



Northern Ireland
Assembly

Research and Information Service Briefing Note

Paper 000/00

1 July 2015

NIAR 000-00

Suzie Cave

Planning applications and emergency exit plans

This Research and Information Service (RaISe) briefing has been provided in response to a specific Committee query and is compiled for the benefit of the Committee and their support staff. The briefing should not be relied upon as legal advice (or as a substitute for it) and a suitably qualified professional should be consulted if specific legal advice or information is required.

Introduction

The following paper is a follow up to the briefing provided to the Committee on 11 June 2015. Members asked for more information on whether it is standard practice to have an initial emergency exit plan completed during the planning application phase of a new stadium project, and whether this a duty which HSE is required to carry out.

In terms of information on 'standard practice', the paper considers the applications submitted for planning permission for existing sports stadia in Northern Ireland, and whether any emergency exit plans were submitted with these applications. To assess HSENI's 'duty' in relation to the planning application phase, the paper considers HSENI's legislative duty as a key consultee during the Department of Environment's Planning (DOE Planning) assessment of planning applications.

Planning applications and standard practice

The Department (DOE) explains that decisions made on applications for planning approval are based on ‘material considerations’. According to the Department, what constitutes a ‘material consideration’ are the fundamental factors of land-use planning, and these include:

the number, size, layout, design and external appearance of buildings and the proposed means of access, together with landscaping, impact on the neighbourhood and the availability of infrastructure.¹

While the Department lists a number of points that are material considerations when making decisions on applications for planning permission, health and safety and emergency exiting is not one.²

However, the Department states that the list is not exhaustive; therefore clarification should be sought from DOE Planning on whether they have ever requested or received emergency exit plans etc. along with an application for planning approval.

For more information on the role and responsibilities of DOE Planning refer to the previous research paper: *Responsibilities – fire safety and emergency plans etc.* (9 June 2015).

Standard practice

To assess whether it is standard practice to have an initial emergency exit plan completed during the planning application phase of a new stadium project, the Department provided information (through the online Planning Portal) on the planning applications for all major stadia in NI that would have been assessed by DOE’s Strategic Planning Department. These are:

- Ravenhill
- Windsor Park; and
- Casement Park

While it does not appear that the Department requires information on emergency exits plans to be submitted with an application for planning approval³, nor do they appear to be one of the material considerations that decisions are based on, the paper used the information to explore whether any of the planning applications provided plans on emergency exiting.

¹ Planningni [online] *Factors: Material considerations*

http://www.planningni.gov.uk/index/advice/advice_decision_making/advice_factors_material.htm

² *ibid*

³ The Department offers guidance on the type and extent of information that is required when applying for planning permission.

For more information see: Planningni [online] Explanatory notes for Applicants

http://www.planningni.gov.uk/index/advice/fees_forms/notes.htm

The table provided gives a brief description of the applications and details whether emergency exit plans were submitted with the applications and any associated documents.⁴

For the purpose of this paper, the 'additional documentation' and 'plans, maps and drawings' sections submitted with each of the three planning applications were searched for stand-alone emergency exit plans (i.e. specific only to emergency exiting), **for which the search returned no results.** However, further clarification should be sought from the Department.

⁴ The planning applications can be viewed through Public Access at www.planningni.gov.uk using the following reference numbers Ravenhill Z/2010/1319/F and Windsor Park Z/2012/1359/F and Casement Park Z/2013/0685/F.

Planning applications for sports stadia NI

Stadium	Dates	Description of planning application	Inclusion of stand-alone emergency exit plans.
Ravenhill <i>Application Reference: Z/2010/1319/F</i>	Application submitted: 05/08/2010 Permission granted: 29/02/2012	Construction of three stands with associated safety and accessibility improvement works. The proposed works comprise of: demolition of existing main stand; construction of three stands (i.e. erection of new stand at the Aquinas end of the ground, and amendments to the previously approved stands on the northern and eastern sides of the ground) with hospitality, media, player, spectator and ancillary facilities; upgrading of existing entrances; relocation and renovation of existing War Memorial Arch and; construction of new WC block, electronic screens and ground maintenance storage facilities.	There does not appear to be any specific stand-alone emergency exit plans with the application. Transport Assessments and Event Management Plans were submitted but these made no reference to emergency exiting
Windsor Park <i>Application reference: Z/2012/1359/F</i>	Application submitted: 06/12/2012 Permission granted: 15/02/2013	Re-development of Windsor Park to provide an 18,000 seated capacity National Football Stadium, comprising: demolition of the south and east stands and erection of replacement south and east stands; refurbishment and extension of north and west stands; replacement flood lighting; coach and car parking; player accommodation and welfare facilities; ground support facilities including electronic display installations; hard and soft landscaping and storage facilities associated with ground maintenance; development of ancillary office accommodation, conference, training and community facilities; temporary construction access; upgrade of pedestrian access points and boundary fencing	There does not appear to be any specific stand-alone emergency exit plans submitted with the application. A Design and Access Statement by Hamilton Architects (2012) was submitted. This includes details on accessibility, ingress and egress diagrams during standard situations. However, there does not appear to be any specific plans on emergency exiting provided in the statement other than " <i>All passenger lofts will be 'evacuation lifts' to aid escape in standard and emergency situations</i> " ⁵
Casement Park <i>Application Reference: Z/2013/0685/F</i>	Application submitted: 19/06/2013 Permission granted: 17/01/2014	The re-development of Casement Park to provide a 38,000 seated capacity GAA Stadium, comprising: demolition of the existing facilities; construction of new pitch and stands, incorporating bar/restaurant and ancillary kitchen areas, conference, training and community facilities, including handball courts, ancillary offices, player accommodation and welfare facilities, press/media and broadcast facilities; replacement floodlighting, stadium/event management suite, ground support facilities including electronic display installations, facilities associated with ground maintenance; enhanced access arrangements; coach parking; underground car parking; remediation/replacement of site boundaries; hard and soft landscaping.	There does not appear to be any specific stand-alone emergency exit plans submitted with the application. A Design Review Report was included although this considered the aesthetic design rather than design in relation to emergency exits.

⁵ Design and Access Statement p.16 <http://epicdocs.planningni.gov.uk/ViewDocument.aspx?uri=1411353&ext=PDF>

Duty of HSENI as a key consultee

HSENI details that its participation in the planning process involves giving advice to DOE Planning on development in the vicinity of COMAH (Control of Major Accident Hazards) sites.⁶

Its duty as a key consultee in the planning process is provided under Schedule 3 Part 2 of the Planning (General Development) Order (2015). This sets out the criteria for when HSENI must be consulted by DOE Planning. It states that before determining an application for planning permission, the Department (DOE Planning) must consult

The Health and Safety Executive for Northern Ireland where a development proposal—

(a) is within an area which has been notified to the Department by the Health and Safety Executive for Northern Ireland for consultation because of the presence within the vicinity of toxic, highly reactive, explosive or inflammable substances and which are present and which involves the provision of— .

(i) residential accommodation, .

(ii) more than 250 square metres of retail floor space, .

(iii) more than 500 square metres of office space, or .

(iv) more than 500 square metres to be used for an industrial process, .

or which is otherwise likely to result in a major increase in the number of persons working in or visiting the notified area; or

(b) where the development— .

(i) involves the siting of a new establishment, .

(ii) consists of the modification of an existing establishment which could have significant repercussions on major accident hazards, or .

(iii) includes transport links, locations frequented by the public and residential areas in the vicinity of existing establishments, where the siting or development is such as to increase the risk or consequence of a major accident.⁷

The Department states that HSENI can also suggest conditions to be attached to an approval; however the final decision rests with DOE Planning.⁸

⁶ Telephone correspondence with HSENI (25/05/2015). For more information see HSENI <http://www.hseni.gov.uk/..guidance/topics/comah-3-column.htm>

⁷ The Planning (General Development Procedure) Order (Northern Ireland) 2015 Schedule 3 Part 2 <http://www.legislation.gov.uk/nisr/2015/72/made> and for more information http://www.planningni.gov.uk/index/advice/advice_system/advice_processing_apps/advice_other_bodies.htm

⁸ DOE Processing applications: consultation with other bodies http://www.planningni.gov.uk/index/advice/advice_system/advice_processing_apps/advice_other_bodies.htm