

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	2022/5392/P
Our ref	pgo-3179
Site address	Searle House and Benjamin House Cecil Grove London NW8 7EB
Proposal description	Erection of an additional storey on Benjamin House (Block B) to provide 4 self-contained residential flats with associated external terraces and erection of an additional storey on Searle House (Block A) to provide 2 self-contained residential flats with associated terraces.
Date on fire statement	10/10/2022
Date consultation received	28/04/2023
Date response sent	18/05/2023

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 The above prior approval planning application relates to a single storey upward extension to a development containing two existing buildings – Benjamin House and Searle House.
- 1.2 The existing building (Searle House (block A)) comprises 6-storeys (ground and 5-storeys). The construction of an additional storey providing 7th storey residential accommodation (two dwellings) will form a relevant building of 7-storeys with an upper floor level height of over 18m.

- 1.3 Benjamin House (block B) comprises 5-storeys (ground and 4-storeys). The construction of an additional storey providing 6th storey residential accommodation (four dwellings) with an upper floor height of less than 18m. This building is not a relevant building, but it is located within the curtilage of a relevant building (Searle House) and therefore, HSE has included it as part of this assessment.
- 1.4 It is noted that Searle House contains three stair cores (A1, A2 and A3), one of which (A1) is a firefighting shaft (including firefighting stair and lift).
- 1.5 The two extended single staircases (A1 and A3) constitute the escape staircases serving the new dwellings.
- 1.6 It is noted that plan drawings relating to the existing basement and 1st to 4th floor levels of Searle House have not been provided as part of this planning application and HSE has not been able to assess this.
- 1.7 Section 1.6 of the fire safety strategy confirms that the adopted guidance document relating to fire safety for the proposed development is British Standard 9991 ('BS9991'). HSE has assessed the application accordingly.
- 1.8 Following a review of the information provided in the planning application, HSE has identified the fire safety concern(s) described below.

Means of escape

- 1.9 The proposed 6th floor plan shows the extended single stair cores A1 and A3. It is noted that flat 'AF1' has access to both staircases, but that the flat opens directly into the common stair A3, i.e., no lobby protection is provided. It is understood that this staircase forms the only means of escape serving dwellings on lower floor levels.
- 1.10 The proposed layout does not follow BS9991 guidance relating to common escape routes in buildings with a floor level more than 11m above ground level. The staircase is made vulnerable due to the direct connection with a dwelling.
- 1.11 The fire safety standard cited in the fire safety strategy states that: "*No storeroom should open directly into a common stair*". In this instance, the proposed flat 'AF1' opens directly into a common stair which would present a greater fire load than a storeroom.
- 1.12 Design changes to provide suitable separation of the flat from the common stair (A3) will affect land use planning considerations such as design and layout of the development, potentially including the size and configuration of the proposed additional residential dwelling ('AF1').
- 1.13 Also, the existing ground floor plan shows that both the single means of escape staircases (A1 and A3) connect with ancillary accommodation such as cycle and refuse stores, and plant rooms. The proposal of an additional floor level presents a worsening situation to the existing building, by increasing the height of the building to over 18m.
- 1.14 Fire safety standards state that "*Any common stair which does not form part of the only escape route from a flat may also serve ancillary accommodation if it is separated from the ancillary accommodation by a protected lobby or protected corridor*".

- 1.15 It should be noted that past practice and precedents should not be relied upon in the context of an emerging, more stringent building safety regime. Building designs providing a single escape staircase in a relevant building can require compromises in relation to the convenience of occupant access to ancillary accommodation within buildings.
- 1.16 Design changes necessary to provide suitable separation of the single staircases (A1 and A3) from the ancillary accommodation by removing the internal connections will affect land use planning considerations where external access to the ancillary accommodation is not already provided.

Fire service access and facilities

- 1.17 The proposed ground floor and existing 5th floor plan drawings show the firefighting lift located in the firefighting stair enclosure (A1).
- 1.18 As the building has a storey height exceeding 18m, a firefighting shaft comprising a firefighting staircase, firefighting lift, fire main and suitable fire resisting construction will be required.
- 1.19 The relevant fire safety design, BS9999, states in relation to firefighting shafts:
“A firefighters lift should not usually be installed within a stair enclosure, as it has the potential for increasing the fire load within a means of escape staircase” (clause 20.2.1); and,
- 1.20 *“In refurbished buildings the firefighters lift should generally not be installed in the fire-fighting stair enclosure...”* (clause 20.4.2).
- 1.21 Likewise BS9991 states: *“The fire-fighting lift...should not be located within the stair enclosure, even if the building is being refurbished”* (clause 50.3.2.2).
- 1.22 Accordingly, the firefighting lift should be suitably separated from the staircase as the installation of firefighting lifts within the staircases would introduce fire loading into the single means of escape from the proposed dwellings and worsen the single means of escape from the existing dwellings.
- 1.23 Design changes necessary to provide suitable separation of the firefighting lift from the firefighting stair enclosure are likely to affect land use planning considerations such as the design and layout.

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.

Sprinklers

- 2.1 Section 3.6 of the fire safety strategy report states: *“It should be noted that the current proposal is for only providing sprinklers to the new apartments on the new floor. This approach will need to be discussed and agreed with the approving authority”*.
- 2.2 It should be noted that the Department for Levelling Up, Housing and Communities has published answers to frequently asked questions, about Approved Document B. [Approved Document B: Fire safety - frequently asked questions - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/answers/answers-to-frequently-asked-questions-about-approved-document-b)

- 2.3 Approved Document B ('ADB' 2019, incorporating 2020 and 2022 amendments) states blocks of flats with a top storey more than 11m above ground level should be fitted with a sprinkler system throughout the building.
Note: Sprinklers should be provided within the individual flats, they do not need to be provided in the common areas such as stairs, corridors or landings when these areas are fire sterile.
- 2.4 HSE advises that the above DLUHC FAQ response and guidance be considered, and a review of the fire risk assessment be carried out. This issue will be subject to consideration at a later regulatory stage.
- 2.5 It should be considered that, where necessary, space will need to be made available to house suitable water tanks for the sprinkler system supply which would affect land use planning considerations in relation to the layout of the building and subsequently further HSE consultation may be required.

PV panels

- 2.6 Where the roof top installation of photovoltaic panels (PV panels) is proposed, it should be noted that fire safety standards require suitable support of cabling to avoid obstruction of escape routes and firefighting access due to the failure of fixings and consideration should be given to ensure that all power supplies, electrical wiring and control equipment is provided with appropriate levels of protection against fire.

Green roofs

- 2.7 The plan drawings provided show the proposal of green roofs (existing and proposed). The external envelope of a building should not provide a medium for undue fire spread.
- 2.8 A green roof may constitute a fire hazard as it requires a regular management and maintenance regime. Paragraph 12.3 of Approved Document B volume 1 ('ADBv1') states; *"separation distance is the minimum distance from the roof, or part of the roof, to the relevant boundary. Table 12.1 sets out separation distances by the type of roof covering and the size and use of the building. In addition, roof covering products (and/or materials) defined in Commission Decision 2000/553/ EC of 6 September 2000, implementing Council Directive 89/106/EEC, can be considered to fulfil all of the requirements for the performance characteristic 'external fire performance' without the need for testing, provided that any national provisions on the design and execution of works are fulfilled, and can be used without restriction"*.
- 2.9 Where green roofs are proposed the roof construction will need to provide sufficient fire resistance to prevent fire spread to any adjoining wall(s).
- 2.10 It will be for the applicant to demonstrate that the proposed green roofs are viable in relation to fire safety. This will be subject to further consideration at a later regulatory stage.

Yours sincerely

18/05/2023



Fire Safety Information Assessor

Signed by: Sara Peacock

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**