scheme of delegation.

### **2. APPLICATION DETAILS**

2.1 **Site Description – 00/0426/HA:** This application relates to the Kilmarnock South Holder Station at Holmquarry Road, Kilmarnock which is located to the south of the town centre within an industrial area. The site extends to some 2.966 acres and is bounded to the east by land used for industrial/commercial purposes by BG Holdings Ltd, to the south by the River Irvine and other industrial land, to the west by a scrap yard and to the north by Burnside Street, beyond which is Kilmarnock Water.

2.2 **00/0427/HA:** This application relates to the Kilmarnock North Holder Station at Holmquarry Road, Kilmarnock which is located to the south of the town centre. The site extends to some 1.461 acres and is bounded to the north, east and west by industrial land and to the south by Kilmarnock Water beyond which is Burnside Street and the South Holder Station.

2.3 **Proposed Development:** The applicant has advised that both applications are submitted for the continuation of a deemed consent granted in 1993. The applications are made in anticipation of a change in control of part of the site following the re-organisation of the former BG plc (previously known as British Gas plc). Under Section 15(i) of Planning (Hazardous Substances) (Scotland) Act 1997, hazardous substances consent would be revoked if there is a change in the person in control of part of the land covered by that consent unless an application is made for continuation of the consent previously made to

the Planning Authority. The substance stored within the sites is natural gas and it is stored in the following maximum capacities (in tonnes).

Kilmarnock South Holder Station – 40  
Kilmarnock North Holder Station - 82

### **3. CONSULTATIONS AND ISSUES RAISED**

3.1 Transco have advised of the location of their plant and advised that their Glasgow Operations Office be contacted prior to commencing development.

***Noted, and if Members choose to grant consent, an appropriate advisory note can be attached with copies of the documentation showing the location of plant.***

3.2 Strathclyde Police, Scottish Natural Heritage, Strathclyde Fire Brigade, East Ayrshire Council Environmental Health & Waste Management and the Coal Authority have no adverse comments to make regarding the proposed developments.

***Noted.***

3.3 Scottish Environment Protection Agency have advised that they have no objections to make. Both sites are registered in terms of the COMAH regulations as a lower tier site and the figures for storage detailed by the developer now tally with the figures given in the COMAH registration.

***Noted.***

3.4 West of Scotland Water have advised that they have no comment to make regarding the applications although if the developer is aware of or discovers any public sewers/water mains affected, they must notify the Authority immediately.

***Noted and if Members choose to grant consent, an appropriate advisory note can be incorporated in the Decision Notice.***

3.5 The Riccarton Community Council and the Grange Howard Community Council have not responded to their consultation at the time of writing this report.

***Noted.***

3.6 Scottish Power have enclosed a copy of their relevant record plan. They wish to draw the Developers' attention to the documentation.

***Noted, and if Members choose to grant consent an appropriate advisory note can be attached for the Developers attention.***

3.7 The Health and Safety Executive have advised the following:

1. The Hazardous Installations Directorate (HID) of the HSE has considered the proposed applications for the continuation of Hazardous Substances Consent. Only the risks from hazardous substances for which continuation of consent is being sought have been assessed.
2. In the current application, BG Transco plc has requested a continuation of hazardous substances consent for 122 tonnes on the land marked on the attached site plan (location code 98). According to their records, the site has a hazardous substances deemed consent to store 122 tonnes of Natural Gas granted in 1994 and has a consultation distance of 30 metres, measured from the wall of the gas holders.
3. According to the consent, those in control of the land based on the site plan (location code 98) attached to the application were entitled to the total consent quantity of 122 tonnes of natural gas to be stored on the site, subject to the consent terms and conditions.
4. It is noted that the maximum quantities proposed to be present (40 & 25 tonnes) are in excess of the storage capacity of the vessels on the remaining part of the site and it is advised that the lower value is more appropriate. HSE advise that it be clearly stated that no entitlement to hazardous substances consent will pass to the excluded part of the site.
5. HID have concluded that the risks to the surrounding population are not increased by the continuation of Consent and so there are no significant reasons, on safety grounds, for refusing Continuation of Hazardous Substances Consent.
6. They recommend the following conditions:  
"The hazardous substance(s) shall not be kept or used other than in accordance with the application particulars provided in the existing consent, the current application on form 2, nor outside the areas marked for storage of the substances on the plan (location code 98) which formed part of the original application".
7. HSE advise that the use of the existing consultation zone, 30 metres from the side of both the gasholders should be continued.

8. It is noted that the new boundary is not at least 18 metres from the base of the gasholders in accordance with The Institution of Gas Engineer's Safety recommendations IGE/SR/4 Edition 2 Communication 1624 'Low Pressure gasholders storing lighter than air gases', para 4.1.3.
9. Any high pressure gas pipeline passing through the area to be excluded from the consent should have its consultation arrangements extended up to the new boundary for the consented site.

***Noted. It is recommended that if Members choose to grant consent the condition highlighted by HSE should be imposed.***

#### **4. REPRESENTATIONS RECEIVED**

- 4.1 No representations have been received.

#### **5. DEVELOPMENT PLAN STATUS**

- 5.1 The up-to-date development plan is the East Ayrshire Local Plan Finalised Version which is the document against which the Council has resolved to base its day-to-day decisions. The sites are located within the urban boundary of Kilmarnock .

***The proposals do not conflict with the policies of the East Ayrshire Council Local Plan Finalised Version.***

#### **6. OTHER PLANNING CONSIDERATIONS**

- 6.1 An application covering the area of land accommodated by both North and South Holder Stations for Deemed Consent under the Planning Hazardous Substances Act 1990 was submitted, ref. KL/HS/93/01 on 6 October 1993. This was approved on 22 October 1993 when British Gas plc (the applicant) was advised that the claim for Deemed Consent was valid.

#### **7. FINANCIAL AND LEGAL IMPLICATIONS**

- 7.1 There are no financial or legal implications for the Council in the determination of this application.

## **8. CONCLUSION**

8.1 The proposed developments are not considered to be contrary to the East Ayrshire Local Plan Finalised Version. The two sites are existing and taking into account the advice provided by the applicant and statutory consultees it is recommended that the applications for the continuation of existing deemed consents for the two sites be approved.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application No. 00/0426/HA be approved subject to the condition indicated on the enclosed sheet.**

**9.2 It is recommended that the application No. 00/0427/HA also be approved subject to the condition indicated on the enclosed sheet.**

**Alan Neish**  
**Head of Planning and Building Control**

4 October 2000  
(FMF/MS)  
FV/DVM

### **LIST OF BACKGROUND PAPERS**

1. Application form and plans.
2. Statutory notices/certificates.
3. Public advertisements.
4. Statutory consultations.
5. Hazardous Substance Application Ref: KL/HS/93/01.

Anyone wishing to inspect the above papers please contact Fiona Finlay on 01563 576768.

**Implementation Officer: Dave Morris**

Form TP24

PLANNING (HAZARDOUS SUBSTANCES) (SCOTLAND) ACT 1997  
PLANNING (HAZARDOUS SUBSTANCES) REGULATIONS 1993

Application No: 00/0427/HA

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|                               |   |
|-------------------------------|---|
| Location                      | Kilmarnock (North) Holder Station<br>Holmquarry Road<br>KILMARNOCK KA1 4EZ          |
| Nature of Proposal            | Proposed Storage of Natural Gas   |
| Name and Address of Applicant | BG Transco plc<br>100 Thames Valley Park Drive<br>READING<br>Berkshire RG6 1PT      |
| Name and Address of Agent     | BGB Transco<br>Dorking Business Park<br>Brockham House<br>DORKING<br>Surrey RH4 1HJ |

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DPO's REF: FMF/MS

The above HAZARDOUS SUBSTANCES application should be granted subject to the following condition.

1. The Hazardous substance(s) shall not be kept or used other than in accordance with the application particulars provided in the existing consent, the amended application Form 2, submitted on 8 August 2000, or outwith the present application site.

#### REASON

In the interests of public safety and to ensure that the works are to the satisfaction of the Health and Safety Executive.

#### NOTES

1. West of Scotland Water have advised that if the developer is aware of or discovers any public sewers/water mains affected by the developer, they

must notify the authority immediately at 35 Glenburn Road, Prestwick on 0808 100 5333.

2. A copy of Transco's consultation response is enclosed and the Developer is strongly advised to take note of the comments made.
3. A copy of Scottish Powers' consultation response is enclosed and the Developer is strongly advised to take note of the comments made.

Form TP24

PLANNING (HAZARDOUS SUBSTANCES) (SCOTLAND) ACT 1997  
PLANNING (HAZARDOUS SUBSTANCES) REGULATIONS 1993

Application No: 00/0426/HA

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|                               |   |
|-------------------------------|---|
| Location                      | Kilmarnock (South) Holder Station<br>Holmquarry Road<br>KILMARNOCK KA1 4EZ          |
| Nature of Proposal            | Proposed Storage of Natural Gas   |
| Name and Address of Applicant | BG Transco plc<br>100 Thames Valley Park Drive<br>READING<br>Berkshire RG6 1PT      |
| Name and Address of Agent     | BGB Transco<br>Dorking Business Park<br>Brockham House<br>DORKING<br>Surrey RH4 1HJ |

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DPO's Ref: (FMF/MS)

The above HAZARDOUS SUBSTANCES application should be granted subject to the following condition:

1. The hazardous substance(s) shall not be kept or used other than in accordance with the application particulars provided in the existing consent, the current application on Form 2, nor outwith the present application site.

**REASON**

In the interests of public safety and to ensure that the works are to the satisfaction of the Health and Safety Executive.

**NOTES**

1. West of Scotland Water have advised that if the developer is aware of or discovers any public sewers/water mains affected by the development, they

must notify the authority immediately at 35 Glenburn Road, Prestwick on 0808 100 5333.

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**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT  
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S  
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON  
VIEWING PLEASE CONTACT (01563) 576790.**

AGENDA