
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

**Prepared by: ANDREW TAIT PLANNING OFFICER,
(DEVELOPMENT CONTROL)**

DEVELOPMENT PROPOSED: INSTALLATION OF 2, 24 TONNE UNDERGROUND LPG TANKS AT AVIEMORE NORTH HOUSING DEVELOPMENT

REFERENCE: 04/0594/CP

APPLICANT: AVIEMORE NORTH HOUSING DEVELOPMENT PARTNERSHIP

DATE CALLED-IN: 30 December 2004

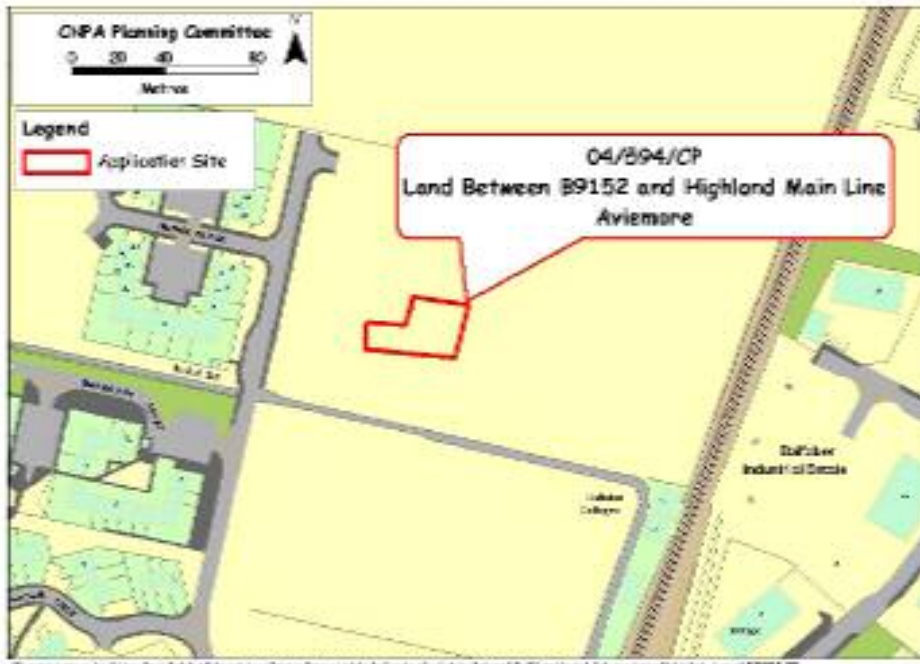


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. The site is located in what is currently an open field to the north of the Cairn Housing site on the northern edge of Aviemore between the B9152 and the Highland railway line. The area is a small part of the site for an approved application for a 208 unit residential development, which the Planning Committee granted permission for last year. Approximately 50% of the houses are affordable; the intention is that this element would be heated by a proposed district heating building in the Dalfaber Industrial Estate, which will also serve houses within the Cairn Housing development (the application for the heating building is still under consideration).
2. What is proposed here is the installation of two 24 tonne LPG Tanks to provide heating for the private houses on the development. Originally a total of 12 2-tone tanks totalling 24 tonnes of LPG were intended but on advice from the gas providers the proposal has been amended to two large tanks at the same site, which can accommodate up to 48 tonnes of LPG.
3. The tanks are 11 metres long and 2.5 metres diameter. They would be set entirely underground apart from locked access points and would be surrounded on the surface by a post and rail fence and landscaping. The appropriate protection measures are included with set distances between the tanks and surrounding development. A geotex membrane sits just below the surface and is surrounded by shingle, there are concrete beds below the tanks and the excavation is to approximately 2.5 metres below ground level.
4. In terms of safety the proposal has been designed in accordance with Health and Safety guidelines and the advice of Shell UK.

DEVELOPMENT PLAN CONTEXT

5. There is little in policy terms that relates directly to this application. **Highland Structure Plan 2001, General Policy G2 (Design for Sustainability)** states that proposed developments will be assessed against certain criteria, including the extent to which they, contribute to the economic and social development of the community and impact on resources such as habitats, species, landscape, scenery, freshwater systems and cultural heritage.

CONSULTATIONS

6. **Highland Council Environmental Health** comment that the facility should be constructed in accordance with the Liquid Petroleum Gas Association Code of Practice¹ "Bulk LPG storage at fixed installations" The Officer advises that it may be relevant to consult the Health and Safety Executive.

7. **Health and Safety Executive comment** that the site is not within the consultation distance of a major accident hazard (pipeline or hazardous installation). This means that there is no statutory need to consult the executive). However, given the amendment to the plans in terms of increased capacity the operator would need consent under the Hazardous Substance Regulations as the amended scheme is in excess of 25 tonnes of LPG.

REPRESENTATIONS

8. **Aviemore Community Council** needs to know whether the tanks will replace the biomass with oil back up system. The Community Council are not happy with this amount of LPG gas in close proximity to a housing development and wonder whether the proposal would have any affect upon housing density, they would also like an assurance that the area zoned for recreation will not be reduced at any time. (I have written to the Community Council answering these questions).

APPRAISAL

9. As noted by the development plans section of the report there is little in terms of directive policy with regard to this type of development.
10. The proposal site is located between the football pitch and the link road towards the centre of the development site. Apart from a small post and rail fence and additional landscaping there is little in terms of above ground works so the application has little effect upon the landscape of the area or upon the layout and design of the proposed housing development, so the development proposed does not conflict directly with Policy G2.
11. With regard to sustainability it would be preferable if the whole of the Aviemore North development utilised the proposed district heating system being considered at Dalfaber. However, the applicants consider that this could affect the marketability of the private sector development. It is also noted that if the private houses were connected into the district heating system then this would effectively become the largest biomass plant in the UK, which could result in further questions regarding what is considered as a potentially fragile project.
12. In relation to the Community Council's concerns it is clear that the tanks are not intended to replace the biomass plant and the positioning of the tanks does not affect housing density or layout. The proposal takes up a relatively small area of land near to the entrance to the site and close to the football pitch. However, it does not reduce the formal sports pitch area in any way.

13. There are safety considerations and both Highland Council Environmental Health and the Health and Safety Executive have been consulted upon the proposal. Highland Council Environmental Health point out that the facility should be constructed in accordance with certain codes of practice. The Health and Safety Executive respond that the site is not near to any hazardous installation, so have no general concern. However, the Executive note that the proposal has increased in terms of capacity and the amount of LPG now proposed for storage (48 tonnes) requires hazardous substance consent.
14. The works for the proposal are not particularly significant either under or over ground. In terms of their physical impact I have no particular objection to what is proposed. However, it is now clear that due to the increase in capacity the proposal requires hazardous substance consent and safety aspects would be addressed through this avenue as well as through general guidelines on the installation of such facilities.

IMPLICATIONS FOR NATIONAL PARK AIMS

Conserve and Enhance the Natural and Cultural Heritage of the Area

15. The proposal is underground on a site that has already been accepted for development. It is considered that there would be no impacts upon the natural and cultural heritage of the area.

Promote Sustainable Use of Natural Resources

16. It would be preferable in terms of this aim if the whole of the site could be powered from the proposed district heating building. However, the applicants understand that this would result in the largest biomass station in the UK. The project has already been regarded as fragile in terms of finding a company to manage any biomass plant. In addition, the applicant considers that such a heating system would result in the open market houses being less attractive at this point in time, although in future the option to connect up to the district heating system on an incremental basis would remain.

Promoting Understanding and Enjoyment of the Area

17. The proposal is not relevant to this aim.

Promote Sustainable Economic and Social Development of the Area

18. The proposal is in connection with new housing for the site, which contributes to the social and economic development of the area.

RECOMMENDATION

19. That Members of the Committee support a recommendation to: **GRANT Full Planning Permission** for the installation of 2-24 tonne LPG Tanks at Aviemore North, subject to the following conditions:-

1. The development to which this permission relates must be begun within 5 years from the date of this permission.
2. Full details of the enclosing boundary fence shall be submitted to and approved in writing by the Cairngorms National Park Authority acting as planning authority prior to the commencement of the development hereby approved. The scheme shall be implemented in accordance with the approved details.
3. Prior to the commencement of the development hereby approved a full landscaping scheme for the site showing the size and species of plantings shall be submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The scheme shall be implemented within the first full planting season following the completion of the development.

ADVICE NOTE

20. You are advised that this consent approves the engineering works for the installation only and does not constitute any consent under the Hazardous Substances Act for the storage of LPG at the site. You are therefore advised of the need to apply for hazardous substance consent to the relevant authority.

Andrew Tait

Date 18 April 2005

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