Advice to the local planning authority

Advice to the local planning authority (LPA) from the Health and Safety Executive (HSE) as a statutory consultee for developments that include a relevant building.

To LPA	Adur & Worthing Councils
LPA planning ref no	AWDM/0478/24
Our ref	pgo-5366
Site address	Free Wharf Brighton Road Shoreham-by-sea West Sussex
Proposal description	Application for a Non-Material Amendment to previously approved AWDM/1497/17 and AWDM/1315/22 Blocks E & F 2nd Staircase amendment to serve all levels in line with latest Fire Safety Guidance
Date on fire statement	N/A
Date consultation received	07/06/2024
Date response sent	28/06/2024

1. Substantive response for the local planning authority

Thank you for consulting HSE about this application.

Headline response from HSE
Headline Response from HSE **'content'**

Scope of consultation

1.1. It is understood that the above application has been made under s96A of the Town and Country Planning Act (1990) for non-material amendments to previously approved AWDM/1497/17 and AWDM/1315/22 Blocks E & F. The application seeks permission for amendments to the second staircase to serve all levels in line with latest Fire Safety Guidance.

1.2. HSE was not consulted about the original application, because it predated the establishment of HSE (Planning Gateway One) as a statutory consultee in relation to fire safety matters, for relevant buildings. Therefore, the comments below and the substantive response headline are based on the information in the current application, including the proposed plan drawings, which are available on the planning register, for alterations to blocks E and F, and the extension of the second staircase to serve all floors.

Previous consultation

1.3. HSE issued a substantive response 'Concern' dated 23/01/2023, under the reference pgo-2699 in relation to a s73 consultation, reference AWDM/1315/22, received on 26/01/2023 for the application site address.

1.4. HSE issued a substantive response 'Concern' dated 16/05/2024, under the reference pgo-5139 in relation to a consultation, received on 19/04/2024.

Current consultation

1.5. The current consultation was received on 07/06/2024 providing a document 'HSE Substantive Response Comments to LPA–Response Letter' ('the applicant's response') and making revised drawings available on the planning register. For the avoidance of doubt, this substantive response is in relation to the applicant's response.

1.6. Following a review of the information provided in the planning application, HSE is content with the fire safety design as set out in the project description and following the proposed amendments, to the extent it affects land use planning considerations.

2. Supplementary information

The following information does not contribute to HSE's substantive response and should not be used for the purposes of decision making by the local planning authority.

Additional information provided

2.1. HSE acknowledges further information provided by the applicant, in response to HSE's previous substantive response, and the supplementary information therein, including:

- In relation to paragraphs 1.6 to 1.10 of the previous substantive response regarding the floor area of Blocks E and F and inclusion of a second fire-fighting shaft, the applicant clarifies: *"The floor area for Level 6 in both Block E and Block F has been reduced to less than 900m2 therefore the provision of an additional firefighting shaft is no longer applicable. All areas on the floor plan are within 60m of the dry rising main outlet within the firefighting stair therefore it is considered the requirements of the Building Regulations are met. Updated plans and floor areas to be issued by the Architect to the HSE for their review to demonstrate the reduced floor area".*

2.2. The above response is noted, and it will be for the applicant to demonstrate compliance at later regulatory stages.

Yours sincerely

Y Spafford

Ysanne Spafford
Fire Safety Information Assessor

Guidance on Planning Gateway One is available on the Planning Portal: Planning and fire safety - Planning Portal.

This response does not provide advice on any of the following:

- **matters that are or will be subject to Building Regulations regardless of whether such matters have been provided as part of the application**
- **matters related to planning applications around major hazard sites, licensed explosive sites and pipelines**
- **applications for hazardous substances consent**
- **London Plan policy compliance**