



## **ADVISORY NOTE**

### **Safeguarding for planning purposes**

For use alongside:

**Local Development Plan – Adoption (2013) to 2021**

**PEMBROKESHIRE COUNTY COUNCIL**

**December 2014**

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## Pembrokeshire County Council Local Development Plan

### 1 Introduction

1.1 This advisory note on safeguarding for planning purposes refers specifically to:

- Hazardous installations protected by Health and Safety Executive consultation zones;
- Commercial airfields;
- Ministry of Defence establishments (including Ministry of Defence airfields);
- Pipelines;
- Navigation beacons / radio masts;
- Groundwater source protection zones;
- Areas liable to flooding;
- Air Quality Management Areas; and
- Routes / locations protected to allow transport schemes to take place.

1.2 Policy GN.1 of the Council's Local Development Plan (LDP) sets out a General Development Policy, which all development proposals will be expected to satisfy.

1.3 GN.1, criterion 7 requires that development does not cause or result in unacceptable harm to health and safety.

1.4 Paragraph 6.9 of the reasoned justification to policy GN.1 records that:

*'Decisions on proposals made within the safeguarding zone of an existing installation(s) (including airfields) or for new hazardous installation(s) will be informed by guidance from the relevant safeguarding bodies on health and safety implications of the proposal, including compatibility with adjacent and nearby land uses and the implications for approach routes in the vicinity. A separate advisory note will be prepared on which hazardous installations have safeguarding zones and how further information relating to these zones can be obtained'.*

1.5 Where development proposals may be affected by safeguarding issues, applications should address how the risk will be addressed / mitigated.

## 2 Hazardous installations with Health and Safety Executive consultation zones

### 2.1 Major hazard pipelines (correct at October, 2013)

These include the pipelines of Wales and West Utilities, National Grid Gas plc and RWE nPower plc.

*Further information on these consultation zones should be sought from the Health and Safety Executive.*

### 2.2 Major hazard sites (correct at October 2013)

These include the sites at Pembroke Power Station, Waterston (Dragon LNG), Waterston (SEM Logistics), Milford Haven (South Hook LNG), Milford Haven (Refinery), Fishguard Harbour (Stena Sealink), Bethesda (The Granary, Vaynor Farm) and Nash (Strawberry Hill).

*Further information on these consultation zones should be sought from the Health and Safety Executive.*

## 3 Commercial airfields with associated safeguarding zones

### 3.1 Haverfordwest Airport

Owner and operator: Pembrokeshire County Council

Administration of safeguarding areas: Pembrokeshire County Council (through the Property Division)

*These safeguarding zones are administered by Pembrokeshire County Council and are available to view, on request, from the Property Division.*

### 3.2 West Wales Airport, Aberporth (in Ceredigion)

Owner and operator: Not known (administrator is West Wales Airport Ltd)

Some of the safeguarding zones associated with this facility extend into Pembrokeshire. The safeguarding zones were amended in 2005. At this time, an aerodrome safeguarding process was established between West Wales Airport Ltd and Pembrokeshire County Council. This is a requirement of Civil Aviation Authority licensing and of the regulatory authorities. The zones that extend over NE Pembrokeshire refer to proposals for buildings over 45m and 80m high respectively.

Administration of the safeguarding zone is by West Wales Airport Ltd. In March, 2010, the Airport Manager advised that Wind Energy and Aviation Interim Guidance had been prepared, requiring notification by developers of possible sites for wind farms in West Wales.

The Ministry of Defence previously used this site.

Ceredigion County Council has digitised the 2005 safeguarding zones (Pembrokeshire County Council has an electronic copy). The information was made available to the Council subject to the proviso that its accuracy could not be guaranteed because the work had not come from the source organisation.

*Please contact the Airport Manager at West Wales Airport for further information.*

#### 4 Ministry of Defence establishments protected by safeguarding zones

4.1 Castlemartin Army Field Training Centre – an inner and outer consultation zone are defined. Both the facility itself and the consultation zones are wholly within the Pembrokeshire Coast National Park. Therefore this is for information only.

4.2 Manorbier Range – three consultation zones are defined, one of which coincides with the range boundary. Both the facility itself and consultation zones are wholly within the Pembrokeshire Coast National Park. Therefore this is for information only.

4.3 Cawdor Barracks Technical Site (Brawdy) – one regular and three irregular consultation zones are defined. These are:

1) An 'any development' zone;

2) A zone within which safeguarding relates to any building, structure or works more than 10.7m high;

3) A zone within which safeguarding relates to any building, structure or works more than 15.2m high; and

4) A zone within which safeguarding relates to any building, structure or works more than 45.7m high.

The safeguarding zones include land within the planning jurisdiction of Pembrokeshire County Council.

- 4.4 Templeton Airfield – the Army’s Templeton Technical Site. Although the airfield is not used for landing and take-off of aircraft, it continues to be used for fly-pasts. Two linear belts define the flight paths approaching and extending onto the airfield. Consultation requirements exist, where proposed development within these belts will rise beyond certain heights above mean sea level.

The safeguarding zones include land within the planning jurisdiction of Pembrokeshire County Council.

*Please contact the Ministry of Defence for further information.*

## 5 Other pipelines protected by consultation zones

- 5.1 3Ms pipeline – Valero refinery to the English Midlands – still active.

Previously managed by Pipeline Management Ltd, with a 150m consultation zone (Pipeline Management Ltd no longer exists)

It is not clear who currently manages the pipeline or who administers the safeguarding zone.

- 5.2 BP oil pipeline, West Angle Bay to Llandarcy – disused for many years.

It was filled with an inert substance in the early 1990s.

It is possibly still managed by BP, but the position on safeguarding is uncertain and PCC does not know who currently manages the pipeline or who administers the safeguarding zone, although it has established that it is neither the Health and Safety Executive nor Fisher German (a company who manage long distance pipelines for other companies).

- 5.3 Gas pipelines – many of the major hazard pipelines are already referenced in the table in paragraph 2.1, as they have associated Health and Safety Executive consultation zones. In addition to these, a number of pipelines run through the County, with information on the Council’s emergency planning map layers indicating that these comprise:

- a) The LNG gas pipeline runs from South Hook LNG to Dragon LNG (running north of Milford Haven town) and thence takes a route through rural locations in the County, passing close to Rosemarket, Freystrop, Wiston, Canaston Bridge, Templeton and Tavernspite villages and thence into rural Carmarthenshire. Rural and suburban risk areas, key locations and properties (including road, rail and path crossings) and suburban areas associated with the pipeline have been defined spatially.

- b) The South Haven gas pipeline (from Pembroke Power Station to Blackbridge), linking to the LNG gas pipeline at Dragon LNG.
- c) A proposed Chevron (now Valero) to Pembroke Power Station gas pipeline, linking to the South Haven gas pipeline.

In some cases, safeguarding of the pipelines is carried out, in part at least, through legal covenants.

*Please contact the pipeline operators (where known) for further information.*

## 6 Navigation beacons and radio masts

### 6.1 National Air Traffic Service (NATS) Navigation Beacon at Strumble Head, with associated consultation zones.

There are 6 consultation zones around the beacon, 4 of which have been confirmed by NATS:

- 1) An 'all development' zone;
- 2) A zone within which safeguarding relates to developments more than 10m high;
- 3) A zone within which safeguarding relates to developments more than 15m high;
- 4) A zone within which safeguarding relates to developments more than 45m high (awaiting confirmation);
- 5) A zone within which safeguarding relates to developments more than 90m high (awaiting confirmation); and
- 6) A zone relating to all wind-farms.

### 6.2 There are National Air Traffic Service (NATS) Radio Masts at Woodstock (near Tufton), Crymych and St. Dogmaels, each with consultation zones. The St. Dogmaels facility is just inside Ceredigion.

There are safeguarding zones around each of the masts and directly along the lines between them. Additionally, there is safeguarding along the line linking the Crymych mast to a mast in Carmarthenshire.

*Please contact NATS for further information.*

## 7. Groundwater Source Protection Zones (SPZs)

7.1 Natural Resources Wales defines Groundwater Source Protection Zones (SPZs) for a range of different sources such as wells, boreholes and springs used for public drinking water supply. These zones show the risk of contamination from any activities that might cause pollution in the area. The closer the activity, the greater the risk is. The maps show four zones:

- Zone 1 – Inner Protection Zone – the 50 day travel time from any point below the water table to the source. This zone has a minimum radius of 50 metres.
- Zone 2 – Outer Protection Zone – a 400 day travel-time from a point below the water table. This zone has a minimum radius of 250m or 500m around the source, depending on the size of the abstraction.
- Zone 3 – Total Catchment – the area around a source within which all groundwater recharge is presumed to be discharged at the source. In confined aquifers, the source catchment may be displaced some distance from the source. For heavily exploited aquifers, the final Source Catchment Protection Zone can be defined as the whole aquifer recharge area, where the ratio of groundwater abstraction to aquifer recharge is  $> 0.75$ . There is still a need to define individual source protection areas to assist operators in catchment management.
- Zone 4 – these relate to areas of special interest, but are only occasionally applied:

Zones of Special Interest were previously defined for some sources, but in the future these will be incorporated into one of the other zones, or become a 'safeguard zone'.

In 2011, the Environment Agency Wales (now Natural Resources Wales) published a Local Evidence Package for Pembrokeshire, which includes a map of the SPZs.

At an earlier date, the same organisation advised that there is a 1km consultation zone around the Milton Spring Source.

*Please contact Natural Resources Wales for further information.*

## 8 Areas liable to flooding

8.1 Natural Resources Wales (as successor to The Environment Agency) produces detailed flood maps that show the potential risk of flooding. The 2011 Environment Agency Wales (now Natural Resources Wales) Local Evidence Package for Pembrokeshire advises that these maps are available on its web-site. The document advises that a number of flood zones are identified:

- a) Flood zone 2 – this is the EAW's (now NRW's) estimate of the areas of land between flood zone 3 and the extent of flooding from rivers or the sea with a 1000 to 1 risk of flooding in any year. It includes areas defined in flood zone 3.
- b) Flood zone 3 – the EAW's (now NRW's) estimate of the areas of land with a 100 to 1 risk (or greater) of flooding each year from rivers, or with a 200 to 1 risk (or greater) of flooding each year from the sea.
- c) Flood storage area (also referred to as balancing reservoirs, storage basins or balancing ponds) – areas whose purpose is to attenuate an incoming flood peak to a flow level that can be accepted by the downstream channel. These areas can also delay the timing of a flood peak, by allowing its volume to be discharged over a longer interval.

8.2 The Welsh Government has published Development Advice Maps. Welsh Government Technical Advice Note 15 (TAN 15) on 'Development and Flood Risk' provides technical guidance in relation to development and flooding. TAN 15 is supported by the Development Advice Maps (DAMs), which define three zones:

Zone B – areas known to have been flooded in the past, evidenced by sedimentary deposits;

Zone C1 – areas of the floodplain that are developed and served by significant infrastructure, including flood defences; and

Zone C2 – areas of the floodplain without significant flood defence infrastructure.

8.3 Natural Resources Wales (as successor to The Environment Agency Wales) has prepared two maps, which when referred to together are known as the Environment Agency (now Natural Resources Wales) Surface Water Flood Maps. Further details regarding each map are set out below:

- a) The Flood Map for Surface Water is the primary source of nationally derived information. It is the newer of the two maps (published in 2011). It represents the mechanisms that cause surface water flooding better than the Areas Susceptible to Surface Water map, although a number of national assumptions are made. In some areas this map may underestimate the area of land at risk and consequently it is advisable to use it in conjunction with the Areas Susceptible to Surface Water Flooding map.

The map shows areas where surface water would be expected to flow or pond. Two rainfall events, one with a 1 in 30 risk and the other with a 1 in 200 risk of occurring in any year, are modelled and mapped. It provides a general indication of areas which may be more likely to experience surface water flooding in these rainfall probabilities.

For each rainfall probability, the map provides two shapefiles which can be used individually to indicate a) surface water flooding – greater than 0.1m deep and b) deeper surface water flooding – greater than 0.3m deep.

- b) The 'Areas Susceptible to Surface Water Flooding' map provides further supporting information. This earlier data set (from 2009) is based on cruder assumptions and is generally too conservative, with the consequence that the total area of land at risk that it shows is sometimes too large. However, as noted above, it is advisable to use it in conjunction with the more recent Flood Map for Surface Water.

*For further information on this mapping, please contact Natural Resources Wales or Welsh Government, as appropriate.*

It is for a Lead Local Flood Authority (in this case, Pembrokeshire County Council) to decide which information to use – i.e. the nationally derived information, or local knowledge, historic records or models.

Neither of these two maps is intended to be definitive and likewise neither is suitable for identifying whether an individual property will flood. All that either map can do is indicate whether a particular location is within or not within an area shown to be at risk.

The Flood and Water Management Act 2010 defines 'surface water'. The type of flooding shown by the Flood Map for Surface Water fits this definition in general terms. This is the flooding that takes place from the 'surface runoff' generated by rainwater (including snow and other precipitation) which a) is on the surface of the ground (whether or not it is moving) and b) has not yet entered a watercourse, drainage system or public sewer.

## 9 Air Quality Management Areas (AQMAs)

9.1 Air Quality Management Areas have been declared in:

- a) Central Haverfordwest; and
- b) Main Street, Pembroke.

9.2 Pembrokeshire County Council is now developing Action Plans for each area, in an attempt to reduce emissions and comply with national objectives on air quality. It consulted the public on mitigation strategies in 2013.

9.3 AQMAs can be used to inform planning decisions.

*For further information, please contact Pembrokeshire County Council's Public Protection team.*

## 10 Safeguarded transport schemes

10.1 Policy GN.39 of the Council's Local Development Plan safeguards various transport routes and improvements from development that would be likely to prejudice their implementation. The fifteen protected schemes are listed in the policy and their spatial extent (where known) is shown on the LDP's Proposals Map.

10.2 For one of the schemes listed in policy GN.39, the A40 Llanddewi Velfrey to Penblewin road improvement, the Welsh Government has written to the Council (in April 2010) advising that it expects to be consulted on any future planning applications falling within 67 metres of the road improvement line.

*The LDP is available to view on the Council's web-site or, in paper format, at County Hall, Haverfordwest and in local libraries.*

## 11 Installations where previous safeguarding has been discontinued

11.1 CBL Ceramics, Marble Hill Road, Milford Haven.