## Decision : HSL-161017151639-488 ADVISE AGAINST

**Your Ref:** AWDM/1504/16
**Development Name:** 4 Waterside Road, Southwick
**Local Authority Reference:** AWDM/1504/16

**Comments:** Outline planning application with all matters reserved for 5 no. three-storey live/work units with parking to front to replace existing workshops.

Land Use Planning Consultation with Health and Safety Executive [Town and Country Planning (Development Management Procedure) (England) Order 2015, Town and Country Planning (Development Management Procedure) (Wales) Order 2012, or Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013]

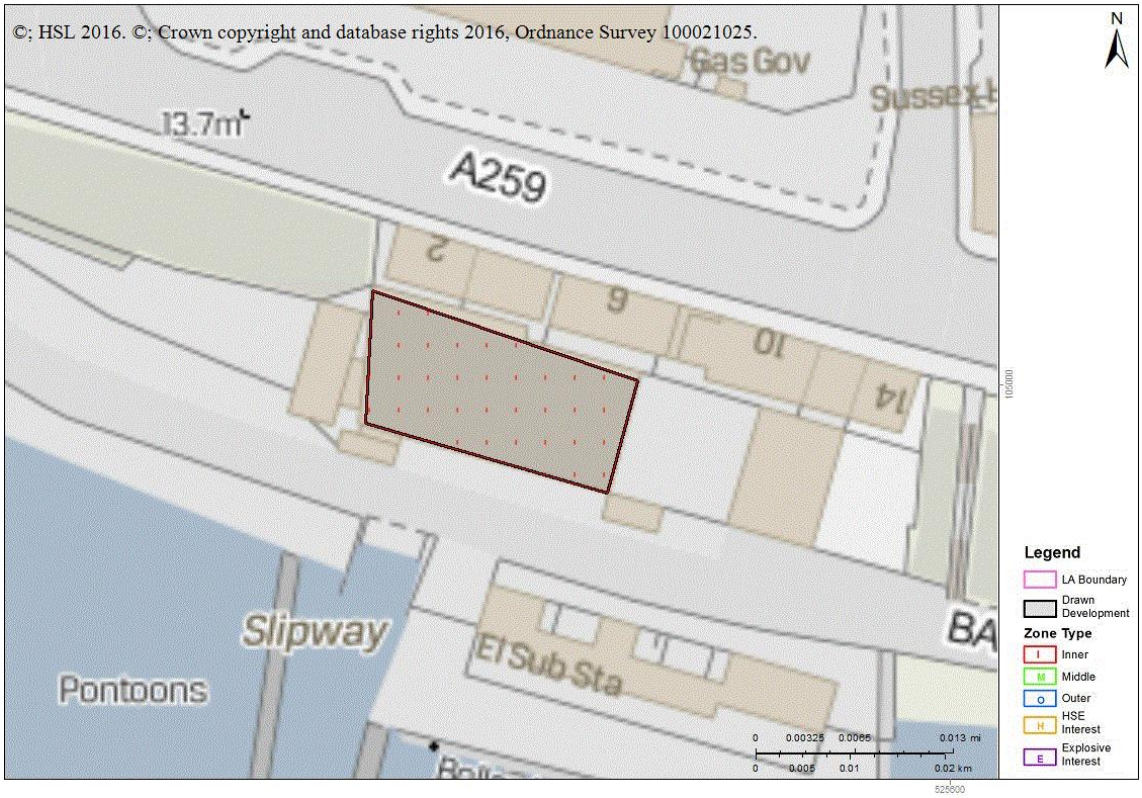
Protective Marking: Official Sensitive

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and also within at least one Consultation Distance, has been considered using HSE's planning advice web app, based on the details input on behalf of Adur District.

HSE's Advice: Advise Against. The assessment indicates that the risk of harm to people at the proposed development site is such that **HSE's advice is that there are sufficient reasons on safety grounds, for advising against the granting of planning permission in this case.**

Major hazard sites/pipelines are subject to the requirements of the Health and Safety at Work etc. Act 1974, which specifically includes provisions for the protection of the public. However, the possibility remains that a major accident could occur at an installation and that this could have serious consequences for people in the vicinity. Although the likelihood of a major accident occurring is small, it is felt prudent for planning purposes to consider the risks to people in the vicinity of the hazardous installation. Where hazardous substances consent has been granted (by the Hazardous Substances Authority), then the maximum quantity of hazardous substance that is permitted to be on site is used as the basis of HSE's assessment.

If, nevertheless, you are minded to grant permission, your attention is drawn to Section 9, paragraph 072 of the online Planning Practice Guidance on Hazardous Substances - Handling development proposals around hazardous installations, published by the Department for Communities and Local Government, or paragraph A5 of the National Assembly for Wales Circular 20/01. These require a local planning authority to give HSE advance notice when it is minded to grant planning permission against HSE’s advice, and allow 21 days from that notice for HSE to consider whether to request that the Secretary of State for Communities and Local Government, or Welsh Ministers, call-in the application for their own determination. The advance notice to HSE should be sent to CHEMHD5, HSE's Major Accidents Risk Assessment Unit, Health and Safety Executive Redgrave Court, Merton Road, Bootle, Merseyside, L20 7HS or by email to lup.padhi.ci5@hse.gov.uk. The advance notice should include full details of the planning application, to allow HSE to further consider its advice in this specific case.

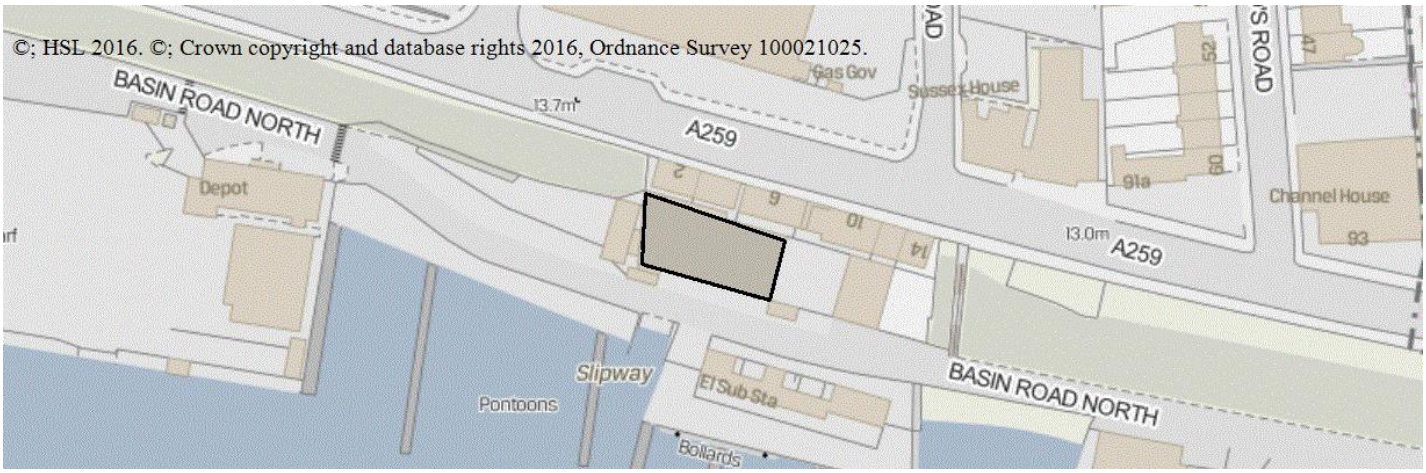



---

**Breakdown:**

Housing AA

How many dwelling units are there (that lie partly or wholly within a consultation distance)? 3 to 30 inclusive
Is the dwelling unit density greater than 40 units per hectare? Yes




---

If the proposed development relates to an extension to an existing facility, which will involve an increase of less than 10% in the population at the facility, then HSE may reconsider this advice; please contact HSE's Planning Advice team if this development involves such an extension.

This advice report has been generated using information supplied by at Adur District on 17 October 2016.

Note that any changes in the information concerning this development would require it to be re-submitted.

You may wish to contact HSE's Planning Advice team to discuss the above enquiry result on 01298 218159 or by email at lupenquiries@hsl.gsi.gov.uk. Depending on the nature of the further discussions you may be advised that there is charge for consultancy work done on your behalf by the team.