



Pipelines
Planning advice
PA2023-13

September 2023

Purpose of this Planning Advice

This Planning Advice has been published to provide guidance on planning matters associated with pipelines and hazardous development consultation zones. It supports Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land as set out in the Aberdeenshire Local Development Plan (LDP) 2023.

National Planning Framework 4 (NPF4) emphasises the importance of needing to consider the associated risks and potential impacts of a proposal and a major accident hazard site/pipeline of being located in proximity of one another (Policy 23 Health and safety). Policy 23 sets out that applications for hazardous substances consent will consider possible impacts on surrounding populations and the environment.

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1. Introduction

Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land of the Aberdeenshire LDP 2023 does not support development where there is a risk that it may cause an unacceptable danger to the public. To help identify if there is such a risk, consultation zones have been created around major hazardous installations, including oil and gas pipelines. There are typically three consultation zones surrounding the installation and the consultation distance comprises the land enclosed by all the zones and the installation itself¹.

¹ See HSE's Land Use Planning Methodology - <https://www.hse.gov.uk/landuseplanning/methodology.htm>.

2. Pipeline and Hazardous Developments and Proposed Development Sites

Consultation by authorised officers will occur with the Health and Safety Executive (HSE) prior to determining a planning application. For some sites, consultation with the relevant site operator may take place. In order to help potential developers identify if their site lies within a consultation zone, supporting maps have been produced to identify the zone in which consultation may take place. The maps only identify the consultation distance (i.e., the boundary of the outer consultation zone) around pipelines and hazardous developments. They do not specify which type of pipeline or major hazardous site operator may be affected, or which specific consultation zone the site lies in. This can be confirmed by contacting HSE at <https://www.hse.gov.uk/landuseplanning/developers.htm>, or from the Council's Development Management Team at <https://www.aberdeenshire.gov.uk/planning/planning-applications/contact/>. A decision matrix using the combination of the consultation zone and sensitivity level will determine HSE's consultation response.

Due to the sensitive nature of the information, the supporting maps do not include explosive sites. If it is suspected that a proposed development site may lie within a consultation zone of an explosive site contact should be made with HSE, the Explosive Inspectorate, the Council's Development Management Team or, if known, the relevant licencing authority and the explosive licence holder,. Whilst the maps have been produced to be as up to date as possible (2021), some hazardous installations may not be included.

The Planning Authority will consult HSE on certain developments which lie within the consultation distance of a major hazard site or a major hazard pipeline, and which meet the following criteria: -

- Residential accommodation
- More than 250sqm of retail floor space
- More than 500sqm of office floor space
- More than 750sqm of floor space to be used for an industrial process

- Transport links, OR
- Which is otherwise likely to result in a material increase in the number of persons working within or visiting the notified area.

There are additional areas where HSE is a statutory consultee. For full details refer to Annex 2 of HSE's Land Use Planning Methodology².

While a consultation zone is regarded as a constraint to development, a development proposal may be approved even if it is within a consultation zone, providing that:

- a) Full account has been taken of the advice provided by the Health and Safety Executive, and the facility's owners and operators. NPF4 Policy 23 states that any advice from HSE that planning permission or hazardous substances consent should be refused, or conditions attached to a grant of consent, should not be overridden without careful consideration, with similar considerations applying in respect of proposals for/near licenced explosive sites.
- b) It is demonstrated that there will be no increased risk to public safety.

The means by which this constraint can be overcome will depend on the level of risk posed to people, such as:

- The proposed use;
- The siting of buildings in proximity to the hazardous installation;
- Cumulative impact (i.e., more of the same use within a consultation zone).

² HSE's Land Use Planning Methodology - <https://www.hse.gov.uk/landuseplanning/methodology.htm>.