

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	2024/1976/P
Our ref	pgo-5329
Site address	Birkenhead Street Estate Birkenhead Street London WC1H 8BL
Proposal description	Replacement of external cladding to all elevations on 4 tower blocks and associated works including adaption to parapet copings, windowsills and window returns.
Date on fire statement	14/05/2024
Date consultation received	31/05/2024
Date response sent	26/06/2024

1. Substantive response for the local planning authority

Thank you for consulting HSE about this application.

Headline response from HSE
Headline Response from HSE ('content')

Scope of consultation

- 1.1 The above planning application relates to an existing development containing four relevant buildings; Riverside (7-storeys; 16.5m), Fleetfield (7-storeys; 17m), Fleetway (7-storeys; 17m) and Riverfleet (7-storeys; 17m).
- 1.2 It is understood that the proposed remedial works include the replacement of non-compliant materials with materials that will achieve European classification of A2-s1, d0 or better, as confirmed in sections 6 and 8 of the fire statement. HSE welcomes the building fire safety improvements.

- 1.3 Section 9.3 of the Design and Access Statement states: *“The scope of works required... :*
- *Remove the existing External Wall Insulation (EWI) build-up consisting of Acrylic render and Expanded Polystyrene (EPS) Insulation to all 4 Blocks.*
 - *Remove existing fire barriers to enable fully compatible replacement barriers to be installed.”*
- 1.4 No information regarding the internal layout of the building has been provided for assessment, particularly relating to the means of escape and the number of staircases and lifts. However, it is acknowledged that the proposed remedial works (replacement cladding) aim to improve the fire safety standards of the building and will not impact on the existing fire service access and facilities (fire strategy) of the building.
- 1.5 Section 7 of the fire statement states that: *“All four existing blocks are Higher Risk Buildings (HRBs) with restricted site access for external firefighting due to the design of the Birkenhead Estate access road and the proximity of the surrounding properties. This highlights the importance of implementing the development proposals to remove combustible materials and in doing so, reduce the risk of external fire spread to within normal expectations for multi-occupied residential buildings.”*
- 1.6 It is noted that the Birkenhead Estate is located within the CA25 Kings Cross St Pancras Conservation Area.
- 1.7 Section 6 of the fire statement confirms that the proposed works have been designed using Approved Document B volume 1 (‘ADBv1’). HSE has assessed the application accordingly.

Consultation

- 1.8 Following a review of the information provided in the planning application, HSE is content with the fire safety design as set out in the project description, to the extent it affects land use planning considerations.

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.

Fire service access and facilities

- 2.1 Section 7 of the fire statement identifies that access for external firefighting due to the design of the Birkenhead Estate access road and the proximity of the surrounding properties is limited. This information confirms that vehicular access is an existing condition of the building, and it will be for the applicant to demonstrate compliance at later regulatory stages.
- 2.2 HSE advises that the applicant liaise with the local Fire Authority to ensure fire service access and facilities in and around the building are not affected by the remediation works.

Sprinkler system

- 2.3 Section 6 of the fire statement states that no automatic fire suppression system is installed in the buildings and a ‘stay put’ evacuation policy is in place.

- 2.4 HSE advises that a review of the fire risk assessment be carried out. This issue may also be subject to consideration at later regulatory stages.
- 2.5 It should be considered that, if 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.

External wall system

- 2.6 It should be noted that amended Building Regulations now state; *“Building work shall be carried out so that relevant metal composite material does not become part of an external wall, or specified attachment, of any building.”* Confirmation should be provided about whether the proposed replacement external wall systems include the prohibited relevant metal composite materials.
- 2.7 The scope of the above application includes associated works including adaptations to parapet copings, windowsills and window returns. Whilst window frames and glass are exempt from the regulations regarding fire performance classifications of relevant building external walls, it is advised that there is a potential risk that any window remediation work could affect the integrity of fire safety precautions such as fire resisting cavity barriers around window openings in external walls.
- 2.8 HSE advises that suitably competent persons should complete the remediation works. This will be subject to consideration at later regulatory stages.

Building Safety Regulator

- 2.9 For information, HSE advises that all higher risk buildings are now required to be registered with the Building Safety Regulator ('BSR'). Once the building has been registered, the BSR will invite accountable persons to submit a safety case for their buildings. [Applying to register a high-rise residential building - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/applying-to-register-a-high-rise-residential-building)

Fire Statement

- 2.10 HSE acknowledges that the fire statement provided with this application is comprehensive. This is welcomed and has supported the HSE's assessment process.

Yours sincerely,

S Peacock

Sara Peacock
Fire Safety Information Assessor

Guidance on Planning Gateway One is available on the Planning Portal: [Planning and fire safety - Planning Portal](https://www.planningportal.co.uk/advice-and-guidance/development-types/buildings/buildings-and-fire-safety/planning-and-fire-safety).

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