

# 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.

<b>To LPA</b>	Camden
<b>LPA planning ref no</b>	2022/3704/P
<b>Our ref</b>	pgo-3177
<b>Site address</b>	95 Avenue Road London NW8 6HY
<b>Proposal description</b>	Erection of two additional stories to the existing block of flats, to facilitate the creation of two new residential units (Class C3) under Class AA, Part 1, Schedule 2 of the GPDO (2015) (as amended).
<b>Date on fire statement</b>	04/07/2022
<b>Date consultation received</b>	27/04/2023
<b>Date response sent</b>	19/05/2023

## 1. Substantive response for the local planning authority

Thank you for consulting HSE about this application.

<b>Headline response from HSE</b>
Headline Response from HSE ('Advice to LPA' - Concern)

### Scope of consultation

1.1. The above consultation relates to an application for the erection of two additional stories to an existing block of flats, forming a relevant building of 10 storeys. The building is served by a single staircase which constitutes the only means of escape staircase and only firefighting staircase serving dwellings.

1.2. The fire statement states that the adopted fire safety design standard is British Standard 9991. HSE has assessed the application accordingly.

### External walls

1.3. The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Part 20 B(2)(i) requires that where the application for prior approval relates to an existing building, which is 18 metres or more in height, a report from a chartered

engineer or other competent professional is required confirming that the external wall construction of the existing building complies with paragraph B4(1) of Schedule 1 to the Building Regulations 2010. No such report can be identified on the planning register. Any remedial works necessary after the completion of such a report may affect land use planning considerations such as the appearance of the development.

## 2. Supplementary information

*The following information does not contribute to HSE's substantive response and should not be used for the purposes of decision making by the local planning authority.*

### Means of escape

2.1. Section drawings indicate that the single staircase serving the new dwellings extends down to the basement, and is not separated from the basement. Consequently, a basement fire would pose a risk to the single means of escape from the proposed dwellings. In this instance, however, the separation of the single staircase from the basement is unlikely to affect land use planning considerations. This will be subject to later regulatory assessment.

### Fire service access and facilities

2.2. As the proposed dwellings will have a storey height above 18m a firefighting shaft should be provided. A firefighting shaft should be provided with a firefighting staircase, fire main and firefighting lift. However, the fire statement does not confirm whether a firefighting lift will be provided. In this instance, however, the resolution of this matter will not affect land use planning considerations. This will be subject to later regulatory assessment.

### Sprinkler system

2.3. The fire statement indicates that a sprinkler systems is proposed in the new apartments only. It should be noted that the Department for Levelling Up, Housing and Communities has published answers to [frequently asked questions](#) about Approved Document B: Fire safety - frequently asked questions available online which states:

*"20. I am undertaking work on an existing building which is below 11m, and adding a new floor which will exceed 11m in height, do I need to sprinkler the whole building or just the new floor?"*

*Each case must be considered on its own merits, but it is likely that where additional storeys are added to an existing building, some work on the original part of the building will be necessary.*

*Applicants and building control bodies are reminded of the need to consider these new provisions sprinklers in relation to extensions as required by Regulation 4(1). New accommodation, formed by building work, should meet the relevant requirements having considered the guidance in the approved document. This means ensuring that the standard of fire protection for the occupants of the new accommodation is as would be provided for a new building under the approved document. In the majority of cases, therefore, sprinkler protection will be necessary in any newly formed accommodation that falls above the new 11m trigger height."*

Yours sincerely

19/05/2023

A handwritten signature in black ink, appearing to read 'Jon Bryan', is positioned above a solid black horizontal line.

Signed by: jon.bryan

**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**

