

PLANNING (HAZARDOUS SUBSTANCES) (SCOTLAND) ACT 1997
THE TOWN AND COUNTRY PLANNING (HAZARDOUS SUBSTANCES)
(SCOTLAND) REGULATIONS 2015

APPLICATION FOR HAZARDOUS SUBSTANCES CONSENT

1	Applicant	
	Address	
	Post code	
	Telephone number	
	Agent acting on behalf of the applicant	
	Address	
	Post code	
	Telephone number	

Correspondence (including any Notice) **to be sent to the agent** instead of the applicant? **Yes or No?**

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If the applicant is not the person in control of the land to which the application relates, provide details of the **person in control of the land**.

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2	Address or other location details of application site	
	Post code	
	OS grid ref	

3 Hazardous substance(s) covered by the application

- (a) List named substances falling within Part 2 of Schedule 1 to the Regulations first, then list any substances falling within the categories in Part 1 of that Schedule; finally list substances falling within the description in Part 3.

(b) Substances falling within Parts 1 or 3 of Schedule 1 to the Regulations may be listed under the relevant category or description or named specifically. Where a substance falls within Part 1 and 2 list under Part 2 only; where a substance falls within more than one category in Part 1 list under the category which has the lowest controlled quantity. Where a substance falling within Part 1 or 2 also falls within Part 3 list under the Part which has the lowest controlled quantity. The “controlled quantity” means the quantity specified for that substance in column 2 of Parts 1, 2 or 3 of Schedule 1 to the Regulations.

Table A

<i>Name, or relevant category or description of substance</i>	<i>Part number in Schedule 1 to the Regulations, and entry number if Part 2, category if Part 1, identity if Part 3</i>	<i>Do you have a current PHS consent* in respect of this substance? (Yes/No)</i>	<i>If “yes”, state quantity for which consent granted</i>	<i>Maximum quantity proposed to be present in tonnes</i>

*a hazardous substances consent

4 Manner in which substance(s) are to be kept and used

For each substance, category or description of substance, covered by the application, provide the following information, referring to the substance location plan where appropriate.

“vessel” means any container designed or adapted to contain hazardous substances which is affixed to the land, and includes a container which forms part of plant or machinery which is affixed to the land but does not include a pipeline.

“Buried” or “Mounded” vessel includes a vessel which is only partially buried or partially mounded.

“moveable container” means any container designed or adapted to contain hazardous substances other than a vessel.

(a) Tick one box below to show whether the substance(s) will be present for storage only **or** will be stored and involved in a manufacturing, treatment or other industrial process:

Table B

<i>Substance including Part no. in Sch. 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3</i>	<i>Storage only</i>	<i>Stored and involved in an industrial process</i>

(b) For each vessel to be used for **storing** the substance(s) give the following information:

Table C (i)

<i>Vessel No*</i>	<i>Substance including Part no. in Sch. 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3</i>	<i>Installed above ground† (Yes/No)</i>	<i>Buried (Yes/No)</i>	<i>Mounded (Yes/No)</i>	<i>Maximum capacity (cubic metres)</i>	<i>Highest vessel design temperature °C</i>	<i>Highest vessel design pressure (bar absolute)</i>

* identify by reference to substance location plan

† if "Yes", specify whether or not it will be provided with full secondary containment

- (c) For each substance, category or description of substance, state the largest size (capacity in cubic metres) of any **moveable** container(s) to be used for that substance, category or description of substances:

Table C (ii)

<i>Substance including Part no. in Sch. 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3</i>	<i>Storage area on site*</i>	<i>Maximum capacity (cubic metres) of individual moveable containers</i>

* identify by reference to substance location plan

- (d) Where a substance, category or description of substance is to be used in a **manufacturing, treatment or other industrial process(es)**, give a general description of the process(es), describe the major items of plant which will contain the substance(s); and state the maximum quantity (in tonnes) which is liable to be present in the major items of the plant, and the maximum temperature (°C) and pressure (bar absolute) at which the substance, category or description of substance is liable to be present:

Table D

<i>Substance including Part no. in Schedule 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3</i>	<i>Description of process(es)</i>	<i>Major items of plant*</i>	<i>Max. quantity (tonnes)</i>	<i>Max. temp. (°C)</i>	<i>Max. pressure (bar absolute)</i>

* identify by reference to substance location plan

5 Additional Information

- (a) If you have an existing PHS consent(s) as referred to in Table A, **attach a copy of each consent** to this application.

- (b) **List the maps or plans** or any explanatory scale drawings of plant/buildings submitted with this application (**as a minimum submit a site map and a substance location plan** – see **Notes** below).

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- (c) Provide a brief overview description of the **main activities** carried out or proposed to be carried out on, over or under the land to which the application relates.

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- (d) Provide details of how each relevant substance is proposed to be transported to and from the land to which the application relates, for example the size and frequency of vehicle deliveries, the size or maximum flow rate of pipeline imports/exports.

Substance including Part number in Schedule 1 to the Regulations, and entry number if Part 2, category if Part 1, identity if Part 3	How, and other details such as frequency and quantity, transported to and from the land to which the application relates	
	Transported to site	Transported from site

- (e) Provide details of the vicinity of the land to which the application relates, where such details are relevant to the risks or consequences of a major accident (relevant details include numbers of people in neighbouring developments that could be affected by a major accident).

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- (f) Provide a brief overview of the measures taken or proposed to be taken to limit the consequences of a major accident.

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- (g) Where applicable, provide a statement that the proposal is a project or part of a project, that is subject to a national or transboundary environmental impact assessment or to consultations between Member States of the European Union in accordance with Article 14(3) of European Directive 2012/18/EU on the control of major-accident hazards involving dangerous substances.

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- (h) Give any further information which you consider to be relevant to the determination of this application.

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I/We hereby apply for hazardous substances consent in accordance with the proposals described in the application

Signed

on behalf of
(insert name of person in control of the land if different to applicant)

Date

To be accompanied by the certificate completed in accordance with regulation 5(2) of the Regulations (notice to owner by applicant), and the fee payable under regulation 55 of the Regulations.

Notes

“Site map” is a map, reproduced from, or based on, an Ordnance Survey map with a scale of not less than 1:10,000, which identifies the land to which the application relates and shows National Grid lines and reference numbers.

“Substance location plan” is a plan of the land to which the application relates, drawn to a scale of not less than 1:2,500, which identifies-

- (a) any area of land intended to be used for the storage of the substance;
- (b) where the substance is to be used in a manufacturing, treatment or other industrial process, the location of the major items of plant involved in that process in which the substance will be present; and
- (c) access points to and from the land.

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OWNERSHIP CERTIFICATES A-D

CERTIFICATE A

I certify that:
at the beginning of the period of 21 days ending with the date of the accompanying application/appeal* nobody except the applicant/appellant*, was the owner (a) of any part of the land to which the application/appeal* relates.

See note

OR

CERTIFICATE B

I certify that:
I have/The applicant has/appellant has* given the required Notice (b) to everyone, other than the applicant/appellant*, who, at the beginning of the period of 21 days ending with the date of the accompanying application/appeal*, was the owner (a) of any part of the land to which the application/appeal* relates, as listed below.

See
note 2

OWNER'S NAME	ADDRESS AT WHICH NOTICE WAS SERVED	DATE ON WHICH NOTICE WAS SERVED
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OR

CERTIFICATE C

I certify that:

I/The applicant/appellant* cannot issue a Certificate A or B in respect of the accompanying application/appeal*. I have/The applicant/appellant has* given the required Notice (b) to the persons specified below, being persons who at the beginning of the period of 21 days ending with the date of the application/appeal*, were owners (a) of any part of the land to which the application/appeal* relates.

See
notes a

OWNER'S NAME

ADDRESS AT WHICH
NOTICE WAS SERVED

DATE ON WHICH NOTICE
WAS SERVED

I have/The applicant/appellant has* taken all reasonable steps to find out the names and addresses of the remaining owners (a) of the land, or part of it, but have/has* been unable to do so. These steps were as follows:

See note

(c)

OR

CERTIFICATE D

I certify that:

I/The applicant/appellant* cannot issue a Certificate A or B in respect of the accompanying application/appeal*. I have/The applicant/appellant has* taken all reasonable steps to find out the names and addresses of everyone other than the applicant/the appellant* who at the beginning of the period of 21 days ending with the date of the application/appeal*, was the owner (a) of any part of the land to which the application/appeal* relates, but have/has been unable to do so. These steps were as follows:

See note

(c)

* delete where inappropriate

THIS SECTION MUST BE SIGNED AND DATED

Signed: _____ Date: _____

On behalf of (BLOCK LETTERS): _____

Notes to accompany certificates

- (a) Owner means a person who, in respect of any part of the land, is the proprietor of the dominium utile or is the lessee under the lease thereof where not less than seven years remain unexpired.
- (b) In accordance with the ownership notification form.
- (c) Insert description of steps taken.

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Notice under regulation 5 to owner of land to which an application under regulation
6,7 or 8 relates

OWNERSHIP NOTIFICATION

An application for:

(tick as appropriate)

☐

Hazardous substances consent

☐

**Hazardous substances consent without a condition which was attached to a
previous consent**

☐

**Continuation of hazardous substance consent where there has been a change in the
person in control of part of the land**

has been made to North Ayrshire Council by (name of applicant)

for (description of proposal)

at (site address)

A copy of a plan showing the location of the development is attached

If you wish to obtain further information on the application or to make representations (including comments or questions) you should contact **Planning Services** on (0546) 605518 or email enquiries to centralvalidationteam@argyll-bute.gov.uk

Documents can be inspected during the period of 21 days beginning with the date of this notice online at www.argyll-bute.gov.uk or at the Council Offices 1A manse Brae Lochgilphead PA31 8RD.

Signed

Date

You may receive this notice before the appropriate Council or Local office receives the application. You are therefore advised to telephone Planning Services or the area office first and check that the application has been received.

APPLICATIONS FOR HAZARDOUS SUBSTANCES CONSENT

NOTES FOR GUIDANCE

1. In order to avoid delays in processing, applicants are asked to study these notes and the enclosed application forms carefully to ensure that all the necessary particulars and plans are provided.

You are encouraged to seek pre-application advice from Planning Services before submitting an application.

2. To submit a completed application, please use the following email address:

centralvalidationteam@argyll-bute.gov.uk

3. **The Application**

Applications for Hazardous Substances Consent should comprise the completed application form, a site map, a substance location plan and a certificate of ownership.

4. **Notification of owners**

The Planning Authority will not entertain an Application for Hazardous Substances Consent unless it is accompanied by a CERTIFICATE OF OWNERSHIP (as required by Regulation 8(1)).

The applicant/agent should complete and sign the appropriate ownership certificate (A, B, C or D). Where the applicant is not the owner of the land there is a requirement to serve notice on the owner(s) and the notice invites any owner on whom it is served to make representations on the application to the Planning Authority within 21 days.

5. **Plans required**

The application shall be accompanied by plans as follows.

- (a) **Site Map** – the site map shall be a map reproduced from, or based upon, an Ordnance Survey map with a scale of not less than 1: 10,000 which is sufficient to identify the location and extent of the land to which the application relates.
- (b) **Substance Location Plan** – the substance location plan shall be a plan of the land to which the application relates, drawn to a scale of not less than 1 to 2,500 which identifies:
 - (a) any area of the site intended to be used for the storage of the substances;
 - (b) where the substance is to be used in a manufacturing, treatment or other industrial process, the location of the major items of plant involved in that process in which the substance will be present; and
 - (c) access points to and from the land.

6. **Application fees**

The processing fee for an application is **£714** unless the quantity specified in the application as the maximum quantity proposed exceeds twice the controlled quantity, in which case the fee shall be **£1,429**.

The fee for applications to remove conditions attached to hazardous substances consent is **£714**.

The fee for applications seeking the continuation of hazardous substances consent where there has been a change in the person in control of any part of the land is **£714**.

There is a separate charge for newspaper advertisement of the application (**£249** at the time of writing, although this may be subject to change).

7. **Other permissions**

An Application for Hazardous Substances Consent does not relieve the applicant of the need to obtain any planning permission or Building Warrant approval as may be required under other legislation