

(by email only)  
Redcar & Cleveland Council  
Redcar & Cleveland House  
Kirkleatham Street  
Redcar  
TS10 1RT

Your Ref: P/2020/0357/OOM

Date: 1 October 2020

For the attention of: David Pedlow

Dear Mr Pedlow

**Land Use Planning Consultation with Health and Safety Executive  
Town and Country Planning (Development Management Procedure) (England)  
Order 2015**

**Planning application: P/2020/0357/OOM**

**Proposal: OUTLINE PLANNING APPLICATION FOR DEMOLITION OF EXISTING STRUCTURES ON SITE AND THE DEVELOPMENT OF UP TO 418,000 SQM (GROSS) OF GENERAL INDUSTRY (USE CLASS B2) AND STORAGE OR DISTRIBUTION FACILITIES (USE CLASS B8) WITH OFFICE ACCOMMODATION (USE CLASS B1), HGV AND CAR PARKING AND ASSOCIATED INFRASTRUCTURE WORKS ALL MATTERS RESERVED OTHER THAN ACCESS.**

**Location: LAND AT SOUTH TEES DEVELOPMENT CORPORATION EAST OF SMITHS DOCK ROAD AND WEST OF TEES DOCK ROAD SOUTH BANK.**

1. HSE is a statutory consultee for certain developments within the consultation distance of major hazard sites and major accident hazard pipelines. The proposed development site identified in planning application P/2020/0357/OOM lies within the consultation distance of a major accident hazard pipeline which is currently operated by BOC Limited (Wilton & North Tees Sites – Linkline System 115 pipeline) and nine major hazard sites:

- CF Fertilisers UK Ltd (HSE Ref: H4335)
- SABIC UK Petrochemicals (HSE Ref: H3505)

Science Division

**Kathryn Deakin**

Statutory and Commercial  
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<http://www.hse.gov.uk/>

Head of Team  
Stuart Reston

- South Tees Site Company Ltd (HSE Ref: H1272)
- SABIC UK Petrochemicals Ltd (HSE Ref: H0402)
- Fine Organics Ltd (HSE Ref: H1875)
- Navigator Terminals Seal Sands Ltd (H0533)
- Ineos Nitriles (UK) Ltd (HSE Ref: H0441)
- PD Teesport Ltd (HSE Ref: H2048)
- Ineos Chlor Limited (HSE Ref: H4341)

The major hazard sites hold hazardous substances consent to store up to specified quantities of various hazardous substances under the Planning (Hazardous Substances) Act 1990 and the Planning (Hazardous Substances) Regulations 2015.

2. 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 – see para 068 of the Planning Practice Guidance on hazardous substances  
<http://www.gov.uk/guidance/hazardous-substances>
3. HSE's advice on planning applications is based on HSE's Land Use Planning Methodology (see <http://www.hse.gov.uk/landuseplanning/methodology.pdf>). Within that methodology, HSE's advice in relation to a workplace development such as that proposed, will depend on the number of occupants and the number of occupied storeys within each building, and the consultation zone(s) in which the buildings lie. However, as this is an outline application, the required level of detail about the occupancy of the buildings is not currently available.
4. It is HSE policy not to advise against the granting of planning permission for workplace developments within the middle or outer zones, regardless of the number of occupants or number of occupied storeys in each building. However, we will advise

against the granting of planning permission for a workplace development within the inner zone if any building within that zone will have 100 or more occupants, or 3 or more occupied storeys.

5. According to the drawing entitled 'Proposed Site Plan Illustrative' (drawing no. SB-SD-10.01, dated 07:20), of the 9 buildings proposed, Unit C will lie wholly or partly within the inner zone of the PD Teesport Ltd consultation distance, and Unit I will lie wholly or partly within the inner zone of the South Tees Site Company Ltd consultation distance. The other Units will lie within the middle or outer zones of the major hazards.
6. In the absence of the necessary details indicated above, HSE would not advise against the granting of planning permission for the proposed development if the following condition were to be attached to the permission:

*Units C and I, as shown in the drawing entitled 'Proposed Site Plan Illustrative' (drawing no. SB-SD-10.01, dated 07:20), shall each have less than 100 occupants and less than three occupied storeys.*

7. As this is an outline planning application where the proposed layout and the scale of the development may only be indicative, it is strongly suggested that should any changes be proposed after the outline permission has been granted, that HSE's advice is obtained again before reserved matters are determined.
8. If nevertheless, you are minded to grant permission without the above condition, 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 Ministry of Housing, Communities & Local Government. This requires 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 Housing, Communities & Local Government, call-in the application for their own determination.

9. The advance notice should be sent to the HSE's Major Accidents Risk Assessment Unit, CEMHD5b, 1.2 Redgrave Court, Merton Road, Bootle, Merseyside, L20 7HS or by email to [luppadhici5@hse.gov.uk](mailto:luppadhici5@hse.gov.uk).

Yours sincerely

**Kathryn Deakin**  
**Statutory and Commercial Land Use Planning Advice**