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 and Worthing
LPA planning ref no	AWDM/1315/22
Our ref	Pgo-2699
Site address	Free Wharf Brighton Road Shoreham-by-sea West Sussex
Proposal description	Application to vary condition 1, 23, 26 and 34 of previously approved AWDM/1497/17 to incorporate: i) 39 additional homes (together with 8no subject of previous application AWDM/2037/20) to give a new total of 587 homes ii) associated changes to profiles of riverside blocks A-F (heights unchanged); iii) reduce commercial space (Class E a, b, c and g) to 2,163sqm; iv) reduce the level of car parking to 381 residential spaces and 24 commercial spaces, with provision of car club v) re-use of existing sheet piling to support riverside walkway (omitting need for approved posts) vi) revised energy strategy. Also, design amendments to blocks G and H, increasing overall height of block G by 1.08m (previously subject of applications AWDM/2037/20 and AWDM/1952/20). ORIGINAL DESCRIPTION: REDEVELOPMENT OF THE SITE TO PROVIDE TEN BUILDINGS, CONTAINING 540 NEW HOMES (OF WHICH TWO WILL BE STUDIOS, 179 X ONE BED, 323 X TWO BED AND 38 X THREE BED), 2,707SQM OF COMMERCIAL FLOORSPACE AT GROUND FLOOR LEVEL WITHIN USE CLASSES, A1 (RETAIL), A3 (CAFES AND RESTAURANTS), B1 (BUSINESS) AND D1 (NON-RESIDENTIAL INSTITUTIONS). THE DEVELOPMENT ALSO INCLUDES 512 PARKING SPACES, OF WHICH 438 WILL BE FOR RESIDENTS AND 74 WILL BE FOR THE COMMERCIAL SPACE/VISITORS, RECONSTRUCTION OF THE RIVER WALL, CONSTRUCTION OF MOORING PONTOONS AND OBSERVATION PLATFORM AT THE END OF HUMPHREY'S GAP, PROVISION OF A RIVERSIDE PEDESTRIAN/CYCLE ROUTE, AREAS OF SEMI-PRIVATE AND PUBLICLY ACCESSIBLE OPEN SPACE, INTERNAL ACCESS ROADS, 596 CYCLE PARKING SPACES AND ASSOCIATED ANCILLARY AREAS.
Date on fire statement	29/07/2022
Date consultation received	26/01/2023
Date response sent	23/02/2023

1. Substantive response for the local planning authority

Thank you for consulting HSE about this application.

Headline response from HSE

Headline Response from HSE **'Advice to LPA' - Concern**

Scope of consultation

1.1 This substantive response is being provided to the LPA regarding the above application submitted under s73 of the Town and Country Planning Act 1990. The original planning application was validated before HSE became a statutory consultee for developments that include a relevant building, as such, this is the first opportunity HSE has had to review this development in respect of fire safety matters. For the purposes of the assessment of this s73 application, HSE has considered the information available within the application.

1.2 From the information provided this application relates to a variation of condition 1, 23, 26 and 34 of previously approved AWDM/1497/17 to create 39 additional dwellings.

1.3 A fire statement dated 29/07/2022 and a document titled 'Free Wharf Shoreham' by Orion Fire dated 29/09/2022 have been provided with this application. These will be referred to as the 'applicant's information'.

1.4 Section 6 of the fire statement states that the development consists of six blocks with building heights as follows:

- Block A – 21.73 m
- Block B – 24.08 m
- Block C – 27.38 m
- Block D – 27.38 m
- Block E – 27.38 m
- Block F – 24.08 m

1.5 It is noted from the information provided in section 6 of the fire statement that the adopted fire standard for this application is BS 9991:2015 for the residential areas and Approved Document B volume 2 for the car park areas. HSE has assessed this application accordingly.

The applicant's information

1.6 HSE has been unable to assess this application with certainty as the actual design is unclear. The applicant's information provides recommendations on fire safety matters such as, access/egress to and from the basement and in relation to the provision of facilities for the fire service, in particular, regarding the provision of firefighting shafts. These appear to be recommendations to the client, rather than commitments that can be secured in any planning permission.

1.7 In particular, page 8 of the Orion Fire document shows a general arrangement drawing of block F with a comment regarding the provision of a second firefighting shaft due to the height and floor area of the building. This is an issue that would require significant alteration to the design. Therefore, without clear information regarding the design of this development than can be secured, HSE are raising a concern.

1.8 Further information with current details of the proposed design of the development would enable HSE to make a full and accurate assessment of the fire safety measures.

Yours sincerely

23/02/2023

Steve Hatton
Fire Safety Information Assessor
Signed by: steve.hatton

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**