

PLANNING REF : 252782
PROPERTY ADDRESS : 103 The Hawthorns
: Charvil, Reading
: RG10 9TT
SUBMITTED BY : Mr Alan Simpson
DATE SUBMITTED : 08/12/2025

COMMENTS:

Objection on Grounds of Combined Fire and Safety Risk Arising from Adjacent High-Hazard Uses

I wish to submit a formal objection to the proposed development on the basis that the health and safety information provided assesses the site in isolation and does not address the material combined risk created by its immediate proximity to an existing high-fire-load operation. This omission prevents the Local Planning Authority (LPA) from discharging its duties under planning legislation and national policy.

1. Failure to Assess Cumulative and Adjacent Hazards (NPPF - Sections 97 & 174)

The applicant's submission considers only the hazards within its own site boundary. It excludes any reference to the neighbouring premises, a tyre storage and distribution facility that adjoins the site at the boundary line.

The National Planning Policy Framework (NPPF) requires decision-makers to:

- "Avoid development that could create unacceptable risks to public safety" (NPPF 97).
- Consider "cumulative effects arising from new development" (NPPF 174).

By failing to address the adjoining high-risk use, the submission does not provide the LPA with the information needed to assess cumulative fire and safety risk as required under the NPPF.

2. Tyre Storage Recognised as a High-Risk Use (Environmental Permitting Regulations & Fire Prevention Guidance)

The neighbouring tyre warehouse is recognised as a high-risk operation under:

- Environmental Permitting (England and Wales) Regulations 2016, Schedule 1 (activities involving combustible waste).
- Environment Agency Fire Prevention Plan Guidance (2018), which identifies tyre storage as requiring strict fire separation and mitigation due to extreme heat release, toxic smoke, and difficulty of extinguishment.
- National Fire Chiefs Council (NFCC) Waste and Recycling Fires Framework (2017-2023), highlighting tyres as high fire-loading materials requiring elevated controls.

This establishes that the neighbouring facility is not a general commercial use but a statutory high-risk environment.

3. Fuel Storage and Distribution is a Hazardous Operation (DSEAR 2002 & Oil Storage Regulations 2001)

The proposed development involves the storage and handling of flammable or combustible fuels and is therefore regulated by:

- Dangerous Substances and Explosive Atmospheres Regulations 2002 (DSEAR) - requiring identification and mitigation of explosion and fire risks.
- Control of Pollution (Oil Storage) (England) Regulations 2001
- controlling the storage of oils above specified volumes.

These statutory controls confirm the site is independently hazardous

even before considering neighbouring risks.

4. Combined Risk Not Assessed - Contrary to Legal Duties Under the Town and Country Planning Act 1990
Under Section 70(2) of the Town and Country Planning Act 1990 (TCPA) and Section 38(6) of the Planning and Compulsory Purchase Act 2004, the LPA must consider all material planning considerations, which include:

- Public safety
- Fire risk
- Interaction with neighbouring land uses

A hazard arising from two high-risk premises operating side-by-side is clearly a "material consideration".

The absence of cross-boundary assessment represents a failure of the applicant to provide information necessary for lawful decision-making.

5. Regulatory Reform (Fire Safety) Order 2005 - Lack of Inter-Premises Coordination

The Regulatory Reform (Fire Safety) Order 2005, Articles 8 and 9, require that fire risks to relevant persons are assessed and reduced so far as reasonably practicable.

Where risks may impact people outside the premises, responsible persons must take reasonable steps to cooperate.

There is no evidence of any cooperation or joint risk consideration between the proposed fuel site and the existing tyre warehouse, despite both premises posing credible cross-boundary hazards.

6. Conclusion - Application Is Incomplete and Unsafe to Approve
Given that:

- Both operations are legally recognised high-risk uses,
- They share a boundary,
- The applicant has not assessed the combined or cumulative risk,

- And statutory planning policy requires such risk to be understood before permission is granted,
the application does not provide sufficient information to demonstrate safety or compliance with national policy, and therefore cannot be lawfully approved in its current form.
I respectfully request refuse of the application or require the applicant to produce an independent, comprehensive cross-boundary fire and safety risk assessment that evaluates and mitigates the combined hazards created by both operations.