

Central Services

13 JAN 2011

Received

Selby District Council  
Civic Centre  
Portholme Road  
SELBY  
N. Yorkshire  
YO8 4SB

SELBY DISTRICT COUNCIL  
PLANNING

13 JAN 2011

2 FEB 2011

FAO: Mr Terry Heselton  
Principal Planner (LDF Team)

DATE RECEIVED  
& LOGGED

LAST REPLY  
DATE

Date: 11 January 2011

Your Ref: FP/L147

Dear Mr Heselton

### SELBY DISTRICT LOCAL DEVELOPMENT FRAMEWORK (LDF)

The Health and Safety Executive (HSE) does not comment on individual Local Development Plans.

Local planning authorities are required by: Regulation 20 of the Town and Country Planning (Development Plan) (England) Regulations 1999 to have regard to the objectives of Article 12.1 of the Seveso II Directive in formulating their general policies in Part 1 of a unitary development plan.

These objectives are:

- to prevent major accidents and limit the consequences of such accidents for man and the environment;
- the need;
  - i. in the long term, to maintain appropriate distances between establishments and residential areas, areas of public use and areas of particular sensitivity or interest; and
  - ii. in the case of existing establishments, for additional technical measures in accordance with Article 5 of the Directive so as not to increase the risks to people.

Con'td ...

Hazardous Installations  
Directorate

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Head of Unit  
Chris Flint

The HSE extranet system, to which all planning authorities have access, contains lists of all major hazard sites and major hazard pipelines, along with consultation zone maps where available. This information, in conjunction with "PADHI - HSE's Land Use Planning Methodology", which is available on the HSE website (<http://www.hse.gov.uk/landuseplanning/padhi.pdf>), will allow you to identify incompatible developments within each consultation zone.

If there are any major hazard sites and pipelines, or associated consultation zones, within the Local Development Plan area, it would be helpful to indicate to potential developers the constraints likely to be imposed by their presence. The paragraphs in the attached annex could form the basis of a policy statement for inclusion in the plan, which may subsequently avoid the submission of planning applications containing inappropriate proposals.

In addition, we suggest that the proposal maps be marked to show the location of any major hazard sites. We particularly recommend marking the routes of any major hazard pipelines as, in our experience, most incidents involving damage to buried pipelines occur because third parties are not aware of their presence

HSE will advise you should there be any changes in how HSE provides land use planning advice as a result of recommendations on the integration of societal risk into the planning system around major hazard sites made by the Major Incident Investigation Board into the fire and explosions at the Buncefield Oil Storage Depot, HSE's proposals for revised policies to address societal risk around onshore non-nuclear major hazard installations, or other developments in the planning sphere.

Yours sincerely

**HOWARD WHITTAKER**   
**A/HM Principal Inspector of Health and Safety**

## Annex

### Suggested general statement on major hazard sites

Certain sites and pipelines are designated as major hazards by virtue of the quantities of hazardous substances present. The siting of such installations will be subject to planning controls, for example under **The Planning (Hazardous Substances) (Amendment) (England) Regulations 2009** aimed at keeping these separated from housing and other land uses which might be incompatible from the safety viewpoint. In accordance with Department for Communities and Local Government Circular 04/00, the Local Authority will consult the Health and Safety Executive, as appropriate, about the siting of any major hazard installations.

The area covered by this Local Development Plan already contains a number of major hazard sites and pipelines. Whilst they are subject to stringent controls under existing health and safety legislation, it is considered prudent to control the kinds of development permitted in the vicinity of these installations. For this reason the Planning Authority has been advised by the Health and Safety Executive of consultation zones for each major hazard site and pipeline. In determining whether or not to grant planning permission for a proposed development within these consultation zones, the Planning Authority will consult the Health and Safety Executive about risks to the proposed development from the major hazards in accordance with Circular 04/00.