

Oaklands Farm Solar Park Case Team
National Infrastructure Planning
Email:
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CEMHD - Land Use Planning,
NSIP Consultations,
Building 1.2, Redgrave Court
Merton Road, Bootle,
Merseyside L20 7HS.
NSIP.applications@hse.gov.uk

Date: 19/08/2024

Dear Sir/Madam,

**PROPOSED OAKLAND FARM SOLAR PARK PROJECT
PROPOSAL BY OAKLANDS FARM SOLAR LIMITED
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2017 (AS AMENDED) REGULATIONS 10 AND 11**

Thank you for your email 24 July 2024 and the extension to the original deadline.

HSE are of the opinion that a Statement of Common Ground is not required for this development and hope this letter will give assurance to the Examining Authority of HSE's position and advice.

HSE have no further comments to make other than those already cited in our response letters in relation to Section 42 & 56 of the Planning Act 2008.

In summary, HSE comments were :

HSE's consultation distances:

According to HSE's records the proposed DCO application boundary for this Nationally Significant Infrastructure Project is not within any consultation zones of major accident hazard sites or major accident hazard pipelines.

Consideration of Hazardous Substances Consent:

The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) will probably require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015 as amended. HSC would be required to store or use any of the Named Hazardous Substances or Categories of Substances at or above the controlled quantities set out in Schedule 1 of these Regulations.

Further information on HSC should be sought from the relevant Hazardous Substances Authority.

Consideration of risk assessments:

Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents.

HSE's role on NSIPs is summarised in the following [Advice Note 11 Annex on the Planning Inspectorate's website - Annex G – The Health and Safety Executive](#). This document includes consideration of risk assessments.

Under Great Britain's health and safety legislation, HSE does not have a role in examining risk or hazard assessments unless the circumstances are covered by specific regulations (eg the on-shore chemicals sectors where threshold levels of dangerous substances are exceeded).

At present there is a limited consideration of risk assessments arising from the developments vulnerability to major accidents (mostly contained in paragraphs 15.26-15.31 in the document Oaklands Farm Solar Park Preliminary Environmental Information REPORT, Prepared by LUC on behalf of BayWa r.e. April 2022.

There are no additional requirements for any risk assessments submitted to and approved by the relevant planning authority to also be considered by HSE.

However, it may be beneficial for applicants to undertake a risk assessment as early as possible to satisfy themselves that their design and operation will meet the requirements of relevant health and safety legislation as design of the Proposed Development progresses.

Explosives sites:

Explosives Inspectorates response is no comment to make as there is no HSE Licensed explosive sites in the vicinity of the proposed development.

Electrical Safety:

No comment from a planning perspective.

Previous response letters are attached.

At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at nsip.applications@hse.gov.uk. We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely

CEMHD NSIP Consultation Team

CEMHD - Land Use Planning,
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Bootle, Merseyside
L20 7HS.

HSE email: NSIP.applications@hse.gov.uk

FAO Ashley McInnes (Project Manager)

By email only: [REDACTED]

26 May 2022

Dear Mr McInnes

Section 42 Planning Act 2008: Statutory Consultation – Oaklands Farm Solar (project name)

Thank you for your letter of the 20 April 2022 regarding the proposed Oaklands Farm Solar Project.

HSE's land use planning advice

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records the proposed DCO application boundary for this Nationally Significant Infrastructure Project is not within any consultation zones of major accident hazard sites or major accident hazard pipelines.

This is based on the current configuration as illustrated in, for example, figure 1.2a and figure 1.2b 'OAKLANDS FARM SOLAR PARK SITE LAYOUT' within the document 'Oaklands Farm Solar Park Preliminary Environmental Information REPORT, Prepared by LUC on behalf of BayWa r.e. April 2022.

Hazardous Substance Consent

The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) will probably require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015 as amended.

HSC would be required to store or use any of the Named Hazardous Substances or Categories of Substances at or above the controlled quantities set out in Schedule 1 of these Regulations.

Further information on HSC should be sought from the relevant Hazardous Substances Authority.

Consideration of risk assessments

Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on NSIPs is summarised in the following Advice Note 11 Annex on the Planning Inspectorate's website - Annex G – The Health and Safety Executive . This document includes consideration of risk assessments on page 3.

At present there is a limited consideration of risk assessments arising from the developments vulnerability to major accidents (mostly contained in paragraphs 15.26-15.31 in the document Oaklands Farm Solar Park Preliminary Environmental Information REPORT, Prepared by LUC on behalf of BayWa r.e. April 2022. We would advise this is considered further in line with Advice Note 11 Annex on the Planning Inspectorate's website - Annex G – The Health and Safety Executive taking account of the following:

“it may be beneficial for applicants to undertake a risk assessment as early as possible to satisfy themselves that their design and operation will meet the requirements of relevant health and safety legislation as design of the Proposed Development progresses.”

Explosives sites

HSE has no comment to make as there are no licensed explosives sites in the vicinity

Electrical Safety

No comment from a planning perspective.

During this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at nsip.applications@hse.gov.uk . We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely,

Pp S Rance

Allan Benson
CEMHD4 NSIP Consultation Team



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Building 1.2,
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Merton Road,
Bootle, Merseyside
L20 7HS.

HSE email: NSIP.applications@hse.gov.uk

FAO Mr Michael Breslaw

By email only: info.oaklands-solarfarm@baywa-re.co.uk

31 March 2023

Dear Mr Breslaw

Section 42 Planning Act 2008: Statutory Consultation – Oaklands Farm Solar Limited: Targeted Consultation and Update on Proposals

Thank you for your email of the 9 March 2023 regarding the proposed Oaklands Farm Solar Limited: Targeted Consultation and Update on Proposals.

HSE's land use planning advice

Will the proposed development fall within any of HSE's consultation distances?

No change to HSE's response dated 26 May 2022. This response has been attached to the covering email for reference.

Explosives sites

No change to previous response - HSE has no comment to make as there are no licensed explosives sites in the vicinity.

Electrical Safety

No comment from a planning perspective.

During this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at nsip.applications@hse.gov.uk. We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely,

Pp S Rance

Cathy Williams
CEMHD4 NSIP Consultation Team