

Application to the relevant hazardous substances authority (planning authority)

The Planning (Hazardous Substances) Act 1990 - Section 7(1)

England - The Planning (Hazardous Substances) Regulations 2015 (Regulation 5)

Wales - The Planning (Hazardous Substances) (Wales) Regulations 2015 (Regulation 5)

Application for Hazardous Substances Consent

1	Applicant	Tetrosyl Limited
	Address	Newgate House, 1 Newgate
		Rochdale
	Post code	OL16 1XS
	Telephone number	0161 764 5981
	Person in control of the land to which the application relates, if different to above	Formidable Capital Assets Limited
	Address	Newgate House, 1 Newgate
		Rochdale
	Post code	OL16 1XS
	Telephone number	
2	Address or other location details of application site	Tetrosyl Limited
		Royle Barn Road
		Castleton
		Rochdale
	Post code	OL11 3DT
	OS grid ref	SD881109 – Easting 388180, Northing 410981

3 Hazardous substance(s) covered by the application

- (a) List named substances falling within Part 2 of Schedule 1 to the Regulations first, then list any substances falling within the categories in Part 1 of that Schedule; finally list substances falling within the description in Part 3.

- (b) Substances falling within Parts 1 or 3 of Schedule 1 to the Regulations may be listed under the relevant category or description or named specifically. Where a substance falls within Part 1 and 2 list under Part 2 only; where a substance falls within more than one category in Part 1 list under the category which has the lowest controlled quantity. Where a substance falling within Part 1 or 2 also falls within Part 3 list under the Part which has the lowest controlled quantity. The “controlled quantity” means the quantity specified for that substance in column 2 of Parts 1, 2 or 3 of Schedule 1 to the Regulations.

Note: The addition rule as set out in the schedule to the regulations should be applied to determine whether consent is required for substances below the Controlled Quantity. Examples are given in the associated planning guidance. The Planning (Hazardous Substances) (Amendment) Regulations 2017 are relevant to the use of the addition rule in England only. The Planning (Hazardous Substances) (Amendment) Regulations 2015 are relevant to Q* (addition rule) for LPG, and relevant to notes about ammonium nitrate.

Table A

<i>Name, or relevant category or description of substance</i>	<i>Part number in Schedule 1 to the Regulations, and entry number if Part 2, category if Part 1, identity if Part 3</i>	<i>Do you have a current PHS consent* in respect of this substance? (Yes/No)</i>	<i>If “yes”, state quantity for which consent granted</i>	<i>Maximum quantity proposed to be present in tonnes</i>
Liquefied Flammable Gases, Category 1 or 2 (including LPG)	Named Substance Part 2 – 18	No	-	1.1 ^{Note1}
Petroleum Products and Alternative Fuels © Gas Oils (including Diesel Fuels, Home Heating Oils and Gas Oil Blending Streams)	Named Substance Part 2 – 34	No	-	2.0 ^{Note1}
H2 – Acute Toxics Car Engine Additives and Paint Cleaning Products	H2 – Acute Toxics – Category 2 or 3	No	-	8.0 ^{Note1}
H3 – STOT Car Engine Additives and Paint Cleaning Products	H3 – STOT. Single Exposure STOT SE Category 1	No	-	8.0 ^{Note1}

<i>Name, or relevant category or description of substance</i>	<i>Part number in Schedule 1 to the Regulations, and entry number if Part 2, category if Part 1, identity if Part 3</i>	<i>Do you have a current PHS consent* in respect of this substance? (Yes/No)</i>	<i>If "yes", state quantity for which consent granted</i>	<i>Maximum quantity proposed to be present in tonnes</i>
P3a Flammable Aerosols Aerosol Household and Car Maintenance Products	P3a Flammable Aerosols	Yes	300	450
P5c – Flammable Liquids Household and Car Cleaning and Maintenance Products	P5c – Flammable Liquids	Yes	5,000	3,500 ^{Note1}
P6b Self-Reactive Substances and Mixtures and Organic Peroxides, Type C, D, E or F Peroxide Hardeners for Filler Kits	P6b Self-Reactive Substances and Mixtures and Organic Peroxides, Type C, D, E or F	No	-	0.50 ^{Note1}
E1 – Hazardous to the Aquatic Environment – Category Acute 1 or Chronic 1 Oils and Miscellaneous Car and Household Products	E1 – Hazardous to the Aquatic Environment – Category Acute 1 or Chronic 1	No	-	10 ^{Note1}
E2 – Hazardous to the Aquatic Environment – Category Chronic 2 Oils and Miscellaneous Car and Household Products	E2 – Hazardous to the Aquatic Environment – Category Chronic 2	Yes	250	350

*a hazardous substances consent

Note1: Materials Tonnages are at Sub-Controlled Quantities

Where in Table A consent is sought for any substance below the relevant Control Quantity, give the reason in the box below including the calculation for each relevant type of hazard (health, physical and/or environmental) with the q/Q fractions that add to greater than or equal to 1.

Not Applicable for the Quantities for which Planning (Hazardous Substance) Consent is being applied for, however Aggregation undertaken to ensure Upper Tier Qualifying Controlled Quantities are not exceeded, Aggregation Calculation is shown below:

Toxic Hazards –

$$N = q1/QL1 + q2/QL2$$

$$N = 8/200 + 8/200 \text{ (where [1] is Methanol, [2] is Methanol (Car Engine Additives and Paint Cleaning Products))}$$

$$N = 0.04 = 0.04$$

$$N = 0.32$$

Therefore, sub-COMAH

Physical Hazards –

$$N = q1/QL1 + q2/QL2 + q3/QL3 + q4/QL4 + q5/QL5$$

$$N = 1.1/200 + 2.0/25,000 + 450/500 + 3,500/50,000 + 0.5/200 \text{ (where [1] is LPG, [2] is Diesel, [3] is P3a Flammable Aerosols, (Household and Car Maintenance Products), [4] is P5c Flammable Liquids, (Household and Car Cleaning and Maintenance Products), [5] is P6b Organic Peroxide, (Peroxide Hardeners for Filler Kits))}$$

$$N = 0.0055 + 0.00008 + 0.9 + 0.07 + 0.0025$$

$$N = 0.97808$$

Therefore, Lower Tier COMAH

Environmental Hazards –

Not Applicable, Establishment is Lower Tier COMAH due to presence of Category Chronic 2, however Other Environmental Hazards have been Aggregated below:

$$N = q1/QL1 + q2/QL2 + q3/QL3$$

$$N = 2.0/25,000 + 10/200 + 350/500 \text{ (where [1] is Diesel, [2] is E1 Classified Hazardous to the Aquatic Environment Materials, [3] is E2 Classified Hazardous to the Aquatic Environment Materials, (Oils and Miscellaneous Car and Household Products))}$$

$$N = 0.00008 + 0.05 + 0.7$$

$$N = 0.75008$$

Therefore, Lower Tier COMAH

4 Manner in which substance(s) are to be kept and used

For each substance, category or description of substance, covered by the application, provide the following information, referring to the substance location plan where appropriate.

“vessel” means any container designed or adapted to contain hazardous substances which is affixed to the land, and includes a container which forms part of plant or machinery which is affixed to the land but does not include a pipeline.

“Buried” or “Mounded” vessel includes a vessel which is only partially buried or partially mounded.

“moveable container” means any container designed or adapted to contain hazardous substances other than a vessel.

- (a) Tick one box below to show whether the substance(s) will be present for storage only or will be stored and involved in a manufacturing, treatment or other industrial process:

Table B

<i>Substance including Part no. in Sch. 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3</i>	<i>Storage only</i>	<i>Stored and involved in an industrial process</i>
Liquefied Flammable Gases, Category 1 or 2 (including LPG) Named Substance Part 2 – 18	√ - Used to power Forklift Truck	-
Petroleum Products and Alternative Fuels (c) Gas Oils (including Diesel Fuels, Home Heating Oils and Gas Oil Blending Streams) Named Substance Part 2 – 34	√ - Used to power Fire Water Pumps	-
H2 – Acute Toxics Car Engine Additives and Paint Cleaning Products	√	-
H3 – STOT Car Engine Additives and Paint Cleaning Products	√	-
P3a Flammable Aerosols Aerosol Household and Car Maintenance Products	√	-
P5c – Flammable Liquids Household and Car Cleaning and Maintenance Products	√	-
P6b Self-Reactive Substances and Mixtures and Organic Peroxides, Type C, D, E or F Peroxide Hardeners for Filler Kits	√	-
E1 – Hazardous to the Aquatic Environment – Category Acute 1 or Chronic 1 Oils and Miscellaneous Car and Household Products	√	-
E2 – Hazardous to the Aquatic Environment – Category Chronic 2 Oils and Miscellaneous Car and Household Products	√	-

(b) For each vessel to be used for **storing** the substance(s) give the following information:

Table C (i)

Vessel No*	Substance including Part no. in Sch. 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3	Installed above ground† (Yes/No)	Buried (Yes/No)	Mounded (Yes/No)	Maximum capacity (cubic metres)	Highest vessel design temperature °C	Highest vessel design pressure (bar absolute)
LPG-1	Liquefied Flammable Gases, Category 1 or 2 (including LPG) Named Substance Part 2 – 18	Yes	No	No	2.2	+50°C	7

* identify by reference to substance location plan

† if "Yes", specify whether or not it will be provided with full secondary containment

(c) For each substance, category, or description of substance, state the largest size (capacity in cubic metres) of any **moveable** container(s) to be used for that substance, category, or description of substances:

Table C (ii)

Substance including Part no. in Sch. 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3	Storage area on site*	Maximum capacity (cubic metres) of individual moveable containers
Petroleum Products and Alternative Fuels (c) Gas Oils (including Diesel Fuels, Home Heating Oils and Gas Oil Blending Streams) Named Substance Part 2 – 34	Fire Pump House	0.2
H2 – Acute Toxics Car Engine Additives and Paint Cleaning Products	Warehouse	0.2
H3 – STOT Car Engine Additives and Paint Cleaning Products	Warehouse	0.2

<i>Substance including Part no. in Sch. 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3</i>	<i>Storage area on site*</i>	<i>Maximum capacity (cubic metres) of individual moveable containers</i>
P3a Flammable Aerosols Aerosol Household and Car Maintenance Products	Warehouse	0.00075
P5c – Flammable Liquids Household and Car Cleaning and Maintenance Products	Warehouse	0.2
P6b Self-Reactive Substances and Mixtures and Organic Peroxides, Type C, D, E or F Peroxide Hardeners for Filler Kits	Warehouse	0.000040
E1 – Hazardous to the Aquatic Environment – Category Acute 1 or Chronic 1 Oils and Miscellaneous Car and Household Products	Warehouse	0.001
E2 – Hazardous to the Aquatic Environment – Category Chronic 2 Oils and Miscellaneous Car and Household Products	Warehouse	0.2

* identify by reference to substance location plan

- (d) Where a substance, category or description of substance is to be used in a **manufacturing, treatment or other industrial process(es)**, give a general description of the process(es), describe the major items of plant which will contain the substance(s); and state the maximum quantity (in tonnes) which is liable to be present in the major items of the plant, and the maximum temperature (°C) and pressure (bar absolute) at which the substance, category or description of substance is liable to be present:

No Manufacturing or Processing Activities are undertaken at the Warehouse, the Warehouse is for the Storage and distribution of Household, DIY and Car Care Products.

All Products are stored in Consumer / Wholesale Finished Packaging.

Table D

<i>Substance including Part no. in Schedule 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3</i>	<i>Description of process(es)</i>	<i>Major items of plant*</i>	<i>Max. quantity (tonnes)</i>	<i>Max. temp. (°C)</i>	<i>Max. pressure (bar absolute)</i>
N/A	N/A	N/A	N/A	N/A	N/A

* identify by reference to substance location plan

5 Additional Information

- (a) If you have an existing PHS consent(s) as referred to in Table A, **attach a copy of each consent** to this application.

✦ Document A – Decision Notice 19-00817-HAZ

- (b) **List the maps or plans** or any explanatory scale drawings of plant/buildings submitted with this application (**as a minimum submit a site map and a substance location plan** – see **Notes** below).

- Document Bi – Site Plan showing Substance Locations
- ✦ Document Bii – Warehouse Layout
- Document Biii – Google Earth View – Site – Emergency Access
- Document Biv – OS Map 1-2,500 – Site Location
- Document C – OS Map 1-10,000 – Site Location

- (c) Provide a brief overview description of the **main activities** carried out or proposed to be carried out on the land to which the application relates.

The Main Activities undertaken on Site will be Warehousing, Distribution and Picking Operations associated with Car Care, Household and DIY Products for the Wholesale and Retail Market. Picking Operations are also undertaken within the Warehouse.

Products will be transported to Site by Road Haulier. Off-Loading Activities will be undertaken using Mechanical Handling Equipment with Products being transferred to Designated Storage Areas and Placed in Defined Racking Locations as per the Warehouse Management System.

- (d) Provide details of how each relevant substance is proposed to be transported to and from the land to which the application relates, for example the size and frequency of vehicle deliveries, the size or maximum flow rate of pipeline imports/exports.

Substance including Part number in Schedule 1 to the Regulations, and entry number if Part 2, category if Part 1, identity if Part 3	How, and other details such as frequency and quantity, transported to and from the land to which the application relates	
	Transported to site	Transported from site
All Categories	All Products will be transported to Site by Road HGV. Products may arrive as Mixed Loads or Single Product Loads. All Loads to Site will be Pre-planned and Site will be Notified of Deliveries. 50 HGV's to Site / Day The Warehouse Activities will be undertaken between 06:00 Monday to 12:00 Saturday. Vehicle Collections may occur from 04:00.	All Products will be transported from Site by Road HGV. Products will depart as Mixed Loads or Single Product Loads. All Loads from Site will be Pre-planned. 50 HGV's Out of Site / Day.

- (e) Provide details of the vicinity of the land to which the application relates, where such details are relevant to the risks or consequences of a major accident (relevant details include numbers of people in neighbouring developments that could be affected by a major accident and details about environmentally sensitive receptors).

The Tetrosyl Warehouse is situated off Royle Barn Road in the Castleton area of Rochdale. The Royle Barn Road area comprises a variety of Industrial / Warehouse Units. Residential Housing, Single Dwellings are located to the sides of the Property. Major roads within the area include Manchester Road and Queensway, with the M627 approximately 750 metres east. Immediately to the east of the Establishment is the Caldervale Rail Line operated by Northern Rail. There is a single area designated as a Sites of Special Scientific Interest (SSSIs) within 10km of the Establishment, the Rochdale Canal, which is also designated as a Special Protection Area (SPA) and a Special Conservation Area (SAC). The Site is not situated within any Flood Plain and the Establishment is not situated in any Groundwater Source Protection Zones or Catchment Area.

- (f) Provide a brief overview of the measures taken or proposed to be taken to limit the consequences of a major accident.

A HAZID Study and COMAH Safety Report related to the Sites Activities has been undertaken, the output of which has been fed into an Internal Emergency Plan.

All activities are risk assessed and there are specific processes and procedures for loading, unloading, storage, picking and moving goods.

The entire warehouse is covered by a sprinkler system and there are in-racking sprinklers in all racking. There are 2 on-site deluge tanks with capacity to cover the warehouse.

There is a fire alarm system which covers the entire site.

There will be 24 hour, 7 days per week security and CCTV coverage of the site.

Emergency plans have been drafted to deal with any particular incident and Fire and Rescue Service carry out familiarisation visits.

A Major Accident Plan has been developed.

- (g) Give any further information which you consider to be relevant to the determination of this application. (For example, details about any exempted established substances on site or a copy of any notification about 'other establishments'/exempted established substances if already submitted).

Tetrosyl are an experienced operator of COMAH chemical warehousing and production sites. We have a good record for safety and have experienced and competent managers who will be running the site.

Tetrosyl currently operate a Lower Tier COMAH site in the northwest.

We have carefully planned the design and fit out of the warehouse to minimise risk to our neighbours and to our employees and visitors.

I/We hereby apply for hazardous substances consent in accordance with the proposals described in the application



Signed

on behalf of Tetrosyl Limited
(insert name of person in control of the land if different to applicant)

Date20th September 2023.....

To be accompanied by the notices and certificates required by regulations 6 and 7 of the Regulations.

Notes

“Site map” is a map, reproduced from, or based on, an Ordnance Survey map with a scale of not less than 1:10,000, which identifies the land to which the application relates and shows National Grid lines and reference numbers.

“Substance location plan” is a plan of the land to which the application relates, drawn to a scale of not less than 1:2,500, which identifies-

- (a) any area of land intended to be used for the storage of the substance;
- (b) where the substance is to be used in a manufacturing, treatment or other industrial process, the location of the major items of plant involved in that process in which the substance will be present; and
- (c) access points to and from the land.