Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0138
Shell Gas Limited, Coolham Road, Coolham, Horsham, West Sussex, RH13 8GT

DESCRIPTION:
Variation to application SP/44/92 to retrospectively correct the installed LPG storage on site from the approved capacity of 50t to 60t.

RELEVANT PLANNING HISTORY:

DC/04/1278	Erection of 2.3m high Palisade fence replacing wall.	Application Permitted 25.10.2004
SP/23/97	Extension to workshop Site: Leech Fuels Coolham	Application Permitted 30.07.1997
SP/18/94	Retention of replacement static fire water storage tank. Site: Coolham Depot Coolham Road Coolham.	Application Permitted 20.07.1994
SP/44/92	Deemed hazardous substance consent for storage of l p g Site: Coolham Depot (J Leech Oil Supplies) Barns Green Rd Coolham	Application Permitted 21.12.1992
SP/41/92	Deemed hazardous substance consent for storage of l.p.g. Site: Coolham Oil Depot Coolham Rd Coolham	Application Permitted 21.12.1992

DESCRIPTION OF THE SITE
The application site is an LPG storage facility sited along Coolham Road to the south east of Billingshurst. The site consists of fenced areas of hard standing with water storage tanks, a site office and the LPG storage tanks subject to this application.

The site falls within a cluster of commercial and light industrial buildings which are surrounded by agricultural land.

DESCRIPTION OF THE APPLICATION
This application is for a Hazardous Substances Consent (HSC) for the storage of up to 60 tonnes of Liquified Petroleum Gas (LPG) within two vessels at Shell Gas Limited, Coolham Road. The application is retrospective and seeks to correct HSC SP/44/92 which incorrectly states an LPG storage capacity as 50 tonnes as appose to the 60 tonnes.

LPG is currently stored on site within two above ground LPG storage vessels. Each vessel has a maximum water capacity of 68 cubic metres and is limited to an operational capacity of 85%, equating to 30 Tonnes of LPG per vessel. The total site capacity would therefore be 60 tonnes of LPG. HSC is

required as the 60 tonne capacity of the two LPG storage vessels exceed the 'controlled quantity' threshold of 25 tonnes on site. The substance itself therefore requires HSC.

The Local Planning Authority is the Hazardous Substances Authority responsible for determining this application. Our role on receiving the application is to consider the application in consultation with the COMAH (Control of Major Accidents Hazards) competent authority which in this case is the Health and Safety Executive.

It is noted that this is not an application for planning permission, and it does not concern any proposal to change the activities already operating at the site. HSC provides control over the presence of hazardous substances whether or not an associated planning permission is required.

RELEVANT PLANNING POLICIES
The following Policies are considered to be relevant to the assessment of this application:

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)

REPRESENTATIONS AND CONSULTATIONS RESPONSES
Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:
Health and Safety Executive: No Objection

The Health and Safety Executive (HSE) has assessed the risks to the surrounding areas from the likely activities resulting from the granting of Hazardous Substances Consent (HSC) application DC/25/0138 at Avanti Gas Ltd. Coolham Depot, Barns Green Road, Nr Horsham, West Sussex RH13 8GT. Application DC/25/0138 is for the storage and use of 60 tonnes of liquified petroleum Gas (LPG) in 2 x 68m3 storage tanks.

Only the risks from hazardous substances for which Consent is being sought have been assessed. HSE has assessed the risk of harm from the maximum quantity of hazardous substances for which Consent is being sought. Risks which may arise from the presence of other substances have not been taken into account in this assessment.

HSE's assessment is based on the amended application form sent to the Council and HSE by the Applicant on 22nd July 2025, confirming the vessel sizes are a maximum of 68m3 in volume.

HSE has not been able to take account of any proposed developments in the surrounding areas that have been granted planning permission but are not yet built. This may also apply to existing developments that did not appear on the maps accompanying the consent application. Since this may affect our advice please consult the HSE again if there are any such developments within the consultation zones proposed on the map referred to below. Also consult us again if there is any likely development in the zones that you wish us to take into account. We will require some detail, for example if housing the estimated number of dwelling units, if retail/leisure the indoor floor space and opening hours, so we can estimate what population might be present and for how long.

In considering this application for Consent, HSE has made the assumption that the requirements of the Health and Safety at Work etc. Act 1974, and all relevant statutory provisions, will be met at the establishment should consent be granted. On this basis, HSE has concluded that the risks to the surrounding population arising from the proposed variation in operation are so small that there are no significant reasons, on safety grounds, for refusing Hazardous Substances Consent.

HSE will, on request, explain to the Hazardous Substances Authority the reasons for its advice.
Such as request can be sent to me to arrange a response.

Following Government advice that particulars in the application form do not automatically become conditions of Consent, it would be beneficial to include the following condition: "The hazardous substances shall not be kept or used other than in accordance with the particulars provided on the amended application form(email received 22/07/2025), nor outside the areas marked for storage of the substances on the plans which formed part of the amended application (including 'Site Plan Of Coolham Depot', Drawing number A1354, Revision F, Dated
03/21)"

An updated consultation area, made up of the set of zones marked on the attached map in Appendix 1, has been determined. Unless we hear from you in the near future that the application has been refused, this map will be placed within the HSE's land use planning web app. This is available to the person in your Planning Authority nominated to be your 'Group administrator' and colleagues who that nominated person enables to have access. Access is via the web https://pa.hsl.gov.uk/.

This consultation area will be for relevant consultations under The Town and Country Planning (Development Management Procedure) (England) Order 2015. The consultation area is also relevant to The Town and Country Planning (General Permitted Development) (England) Order 2015 in which it is referred to as a 'safety hazard area'. The granting of consent will therefore have implications for certain types of development proposed in the zones. More information can be found in HSE's land use planning methodology.

https://www.hse.gov.uk/landuseplanning/methodology.htm

West Sussex Fire & Rescue Service: No Objection
West Sussex Fire & Rescue Service do not generally comment on planning applications that are compliant with AD-B Volume 2: B5 requirements. As shown on a screen shot of out mapping system there is a fire hydrant outside the site, within 45m of the gas storage tanks, there is also a 315,000-litre water tank supplied on site, specifically for firefighting purposes, both shown below.

Also, the access for a fire appliance to this site is also compliant with requirements, so there are no concerns with this site. A fire safety inspection has also been carried out at the site to ensure all fire safety arrangements are in place.

Parish Council: No Objection
At the meeting of Shipley PC held on 3rd March 2025 Members voted to SUPPORT the application.

HDC Environmental Health: No Objection
There are no comments from EH on this application.

The site is covered by the COMAH regulations and is registered with the HSE. I also assume it's also on the HDC hazardous substances register as required under the Planning (Hazardous Substances) Regulations 2015)

PUBLIC CONSULTATIONS
No Representations received.

HUMAN RIGHTS AND EQUALITY
The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the

Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Hazardous Substance Consent Background and Procedure

This application falls to Horsham District Council, as the Hazardous Substances Authority (HSA), to determine and enforce. The application seeks Hazardous Substances Consent (HSC) to allow the storage of specified substances in line with the regulations introduced by the Planning (Hazardous Substances) Act 1990 and the Planning (Hazardous Substances) Regulations 2015.

The HSC process ensures that necessary measures are taken to prevent major accidents and limit their consequences to people and the environment. This is a key part of the controls for storage and use of hazardous substances which could, in quantities at or above specified limits, present a major off-site risk. The system of hazardous substances consent does not replace requirements under health and safety legislation.

Separate health and safety law ensures measures are in place for the safe use of hazardous substances. However, even after measures have been taken to prevent major accidents, there will remain the residual risk of an accident which cannot entirely be eliminated. HSC ensures that this residual risk to people in the vicinity or to the environment is taken into account before a hazardous substance is allowed to be present in a controlled quantity. The extent of this risk will depend upon where and how a hazardous substance is present; and the nature of existing and prospective uses of the application site and its surroundings.

The Health and Safety Executive (HSE) is the COMAH (Control of Major Accident Hazards) Competent Authority for Hazardous Substance Consent and is a statutory consultee on these applications. They advise whether consent should be granted. Their advice aims to mitigate the effects of a major accident. They look at the hazards and risks that the hazardous substance may present to people nearby and produce a map with three risk zones. The zones (sometimes referred to as 'contours') show levels of risk or harm that people would face. If the HSA grant consent, the map is used to show the areas within which HSE must be consulted for any relevant future planning applications. If HSE advises the HSA against granting consent, they will explain the reasons for this advice if asked to.

Assessment of Proposal

The proposal seeks HSC for the storage and use of 60 tonnes of LPG in 2 x 68m3 storage tanks. This proposal has been reviewed by the Health and Safety Executive (HSE) who have assessed the risk of harm from the maximum quantity of hazardous substances for which Consent is being sought (60 tonnes).

HSE has prepared a “3-zone map” shown in Appendix 1 of their representation and have concluded that the risks to the surrounding population arising from the proposed variation in operation are so small that there are no significant reasons, on safety grounds, for refusing HSC.

Following this application, any development within these ‘3-zones’ will be required to consult HSE through their planning web app. HSE have additionally requested that any consent include a condition ensure that hazardous sustenance’s are kept and used as per the details set out within the application particulars.

West Sussex Fire and Rescue service have also been consulted and have raised no objection. The officer noted that there is a fire hydrant outside the site within 45m of the gas storage tanks, there is a 315,000-litre water tank supplied on site specifically for firefighting purposes and the access is compliant. A fire safety inspection has also been carried out to ensure all fire safety arrangements are in place.

It is therefore considered that there are no unacceptable risks to the environment or public amenity associated with this application. The standards required in the regulations are being met. There are no

other material planning considerations which would justify anything other than an approval for the Hazardous Substances Consent in this case.

Conclusions:
The HSE has considered the application and recommended that the consent be allowed subject to one condition in relation to application particulars, West Sussex Fire and Rescue Service and additionally content with the operating procedures at the site.

It is therefore recommended that Hazardous Substance Consent is approved, subject to the conditions listed below.

Recommendation: Application Permitted

Conditions:

1 The hazardous substances shall not be kept or used other than in accordance with the particulars provided on the amended application form (email received 22/07/2025), nor outside the areas marked for storage of the substances on the plans which formed part of the amended application (including 'Site Plan Of Coolham Depot', Drawing number A1354, Revision F, Dated 03/21)

Reason: In accordance with fire and safety regulations in accordance with Policy 33 of the Horsham District Planning Framework (2015) and England - The Planning (Hazardous Substances) Regulations 2015 (Regulation 5)

NOTE TO APPLICANT

POSITIVE AND PROACTIVE STATEMENT
Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/25/0138
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Site plan	Location Plan	A1354 REV F	15.04.2025
Location plan	Coolham Depot Substance Location Plan Showing Boundary	Coolham Depot Substance Location Plan	15.04.2025
Supporting Docs	Application for Hazardous Substances Consent	Application for Hazardous Substances Consent	22.07.2025

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date

DELEGATED

Case Officer sign/initial Sam Whitehouse Date: 11/09/2025

Authorising Officer sign/initial J Hawkes Date: 11.09.2025