

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	2024/4773/P
Our ref	pgo-6133
Site address	Fitzroy House 355 Euston Road London NW1 3AL
Proposal description	External alterations to include: installation of new windows and entrance canopy to Euston Road elevation; removal of ramp and brick wall to Warren Street; installation of new windows, doors, entrance canopies, and facade to Warren Street and part Fitzroy Street elevations; removal of curtain wall at fourth floor level and replacement to match lower levels; improvements to fourth floor roof terrace including replacement plant facilities; and public realm improvements to Fitzroy St elevation.
Date on fire statement	30/10/2024
Date consultation received	31/10/2024
Date response sent	21/11/2024

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 application relates to existing alterations to:

- installation of new windows and entrance canopy to Euston Road elevation
- removal of ramp and brick wall to Warren Street
- installation of new windows, doors, entrance canopies, and facade to Warren Street and part Fitzroy Street elevations
- removal of curtain wall at fourth floor level and replacement to match lower levels
- improvements to fourth floor roof terrace including replacement plant facilities

- public realm improvements to Fitzroy St elevation.
- 1.2. Section 2 of the fire statement states: *“The project consists of refurbishment of the commercial floors with no proposed works to the residential areas. There will be no change of use.”*
 - 1.3. Additionally, the same section states: *“External alterations include replacing windows (like for-like with regard to area), new entrances and canopies, new terrace, and new rooftop plant.”*
 - 1.4. Fitzroy House is currently used as offices (Class B1) with 10 residential apartments on the 5th/6th Floor.
 - 1.5. The ‘Cover Letter’ dated 30/10/2024 states there is no proposed change to building use, areas or occupancy. Replacement plant has also been planned to occupy the same areas as the existing (basement, third floor and fifth floor).
 - 1.6. Further describes in the Cover Letter is:
 - The office entrance at Euston Road will have a replacement canopy,
 - Steps, handrails and entrance doors will be updated
 - The existing window to right of the entrance will be replaced with a new final exit
 - A new canopy will be provided on the roof terrace,
 - 1.7. The fire statement dated 30/10/2024 states that the adopted fire safety design standards are Approved Document B vol 1 and Approved Document B vol 2. HSE has assessed this application on that basis.

Consultation

- 1.8. Section 7 of the fire statement states: *“It should be emphasised that the residential areas are not being altered in the proposed works and that the proposed works in the commercial floors are not considered a material change of use. Any alterations to glazing (windows on the façade) will be like-for-like with respect to areas.”*
- 1.9. Regarding the external wall system of the commercial areas, section 6g) of the fire statement states: *“Commercial: New or altered areas proposed to achieve Class A2 or better.”*
- 1.10. HSE welcomes the proposal to achieve Class A2 or better in the commercial areas.
- 1.11. 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. However, HSE has identified some matters as supplementary information, set out below, that the applicant should try to address, in advance of later regulatory stages.

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 states:

- “This is in existing building over 18m to the top-occupied floor. Due to this building being constructed in the 1970s, there are elements of the building that do not comply with the current Building Regulations; these being:

The building is not served with a firefighting shaft (i.e. firefighting stair, firefighting lift, ventilated firefighting lobby), however it is provided with a dry fire main. It is noted that the existing stairs are at least 1.1m wide (that required for firefighting stairs). It is proposed that protected lobbies are provided to both stairs on every floor not currently provided with a lobby, and that one lift is provided with backup/secondary power. Further, both stairs are proposed to be ventilated, either by a 1.0m² AOV located on the façade at every floor or one AOV at the head of each stair. This is therefore considered an improvement on the existing condition. The dry fire main will be retained and maintained to BS 9990.”

2.2. This is noted. HSE welcomes the proposed improvements, but advises that further consideration is given to the provision of a firefighting shaft containing a firefighting lift as part of the future work.

Sprinkler system

2.3. Section 7 of the fire statement states:

- “The building has residential flats over 11m above ground floor (on fifth and sixth floor), however **the building is not provided with sprinkler-protection**. Given the relatively works proposed, that are considered to not constitute a material change of use, **sprinklers are not proposed to be provided**, based on the residential apartments not being altered in the proposed works and based on the improvement works detailed in this note. **It should be noted that the building currently operates a simultaneous evacuation strategy and will continue to do so after the proposed works**; this is considered to improve life safety and means of escape compared to a ‘stay-put policy’ usually adopted for residential apartments.”

2.4. This is noted. However, HSE advises that consideration is given to the provision of sprinklers within not only the residential areas but throughout the building. This will be for the applicant to decide and also to demonstrate compliance at later regulatory stages.

Means of escape – mixed-use building

2.5. Section 7 of the fire statement states:

- ***“The residential apartments share the same escape stairs as the commercial floors below. This is an existing situation and will be addressed as follows to improve the existing situation:***
 - *All floors are served by two escape stairs. Where not already provided, both stairs will be preceded by a protected lobby. Further, any corridors linking both stairs will be divided by a cross-corridor fire door to ensure separated alternative escape.*
 - *Both stairs will be provided with ventilation, either by a 1.0m² AOV located on the façade at every floor or one AOV at the head of each stair.*
 - *The existing automatic fire detection and alarm system will be upgraded to the current BS 5839-1 with a simultaneous evacuation strategy adopted throughout the building (all fire alarm panels being linked – a fire alarm panel provided in the residential area and a fire alarm panel in the commercial area.”*

- 2.6. HSE acknowledges that this is an existing building and the applicant has looked to ‘*improve the existing situation*’, however, fire safety standards state 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.
- 2.7. Accordingly, it will be for the applicant to demonstrate compliance at later regulatory stages.

External wall system

- 2.8. Section 6 of the fire statement states: *“Residential: Not being altered in the proposed works. Existing wall systems considered acceptable as existing situation not being made worse.”*
- 2.9. Regarding the external, HSE has been unable to assess the residential areas of the building due to a lack of information. HSE advises that the applicant undertakes a methodical assessment of the existing residential external wall system.
- 2.10. For information, in existing residential buildings, a Publicly Available Specification [Fire Appraisal of Walls & Cladding of Flats PAS 9980:2022](#) establishes a methodology for fire risk appraisal of external wall construction and cladding in existing residential buildings. The above document states (Scope – NOTE 7): *“This is also intended to include blocks of flats which are part of a mixed-use building with, for example, shops or offices below.”*
- 2.11. Accordingly, it will be for the applicant to demonstrate compliance at later regulatory stages.

Building Safety Regulator

- 2.7. 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 building. [Applying to register a high-rise residential building - GOV.UK](#)

2.8. Accordingly, the above is noted and it will be for the applicant to demonstrate compliance at later regulatory stages including the 'Safety Case Review' (in-occupation).

Hydrants

2.12. Section 13 of the fire statement states: *“Existing public hydrants currently assumed within 100m of the fire main inlet in accordance with relevant guidance as outlined in section 14. A hydrant survey will be completed by the relevant party to confirm the hydrant locations and suitability. If a hydrant is not within 100m of the building, additional private hydrant(s) will be provided.”*

2.13. This is noted and it will be for the applicant to demonstrate compliance at later regulatory stages.

Yours sincerely

Stephen Gallagher
Stephen Gallagher
Fire Safety Information Assessor

Guidance on Planning Gateway One is available on the Planning Portal: [Planning and fire safety - Planning Portal](#).

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