

Advice to the local planning authority

Advice to the local planning authority (LPA) from the Health and Safety Executive (HSE) as a statutory consultee for developments that include a relevant building.

To LPA	Camden
LPA planning ref no	2023/0664/P
Our ref	pgo-3006
Site address	Barkat House, 116-118 Finchley Road, London, NW3 5HT
Proposal description	Erection of part 3, part 4, part 6 storey rear extension to provide additional office accommodation and 4 new flats (8 flats in total), erection of infill extension at ground floor level to create a second stair core, change of use of part of no. 118 from retail to new office and residential entrances and cycle parking store, creation of office amenity space at 1st and 4th floor levels, residential balconies at 5th and 6th floor levels, installation of mechanical plant on the roof, green roof and solar panels, bin storage area and reduction in on-site car parking provision
Date on fire statement	19/01/2023
Date consultation received	20/03/2023
Date response sent	19/04/2023

1. Substantive response for the local planning authority

Thank you for consulting HSE about this application.

Headline response from HSE
Headline Response from HSE ('Advice to LPA' - Concern)

Scope of consultation

- 1.1. It is noted the above application relates to an extension of an existing mixed use building , resulting in retail accommodation on the ground floor, office accommodation on the first, second, third and fourth floors and residential accommodation on the fifth and sixth floors.
- 1.2. The relevant mixed use, seven-storey building has a height of 18.25m.
- 1.3. The fire statement dated 19/01/2023, states the adopted fire safety design standards are BS 9999 and BS 9991. HSE has assessed the information provided on that basis.

Current consultation

- 1.4. The Design and Access Statement (DAS) (page 2) states: “The existing building is 7 storeys with retail and coffee shop at ground, 4 floors of offices and the top 2 floors in residential use. The proposals seek to retain the uses at ground whilst extending the office and residential uses to the rear of the site.”
- 1.5. DAS page 3 states: *“At present both office and residential are accessed from a common stair and lift core, with an additional external staircase at the centre and rear of the building used for secondary means of escape for the residential on the top floors.”* The cited fire safety standard states that where any part of a mixed-use building is expected to have non-residential occupancy groups, the occupancy groups should be separated by fire-resisting construction and have independent escape routes. The same guidance document further states that any stair serving a dwelling within a mixed-use development should not communicate with any other occupancy.
- 1.6. However, Page 9 of the Design and Access Statement states: “Extending the accommodation to the rear of the site affords the opportunity **to provide a new stair and lift core and so enable separate access and escape for the residential and office uses.**” Additionally, the fire statement (section 7 states): *“The single stairway will be dedicated to the residential apartments and will serve the ground, 5th and 6th floors.”*
- 1.7. For ease of reference, following a review of the information provided by the applicant, HSE has the following concerns:
 - Fire service access and facilities
 - Means of escape

Fire service access and facilities

- 1.8. The fire statement (section 7) states: *“The single stairway will be dedicated to the residential apartments and will serve the ground, 5th and 6th floors. The stairway will serve a protected corridor at each level. **The lift shaft will be enclosed within the stairway.** Apartments will form their own fire compartment.”*
- 1.9. The fire safety standards state the fire-fighting lift may open directly into the protected corridor or protected lobby, but the fire-fighting lift landing doors should not be placed more than 7.5 m from the fire-fighting stair **and should not be located within the stair enclosure, even if the building is being refurbished.**
- 1.10. Accordingly, as the building includes a residential use the firefighting lift should not be located in the staircase enclosure.
- 1.11. Furthermore, the floor plans appear to show the lift running blind through 1st to 4th floors. The cited fire safety standard states where a fire-fighting lift is intended to run blind through a number of floors, it should be determined that there is adequate access for fire-fighting personnel to set up a bridgehead on any required floor. Where lifts are proposed to run blind there should be early consultation with the local fire and rescue service. The firefighting lift is used to carry heavy firefighting equipment to the bridgehead location, therefore, firefighters would have to carry equipment up the stairs to establish a bridgehead in these stairs.
- 1.12. Additionally, although it is noted within section 8 of the fire statement that a ‘dry rising main provided in accordance with BS 9990:2015, with an outlet located in a visible position within the stairway at the 5th and 6th floor levels’, it is unclear if a firefighting shaft is proposed. The cited fire safety standard states that buildings with a floor higher than 18 m above fire and rescue service access level should be provided with fire-fighting shaft(s) containing fire-fighting lifts.
- 1.13. Accordingly, the building should be provided with a firefighting shaft. Design changes necessary to upgrade the proposed escape staircase to a firefighting shaft, equipped with a firefighting lift, will affect land use planning considerations such as the layout and appearance of the development and the space available for other uses, for example, office and residential accommodation.

Means of escape

- 1.14. The Design and Access Statement (page 10) states: **“A minor reduction in the area of the café/retail at ground floor to accommodate the new entrance lobby for the office and residential uses.”**

1.15. Additionally, the ground floor plan shows a shared entrance for access to the residential and commercial stairs. The cited fire safety standard states that where any part of a mixed-use building is expected to have non-residential occupancy groups, the occupancy groups should be separated by fire-resisting construction **and have independent escape routes**. The same standard also states that all stairs serving dwellings, which are not ancillary to the main use of the building, **should not communicate** with any other occupancy in that building.

1.16. For information, and in reference to the above paragraph, it is noted that the bin store at the front of the building could be relocated to allow for separate access to the residential core. However, that is for the applicant's design team to determine and propose.

1.17. Design changes necessary to provide separated means of escape will affect land use planning considerations such as the design, layout and appearance of the development.

Yours sincerely

This response does not provide advice on any of the following:

- **matters that are or will be subject to Building Regulations regardless of whether such matters have been provided as part of the application**
- **matters related to planning applications around major hazard sites, licensed explosive sites and pipelines**
- **applications for hazardous substances consent**
- **London Plan policy compliance**