

REPORT TO THE DEVELOPMENT CONTROL COMMITTEE



DATE	14 th August 2008
PORTFOLIO	Environment
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Revocation of Hazardous Substances Consents (reference APP/12/92/0562 and APP/12/02/0012), Stoneyholme Gasholder Site, Royle Road, Burnley.

PURPOSE

1. To authorise the Head of Planning and Environment to make an order to revoke the Hazardous Substances Consents which relates to the gasholder site at Royle Road, Burnley.

RECOMMENDATION

2. The Committee is recommended to authorise the Head of Planning and Environment to make an order to revoke Hazardous Substances Consents (reference APP/12/92/0562 and APP/12/02/0012) relating to Stoneyholme Gasholder Site, Royle Road, Burnley, under Section 14(1) of the Hazardous Substances Act 1990.

REASONS FOR RECOMMENDATION

3. The gas storage use of the site has permanently ceased. The gasholder has been physically isolated, purged of gas and is programmed to be demolished by the operator (National Grid Gas). The continued right to store hazardous substances on the land would be prejudicial to the development of neighbouring land. There is no detrimental impact on the operator or gas supply.

SUMMARY OF KEY POINTS

4. Development of the gas supply industry in the nineteenth century placed this storage facility at the edge of Burnley Town Centre. Now the gas supply pipeline network is well developed, this close proximity of storage to end-users is no longer necessary, so that the storage facility is now redundant.
5. If adjoining land is to be developed, the Health and Safety Executive has to base advice on any current right to store hazardous materials, even if the storage use has ceased; and, the advice in this case would be against many uses where the public had access.

6. The Council has a general power of under Section 14(1) of the Hazardous Substances Act 1990 where, having regard to any material consideration, it appears expedient to revoke hazardous substances consent. The gas operator supports the revocation and confirms that no claim for compensation will be made under Section 16 of the Act.
7. The revocation order has to be confirmed by the Secretary of State.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

8. National Grid Gas has stated that no claim for compensation or damages will be made in relation to the revocation order. There are no additional financial implications.

POLICY IMPLICATIONS

9. The site is part of a wider area identified in the Burnley Local Plan (Second Review) as land for business development (Policy EW1/5) and where enhancement of the Gateway to the town centre is sought (Policy BTC9).
10. The revocation will contribute to the removal of out-dated industrial development and facilitate environmental improvement brought by new land uses. This is essential to transforming the character of this part of the Borough.

DETAILS OF CONSULTATION

11. There is on-going consultation with the gas operator who is in favour of the revocation.

BACKGROUND PAPERS

12. Planning files reference: 12/92/0562 and 12/02/0012

FURTHER INFORMATION

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