

Halton (B)
Halton Borough Council
Widnes
Cheshire
WA8 7QF



Decision : HSL-230117131551-304 ADVISE AGAINST

Your Ref: 23/00018/FUL

Development Name: The Woodyard

Comments: Proposed filling station with ancillary convenience store (325 sq m GIA), forecourt with 4, 2 sided, pump islands , canopy, electric vehicle charging points and associated car parking, a drive thru fast food restaurant (349 sq m GIA)(Use Class E(b)/sui generis hot food takeaway use) with associated car parking, new site access road, new electricity substation, firewall to valve compound and associated works at

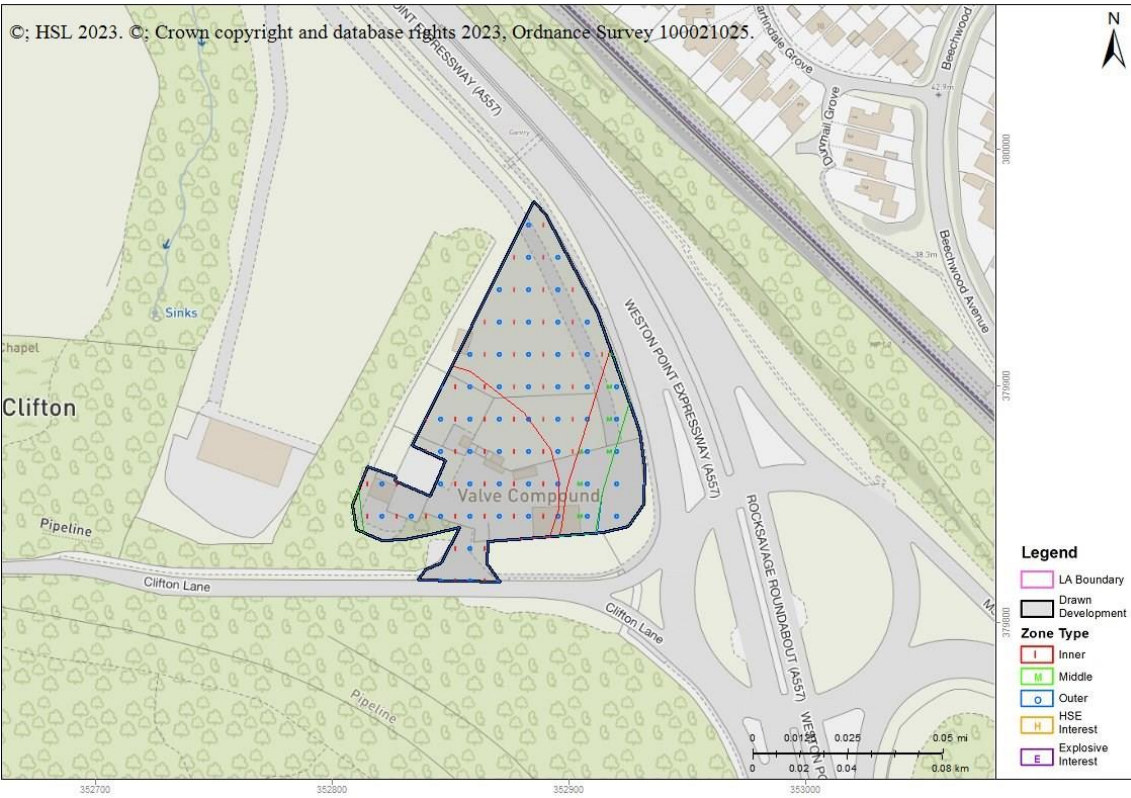
Land Use Planning Consultation with Health and Safety Executive [Town and Country Planning (Development Management Procedure) (England) Order 2015, Town and Country Planning (Development Management Procedure) (Wales) Order 2012, or Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013]

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and also within at least one Consultation Distance, has been considered using HSE's planning advice web app, based on the details input on behalf of Halton (B).

HSE's Advice: Advise Against. The assessment indicates that the risk of harm to people at the proposed development site is such that **HSE's advice is that there are sufficient reasons on safety grounds, for advising against the granting of planning permission in this case.**

Major hazard sites/pipelines are subject to the requirements of the Health and Safety at Work etc. Act 1974, which specifically includes provisions for the protection of the public. However, the possibility remains that a major accident could occur at an installation and that this could have serious consequences for people in the vicinity. Although the likelihood of a major accident occurring is small, it is felt prudent for planning purposes to consider the risks to people in the vicinity of the hazardous installation. Where hazardous substances consent has been granted (by the Hazardous Substances Authority), then the maximum quantity of hazardous substance that is permitted to be on site is used as the basis of HSE's assessment.

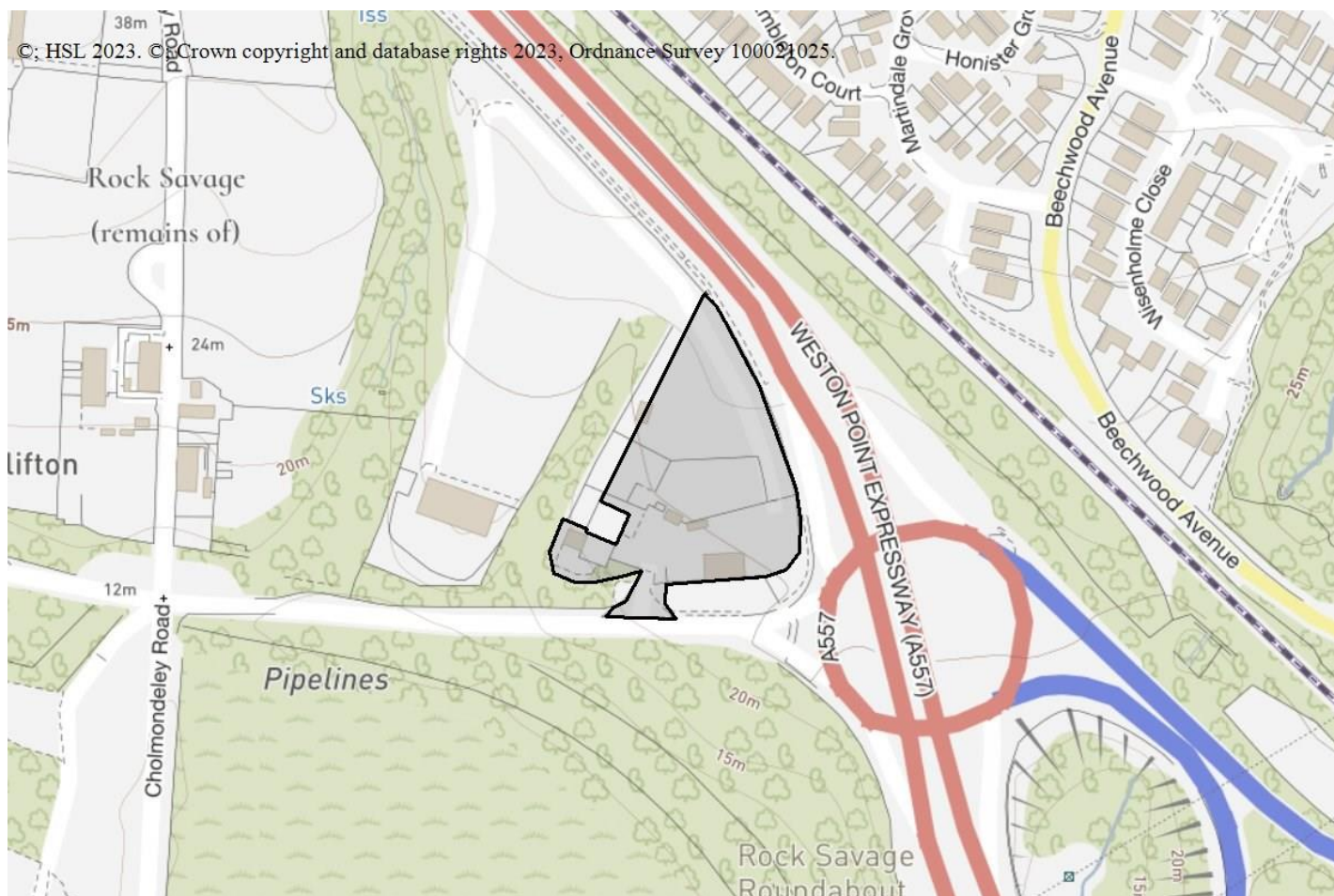
If, nevertheless, you are minded to grant permission, your attention is drawn to Section 9, paragraph 072 of the online Planning Practice Guidance on Hazardous Substances - Handling development proposals around hazardous installations, published by the Department for Levelling Up, Housing and Communities, or paragraph A5 of the National Assembly for Wales Circular 20/01. These require a local planning authority to give HSE advance notice when it is minded to grant planning permission against HSE's advice, and allow 21 days from that notice for HSE to consider whether to request that the Secretary of State for Communities and Local Government, or Welsh Ministers, call-in the application for their own determination. The advance notice to HSE should be sent to CEMHD5, HSE's Major Accidents Risk Assessment Unit, Health and Safety Executive Redgrave Court, Merton Road, Bootle, Merseyside, L20 7HS or by email to lup.padhi.ci5@hse.gov.uk. The advance notice should include full details of the planning application, to allow HSE to further consider its advice in this specific case.



Breakdown:

Indoor Use By Public : Advise Against

What is the total floor space of the development (that lies partly or wholly within a consultation distance)? 250 to 5000 square metres inclusive



If the proposed development relates to an extension to an existing facility, which will involve an increase of less than 10% in the population at the facility, then HSE may reconsider this advice; please contact HSE's Planning Advice team if this development involves such an extension.

Pipelines

- 6710_ Sabic UK Petrochemicals Ltd
- 6713_ SABIC pka ICI Chemicals & Polymers Ltd

As the proposed development is within the Consultation Distance of a major hazard pipeline you should consider contacting the pipeline operator before deciding the case. There are two particular reasons for this:

- The operator may have a legal interest (easement, wayleave etc.) in the vicinity of the pipeline. This may restrict certain developments within a certain proximity of the pipeline.
- The standards to which the pipeline is designed and operated may restrict occupied buildings or major traffic routes within a certain proximity of the pipeline. Consequently there may be a need for the operator to modify the pipeline, or its operation, if the development proceeds.

HSE's advice is based on our assessment of the pipeline as originally notified to us. It may be that in the vicinity of the proposed development the operator has modified the pipeline to reduce risks by, for example, laying thick-walled pipe. If you wish to contact the operator for this information then HSE is willing to re-assess the risks from the pipeline, relative to the proposed development, if all the following details are supplied to HSE by you:

- pipeline diameter, wall thickness and grade of steel.
- start and finish points of thick-walled sections (not required if it is confirmed that they are more than 750m from all parts of the development site).

These details to be clearly marked on a pipeline strip map, or other appropriate scale map, then included with the full consultation and submitted to CEMHD5, HSE's Major Accidents Risk Assessment Unit, Health and Safety Executive, Redgrave Court, Merton Road, Bootle, Merseyside, L20 7HS to allow it to be individually assessed. Please clearly identify on your covering letter that it is a resubmission with additional details of the major hazard pipeline. Please note there may be an additional charge for this work.

This advice report has been generated using information supplied by David Halliburton at Halton (B) on 17 January 2023.

Note that any changes in the information concerning this development would require it to be re-submitted.

You may wish to contact HSE's Planning Advice team to discuss the above enquiry result on 0203 028 3708 or by email at lupenquiries@hse.gov.uk. Depending on the nature of the further discussions you may be advised that there is charge for consultancy work done on your behalf by the team.