

Hazardous Installations
Directorate

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Dear Chief Executive/Planning Officer & PADHI Administrator/User,

PADHI Rule 4c (Existing Use Rule)

During 2007 HSE undertook a review of its policy to consider existing use when giving planning advice using the PADHI (Planning Advice for Developments near Hazardous Installations) methodology. Application of the existing use rule has formed part of HSE's statutory role to provide land use planning advice to Local Planning Authorities (LPAs) on the residual risks from major hazard sites to proposed populations nearby. The outcome of the review, which concluded in August 2007, was that consideration of existing use should no longer form part of HSE's advice.

A project has been set up to amend PADHI to implement this change, but as with any such software alterations this has to be carefully planned and tested, so it will be mid 2008 before this can be fully completed along with changed operational guidance. When this work is ready to roll out PADHI Administrators will be advised.

However, as from the date of this letter PADHI Rule 4c no longer forms part of HSE's advice. The practical application of this for PADHI+ users is outlined in the Note at the foot of this letter.

In taking the decision to now remove the existing use rule HSE considers that it should provide its advice based on the current facts and circumstances affecting public safety. The fact that a permitted use already exists should not influence HSE's advice. Henceforth, PADHI should 'advise against' where the proposed development is incompatible with the residual risks posed by a major hazard site.

Officials at the Department for Communities and Local Government, the Scottish Government and the Welsh Assembly were consulted about this change of policy.

Yours sincerely,

John Murray

John Murray
Head of Chemical Industries Strategy Unit

Note: New instruction for users of PADHI+ (March 2008)

Following an Advise Against result within PADHI+, you will be automatically directed to the part of the system dealing with Rule 4. At the screen asking "Q. Is there an obvious previous/ existing/ permitted use? (Choose Yes if the development is an extension to an existing building)", select "No". This will take the user back into the main part of the system and the Advise Against result will stand. Only in the case of the proposed development being an extension to an existing development should you select "Yes" and complete the remaining screens until a result is achieved.