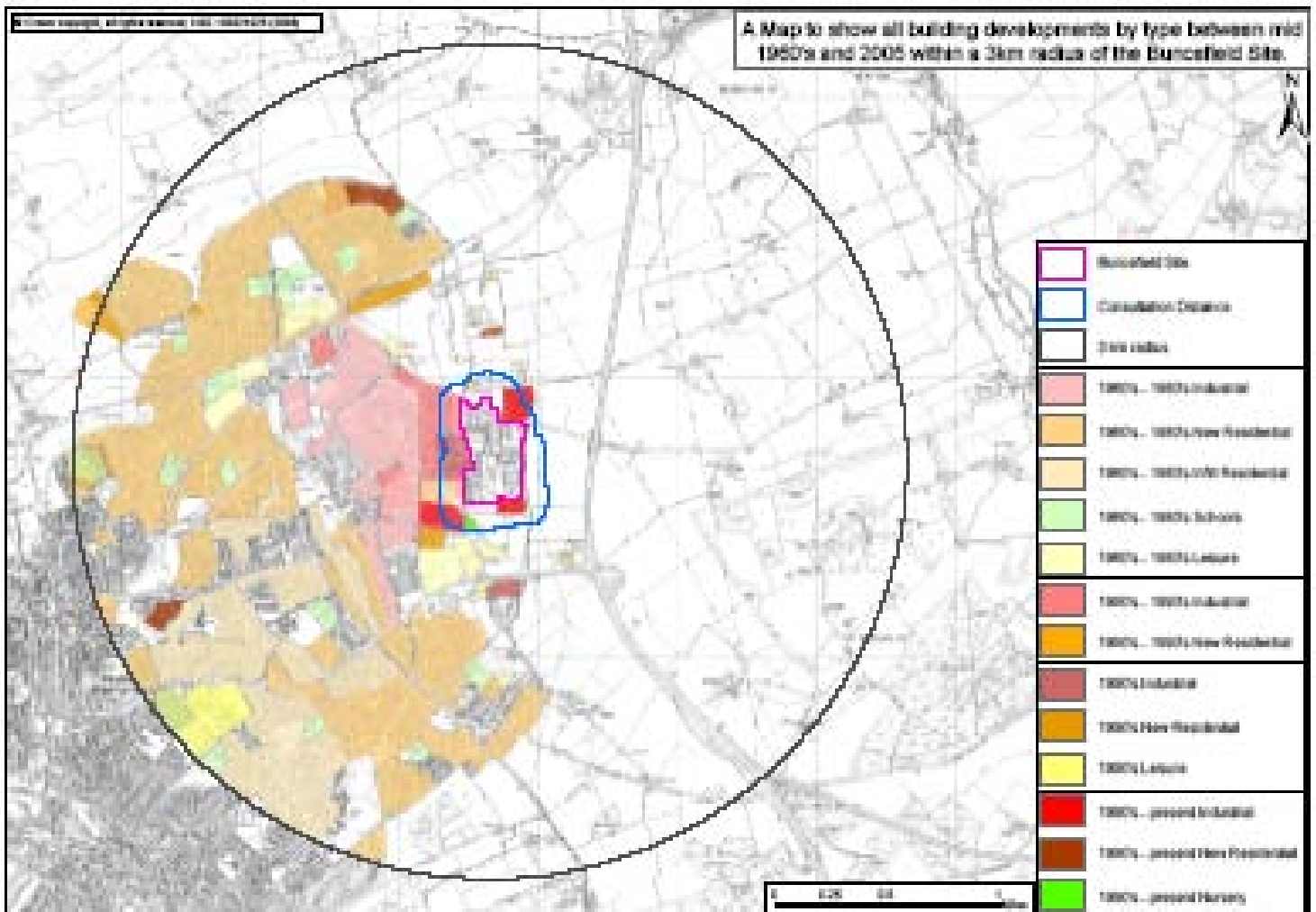


## History of Land Development at Buncefield from HSE records

1. This information on land development around Buncefield is based on available HSE records.
2. The Buncefield terminal was established in 1968 and there has been general encroachment and development of adjacent land since then. This can be seen in the diagram below (extracted from figure 5 of the initial report) showing developments since the 1960's to the present day.



3. For those developments on which the LA has consulted HSE, HSE only have records dating from 1995 for planning applications.
4. A summary of the applications on which the LA has consulted HSE and the advice given is shown in Table 1. These have been entered on a database (CASUM), but details of the developments such as location are now not available.

5. The HSE database (CASUM) records that 25 specific development cases were referred to HSE over the period 1991-2002. HSE development case files are routinely destroyed after a maximum of 5 years (the period during which a planning permission should normally be implemented), but copies of HSE's replies may be available from the local authority concerned (Dacorum or St Albans councils). For the last three years decisions on LUP have been devolved to field regions using the PADHI system.
6. Over the same period CASUM records that HSE were consulted on 4 local/structure plan revisions concerning the Dacorum (1) and St Albans (1) and Hertfordshire County Council (2) areas. Again the case files have not been retained, but copies of HSE's replies may be available from the council concerned. From the late 1990s local and structure plans were no longer referred to HSE.
7. Referral of specific development cases to HSE's central Major Hazard Assessment Unit\* ceased at the end of 2002 when HSE adopted the PADHI codified LUP advice scheme. Up to November 2005 the PADHI database records 5 consultations, details of which are listed below in Table 2.

\*MHAU/MSDU - MHAU was the Major Hazard Assessment Unit originally formed to provide HSE's LUP advice, amongst other tasks. Following a reorganisation at the end of 1999, LUP advice and similar activities were transferred to the newly formed MSDU (Methodology and Standards Development Unit) now CI5.

#### Hazardous Substances Consent

8. The Planning (Hazardous Substances) Regulations 1992 and their Scottish equivalent and later The Planning (Control of Major-Accident Hazards) Regulations 1999 require persons to apply for a consent from the Hazardous Substances Authority (HSA), if they propose to have present on their land hazardous substances at or above specified controlled quantities.
9. Consent identifies the hazardous substances and its location on site and defines certain conditions of use such as maximum size, temperature and pressure of storage vessels. It is an important mechanism in the overall control of major hazards as it enables the HSA (usually the local planning authority) to consider whether the presence of a significant quantity of a hazardous substance is acceptable in a particular location.
10. HSE is a statutory consultee for all applications for hazardous substances consent, and for proposals for development within the

vicinity of consent sites. HSE advises HSAs on the risks and /or hazards presented by the proposed land use for the people in the vicinity and produces the relevant three zone map.

11. Table 3 gives some details of Consent applications at the Buncefield Oil Terminal. Consent for gasoline was covered in 1992. An amendment to the legislation meant Kerosenes and similar were subsequently included from 1999.

**Table 1. Details of specific development cases referred to MHAU/MSDU as recorded on the CASUM database.**

<b>Date to HSE</b>	<b>Proposed development</b>	<b>LPA*</b>	<b>HSE advice</b>	<b>Additional details</b>
Mar 1991	Erection of office, Boundary Way	D	Did not advise against	No other details on database.
Jan 1992	Installation of oil storage tanks	D	Did not advise against	Additive tanks on NI (Notified Installation) site, 2 above ground and 2 buried.
July 1992	Residential development of 10 flats and car parking	D	Did not advise against	Linked to a previous case not on the database. No other details are available.
Oct 1993	Head office and distribution warehouse, Pentagon Park	D	Did not advise against	No other details on database.
Mar 1994	Asda - Regional Distribution Centre, etc. Buncefield Lane, Woodlane End	D	Qualified not advise against	It was assumed there would be no development along the proposed new road corridor. No record on the database of the condition(s) proposed.
Aug 1994	Pre-planning enquiry for warehouse and space at Buncefield Lane	D	Qualified not advise against	No record of the condition(s) proposed.
Jan 1995	Pre-planning enquiry for relocation of Hemel Hempstead football club to land, Great Lane	D	Advised against	Linked to the Asda Regional Distribution case.
Jan 1995	Waste to Energy incinerator, Buncefield	D	Special reply	No record on the database of the details of the reply.
July 1995	8 x one bed/2 x two bedroom flats and car parking, Buncefield Lane	D	Did not advise against	No other details on database.
Sept 1995	General Industrial storage and distribution development, Buncefield Lane	D	Qualified not advise against	No record of the condition(s) proposed.
Sept 1995	Proposed Industrial storage development at Buncefield Lane	D	Did not advise against	No other details on database.
Nov 1995	Light Industrial development Woodwells Farm, Buncefield Lane	D	Did not advise against	No other details on database.
Nov	Coach interchange	D	Advised	Advice based on pool fire

1995	with services Boundary Way		against	hazard and potential for bund over- topping.
Jan 1996	Day-care nursery and car park, Woodwells Farm	D	Did not advise against	The building is beyond piloted ignition range.
Sept 1996	Development of 'employment area' between M1 motorway and Green Lane	D	Special reply	No record on the database of the details of the reply.
Nov 1996	Large commercial development at Boundary Way	D	Advised against unless conditions met	Disabled parking is in the outer zone and parking for 372 in the inner zone. Offices are outside the consultation zone. No record of the condition(s) proposed.
Feb 1997	Change of use to industrial and storage use with offices and parking	D	Did not advise against	The majority of the building outside the consultation zone. No part of the building is within the middle zone.
Jan 1998	Storage facility at Cherry Tree Lane, Breakspears	SA	Did not advise against	No other details on database.
April 1998	Proposed Industrial/distribution/ warehousing units, Green Lane/Boundary Way	D	Qualified not advise against	No record of the condition(s) proposed.
Aug 1998	Proposed Industrial units with associated car parking, Boundary Way	D	Did not advise against	No other details on database.
Aug 1998	Proposed industrial units, Boundary Way	D	Qualified not advise against	No record of the condition(s) proposed.
Dec 1998	Proposed additional development by 3COM at Boundary Way	D	Qualified not advise against	No record of the condition(s) proposed.
Feb 2000	Industrial and storage development with office accommodation at Boundary Way	D	Did not advise against	No other details on database.
Mar 2000	Proposed residential development, Hemel Hempstead	D	Special reply	No record of the details of the reply.
June 2002	Warehouse with anc. offices etc., Green Lane	D	Did not advise against	Initially advised against, but advice changed on submission of revised plans.

\*LPA - Local Planning Authority key: D - Dacorum, SA - St Albans

**Table 2. Details of development cases as recorded on the PADHI database.**

<b>Date to HSE</b>	<b>Proposed development</b>	<b>HSE advice</b>	<b>Comment</b>
2 April 2003	Warehouse, ancillary offices, service area and parking.	Advised against	At Buncefield oil terminal (Inner Zone and Outer Zone)
21 May 2003	New warehouse with ancillary offices.	Did not advise against	At Buncefield oil terminal itself (Inner Zone)
10 June 2004	Additional service yard including use for vehicle parking.	Did not advise against	At Buncefield oil terminal itself (Inner Zone)
22 July 2004	Demolition of existing buildings and construction of office.	Did not advise against	At Chevron Texaco Ltd, Buncefield Terminal itself (Inner Zone)
11 Aug 2005	Single storey building (workplace).	Did not advise against	At Buncefield oil terminal itself (Inner Zone)

**Table 3 –Some Details of Consent Applications at the Buncefield Oil Terminal (from local HSE office)**

Operator	Hazardous Substances Consent Applications	Remarks	Current Consultation Distance	COMAH Notification
HOSL	34,020 Tonnes Motor Spirit - application dated 30/11/1992.  15,314 Tonnes Kerosene –application dated 18/10/1999	Kerosene not included in the original 1992 application given flash-point in excess of 21°C  July 2001 – MSDU confirm acceptance of claim for deemed HSC (CD 185m; Middle Zone 135m; Inner Zone 120m).	Agreed by MSDU 19/07/2001: <ul style="list-style-type: none"><li>• 185m CD</li><li>• 135m Middle</li><li>• 120m Inner</li></ul> (measured from vessel areas on site plan).	27,151 Tonnes Motor Spirit;  15,314 Tonnes Kerosene;  Notified 26/01/00
BP Oil UK Limited	17,650 Tonnes Gasoline – application dated 18/11/1992 in name of Mobile Oil Co. Ltd  15,080 Tonnes Automotive Petrol and other Pet. Spirits – application dated 26/10/1999  15,200 Tonnes Automotive Petrol & 10,522 Tonnes R51/53 – application dated 21/01/03  26,900 Tonnes Automotive Petrol & 10,522 Tonnes R51/53 – application dated 03/05/2005	Feb 1996 – deemed consent reviewed by MHAU, July 2001 – MSDU confirm acceptance of claim for deemed HSC July 2003 – MSDU confirm no significant reasons for refusing HSC. Application submitted re. construction of an additional Motor Spirit tank on site.  July 2005 – MSDU confirm would not wish to advise against granting of HSC.	Agreed by MSDU 08/07/2005: <ul style="list-style-type: none"><li>• 185m CD</li><li>• 135 Middle</li><li>• 120 Inner</li></ul> (measured from site boundary)	14,780 Tonnes Motor Spirit;  Notified 28/01/99
British Pipeline Agency Limited	70,000 Tonnes Automotive Petrol and other Petroleum Spirits – application dated 26/10/1999	Claim for deemed consent made  July 2001 – MSDU confirm acceptance of claim for deemed HSC (CD 185m; Middle Zone 135m; Inner Zone 120m).	Agreed by MSDU 19/07/2001: <ul style="list-style-type: none"><li>• 185m CD</li><li>• 135m Middle</li><li>• 120m Inner</li></ul> (measured from vessel areas on site plan).	56,000 Tonnes Kerosene;  Notified 03/02/00

