HSE’s role in Land Use Planning

- Seveso II Directive
- Control of Major Accident Hazard Regulations 1999
- Planning Legislation
- HSE’s advisory role
Issues and Drivers for change

- Pressure to develop on brown-field land
- Some developments are at or near major hazard (MH) sites
- Operators selling-off parts of major hazard sites
- Central government guidance/targets for development density
- Changing land use - many old industrial uses have gone leaving MH sites “marooned”
Case studies: negotiated solutions (1)

• Yorkshire Chemicals, Leeds
• Planned Armouries Museum – constrained by LUP zones
• S 106 agreement involving all parties
• Consent changed and improvements on site – reduced LUP zones
• Part-funded by developer
Case studies: negotiated solutions (2)

- Hickson & Welch, Castleford
- LUP zones prevented development of Allerton Bywater Millennium village
- Agreed changes to consent and new storage areas
- Reduced LUP zones allowed development to proceed
Case studies: negotiated solutions (3)

- McDermid Canning, Birmingham
- LUP zones constrained the re-development of East Birmingham
- Compensation package funded by developers and LA
- Changes to consent reduced zones
- McDermids moved to a new location
HSE encourages negotiation

Examples

• Change layout to increase separation
• Put less dense population near to major hazard
• Use of conditions to allow planning process to proceed but only if hazardous substances consent is varied or revoked
• Vary consents eg gasholders, chemical plants
Key Messages (1)

• Encourage planners/LPAs to consult early

• Understand your role (eg UK has an advisory role)

• All parties need to understand the role of hazardous substances consent
Key Messages (2)

• Ensure the decision maker understands your advice

• Negotiate if necessary and where possible

• Look for areas that can aid development to go ahead eg vary/revoke consents, flexibility of development layout