

HAZARDOUS SUBSTANCES (OVS.7 and OVS.8)

1.12.12 Local planning authorities have been able to exercise a degree of control over the presence of hazardous substances through the development control system, where such substances have been directly associated with a proposed development. There are situations, however, in which hazardous substances may be introduced into a site, or used differently within it, without there being any associated development requiring planning permission. Circular 11/92(4) fills the gap by enabling specific control to be exercised over the presence of hazardous substances whether or not associated development is involved. The Health and Safety Executive will need to be consulted on every application for 'hazardous substances consent'.

1.12.13 Annex B (paragraph B7) of Circular 11/92 states that local planning authorities should formulate, as appropriate, policies and proposals for the development and use of land at or near to hazardous installations and for the siting of future hazardous developments.

Policy OVS.7 The Council will not permit development which on advice from the Health and Safety Executive would cause unacceptable risk or harm to personal safety due to the presence of hazardous substances on the site or other land in the vicinity.

Policy OVS.8 Hazardous Substances Consent will not be granted where on advice from the Health and Safety Executive the risk arising to persons in the vicinity from the presence of a hazardous substances would be unacceptable.

1.12.14 The Council has accepted as valid a number of applications for deemed consent under the Hazardous Substance Regulations, these are listed in Appendix 11.