

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	2025/0852/P
Our ref	pgo-6745
Site address	100 Avenue Road London NW3 3HF
Proposal description	Variation of conditions to planning permission ref. 2014/1617/P (for demolition of building and provision of a mixed-use residential-led development, as allowed at appeal ref. APP/X5210/W/14/3001616 on 18/2/2016, and as amended by permission refs. 2016/2048/P, 2018/4239/P, 2019/1405/P, 2022/1609/P and 2024/5432/P) to secure alterations to the external appearance; internal residential, commercial and community space layouts; housing and affordable housing provision; cycle and car parking; hard and soft landscaping, and other associated amendments.
Date on fire statement	26/02/2025
Date consultation received	05/03/2025
Date response sent	26/03/2025

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. HSE was not consulted about the original application 2014/1617/P (as amended) [granted via appeal on 18 February 2016], because it predated the establishment of HSE (Planning Gateway One) as a statutory consultee in relation to fire safety matters, for relevant buildings. Therefore, the advice to the applicant and the substantive response headline are based on the information in the current application including the

plan drawings for the development, which are available on the planning register. Specifically, the following documents.

- Plan drawings
- Amended Fire statement dated 26/02/2025.
- Planning Design and Access Statement, dated February 2025

- 1.2. The development will be formed of two residential blocks, where the basement is existing and will be retained from the previous building.
- 1.3. The tower block will be residential with a retail unit at ground, the lower block will be residential, with community space across multiple floors, and commercial/ retail accommodation at ground floor.
- 1.4. A further external amenity space will be located on the seventh floor of the lower block.
- 1.5. There will be no increase in the building envelope proposed by the section 73 application from that of the extant permission.
- 1.6. The development comprises:
 - Tower block 27 floors (B, G+25) >50m 1 to 3 single-storey flats on levels 01 to 25. Amenity spaces at level 25. Retail unit and reception at ground level. Resident amenity, amenity plant, car park, cycle stores, market sale BoH and refuse at basement level. Lower block 9 floors (B, G+7) >18m 1 to 3 single-storey flats on levels 01 to 07. Community Space at basement and level 05-07. External community and residential terrace at level 06. Reception/ entrance halls, refuse, retail at ground floor. Plantrooms, car park, cycle stores at basement.
- 1.7. HSE notes that section 1.2.3 of the fire statement states; *“Where strict adherence with ADB / BS 9999 may conflict with the wider aspirations for the proposed development, alternative design solutions are proposed. Such departures from the standard design guidance are identified and solutions described herein. In accordance with the fire safety engineering principles detailed in the BS 7974: 2019 codes of practice, all fire precautions are determined based on there being one seat of fire.”* This application has been assessed on that basis.
- 1.8. The section 73 application proposes the following:
 - Introduction of a second staircase and amendments to floor plans s.
 - Residential units provided for sale, rather than as a build to rent product.
 - An increased number of homes, of both ‘Market for Sale’ and ‘Affordable’ tenures, broadly within the approved massing envelope.
 - Provision of Community Space, to meet the needs of a variety of potential operators.
 - Improved public realm proposals and maximising greening opportunities.

- 1.9. Following a review of the information provided with this consultation, HSE is content with the fire safety design, to the extent that it affects land use planning.

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.

- 2.1. HSE notes that a fire strategy mark-up document has been prepared and included within the Fire Statement document (appendix A) dated 26 February 2025 with comments highlighting areas of fire safety for further consideration. These comments are noted, and it will be for the applicant to demonstrate compliance at later regulatory stages.

Smoke Ventilation and comparative computational fluid dynamics (CFD) analysis.

- 2.2. Section 5.3.3 of the fire statement states; *"Extended travel distances will be supported with an engineered design solution, following the recommendation set out in the Smoke Control Association (SCA) guide. CFD modelling will be required to support this arrangement. This will be carried out at the next stage."* additionally section 6.4.5 of the fire statement states; *"CFD modelling will be carried out to demonstrate that a fire within the community space does not impact on the residential core areas. The modelling will be required at RIBA Stage 3."*
- 2.3. It will be for the applicant to demonstrate that the means of escape is capable of being safely and effectively used at all material times, including during firefighting operations, and that the proposed performance-based solution(s) provides an equivalent level of fire safety to that of code compliance.
- 2.4. This matter is to be considered at a later regulatory stage. If the CFD analysis does not support the design, then this may affect land use planning considerations.

Qualitative Design Review (QDR)

- 2.5. The HSE welcomes the validation of proposals using QDR process. Section 1.2.5 of the fire statement states; *"A separate qualitative design review (QDR) will be developed at the next stage of the design for the tower block, given the uncommon building situation by nature of being very tall (>50m), to identify challenges and complexities and set out proposed approaches to address them in subsequent design stages. The QDR is also intended to establish whether the recommendations in ADB are appropriate or whether additional measures are required to achieve an adequate level of safety."*
- 2.6. The outcome of any subsequent QDR may require later design changes which may affect land use planning considerations such as design, layout, and appearance of the building.

2.7. The outcomes of this initial QDR should constitute evidence that demonstrates how any alternative fire engineered approach is appropriate and, therefore, demonstrate compliance at later regulatory stages. The applicant is advised that should the design not be acceptable, design changes are likely to affect land use planning considerations and may require further HSE consultation.

Yours sincerely

Gareth Underhill
Gareth Underhill
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