

Nathanial Young
Senior Planning Officer
London borough of Camden

The London Fire Commissioner is the
fire and rescue authority for London

Date 27 May 2022
Our Ref 02/233097
Your Ref 2020/5473/P

Dear Sir/Madam

RECORD OF CONSULTATION/ADVICE GIVEN

TOWN AND COUNTRY PLANNING ACT 1990

SCOPE OF WORKS: Demolition (of no. 35-37) and redevelopment to provide a 15 storey (plus basement) building for use as student accommodation with affordable workspace (no 17-33 ground floor) and associated works.

PREMISES ADDRESS: 17-37 William Road, NW1 3ER

DOCUMENTS REVIEWED:

1. 'Appeal under section 78 of the Town and Country Planning Act 1990 (as amended)' PINS reference APP/X5210/W/21/3284957 proof of evidence of Nick Harvey (document undated)
2. 'Fire statement' for 17-37 William Road Jensen Hughes dated 16th April 2021 reference EL7081/ks/43rc
3. JGA fire strategy report issue 03 dated November 2020 reference EL7081/R1

The London Fire Commissioner (the Commissioner) is the fire and rescue authority for London. The Commissioner is therefore responsible for enforcing the Regulatory Reform (Fire Safety) Order 2005 (The Order) in London. The Commissioner also has a duty to provide information, publicity and encouragement in respect of the steps to be taken to prevent fires and death or injury by fire, including advice how to prevent fires and restrict their spread in buildings and the means of escape from buildings and other property in case of fire.

London Fire Brigade (LFB) has been consulted about the above-mentioned premises and makes the following comments/ observations in respect of the planning application/appeal. LFB recognises that significant design changes (e.g. the addition of staircores if required) are inherently difficult to achieve once the buildings design progresses to the Building Regulations phase. Changes such as the addition of staircores, even if fundamentally required for a safe design, are extremely rare once the design has progressed past planning approval. Therefore, LFB considers that the planning stage is critical in achieving safe design that will then be further progressed through the Building Regulations phase.

London Plan 2021 Policy D12 A and the accompanying explanatory text provided (3.12.1) is clear in its expectations that "*Development agreements, development briefs and procurement processes should be explicit about incorporating and requiring the highest standards of fire safety. How a building will function in terms of fire, emergency evacuation, and the safety of all users should be considered at the earliest possible stage to ensure the most successful outcomes are achieved, creating developments that are safe and that Londoners can have confidence living in and using*".

The appeal report as written appears to be benchmarking the proposals against existing guidance typically used for demonstrating compliance against the Building Regulations. Such guidance is under current review and Approved Document B, for example, is considered to represent a *minimum* level of requirements to demonstrate compliance for common building situation. Therefore, the London Fire Commissioner does not believe that principally the design has met the expectations of the London plan which seeks the '*highest standards of fire safety*'.

It is the view of the London Fire Commissioner that this has not been demonstrated with specific and particular regard to the following areas;

1. To demonstrate compliance and achieve the highest standards of fire safety, the scheme should consider issues of fire safety before building control application stage, taking into account the diversity of and likely behaviour of the population as a whole.
 - 1.1. This building is specified as providing accommodation for students and several of the apartments have been detailed as providing accommodation for wheelchair users. The fire strategy, fire statement and the appeal report do not, in our view, demonstrate that due consideration has been given to the likely behaviour of students and whether aspects of such behaviour could impact the viability of the stay put strategy adopted for this development in conjunction with such a tall single staircase with an amenity space on the top level. Such behaviours should consider the way in which students socialise and communicate with each other and how this differs from a general purpose block of flats.
 - 1.2. The fire strategy as submitted stated in section 3.1 '*...student residential building operators often require more flexibility in managing the building evacuation in the event of a fire. The fire strategy will therefore be developed so that a simultaneous evacuation strategy could also be implemented by the end operator if required*'. The same wording is used within the fire statement within the evacuation strategy section. The reference to simultaneous evacuation within the fire strategy is entirely separate to the section referring to an evacuation alert system (section 2.3) which may be utilised by the attending fire service. Therefore, the appeal report, section 3.16, does not address this matter of concern or provide any further clarity regarding this statement.

The statement in section 3.1 of the fire strategy and the fire statement both allude to an apparent requirement for 'more flexibility' due to this building being student accommodation but does not provide any further detail in this regard. This would be expected as detailed by policy D12.
 - 1.3 In terms of a simultaneous evacuation (as a strategy implemented by the building's management not initiated by the fire service), while it is acknowledged that staircase capacity specifically is unlikely to be an issue, the original LFB comment regarding a simultaneous evacuation strategy being 'achievable' by a single staircase of this height was seeking a far broader consideration for clarity. For example, should this block, as currently designed, change their evacuation strategy then this is likely to have an impact on matters such as the mechanical smoke control system design and its effectiveness as a system design for a residential stay put strategy design typically relies on the depressurisation of spaces based on only a certain number of doors being open. In a simultaneous evacuation a far greater number of doors will be open which will impact the efficiency of the system in being able to protect areas such as the staircase. There could also be a greater likelihood of any evacuation still taking place while firefighting operations commence (taking into account pre movement times associated with a sleeping risk as highlighted in

PD7974-6). We do not believe that it will be suitable to implement a simultaneous evacuation strategy in this tall single stair building

2. Policy D5 'inclusive design' requires development to incorporate safe emergency evacuation for all building users, by as independent means as possible. Where evacuation lifts are provided then the lifts and associated provisions should be appropriately designed and constructed.
 - 2.1. We interpret 'associated provisions' to be those that are needed in conjunction with the lift to ensure the safe evacuation of the person needing to use the lift. In our view an associated provision would be a safe place for someone to wait for the lift i.e. a protected refuge space. This space should be of sufficient size for the number of people likely to use it and protected for an appropriate period from the ingress of heat and smoke from a fire. The space proposed for a refuge in this building is also the space used to provide smoke control for the staircase therefore could be actively drawing smoke into this space. The appeal report states that Building Regulations guidance does not make any reference to the need to provide a disabled refuge in a residential building, however reference to Building Regulations guidance appears to be of little relevance as the proposal should be demonstrating meeting the expectations of the London Plan.
 - 2.2. For the safe evacuation of all occupants (including anyone needing assistance) it is critical that a management plan for this building is in place that supports this.
 - 2.2.1. In terms of this scheme, while there is reference to 'on site management' this is not detailed as to whether this means that there will be a physical management presence within this building during the entire time that it is occupied.
 - 2.2.2. There is reference to the provision of a Level 1 management provision as detailed in accordance with BS9999 within the fire statement, but this does not appear to be reflected within the fire strategy itself (section 7.0). Level 1 management system should demonstrate conformance with a management system such as PAS7 and should not be specified (as stated in BS9999 8.2) without the agreement of the end user organisation due to the expectations and controls that must be in place. There is no reference within the information we have reviewed as to whether the end user intends or accepts to conform with such a standard.
 - 2.2.3. There is reference to a Personal Emergency Evacuation Plans (PEEPs) being implemented for this site, however little consideration appears to have been given to how this will be effectively supported as, for example, the detection and alarm systems within the flats, as proposed, do not show any connectivity back to a central panel for an early indication of any incident.
 - 2.2.4. The appeal document also clearly states that any management plans to support escape of mobility impaired occupants will be further developed during the post-planning design stages which implies that at this stage there are only high level, outline proposals in place which raises further concern about the level of consideration that this aspect of the design has been afforded.
4. Amenity spaces. It is unclear if the guidance detailed within the published version of BS9991 considered an amenity space of this size, accommodating this many occupants (in this case students), at this height being served by a single staircase.
 - 4.1. BS9991 as a guidance only contains two specific references to students – one within the scope and one within a section for designing cluster flat arrangements. The commentary detailed within the appeal report is noted and represents a perspective on the potential risk associated with this aspect of the design to which we do not agree.

4.2. With such a large number of students utilising this space we question the viability of retaining a stay put design for the remainder of the building as it is likely that this type of occupancy group will have a higher level of communications/connectivity with others within the building, which in turn suggests the need for additional stairs to be considered. It is noted that the appeal report (paragraph 3.32) states that only residents of this building will utilise this space however we question this statement and how this would be practically managed when the building will be in use.

5. London Plan Policy D 12 B (4) – we do not consider that the fire statement adequately details access for fire service personnel and equipment for major developments.

5.1. The smoke control provisions provided for residential levels appear to show smoke extraction in the lobby adjacent to the stair (fire strategy section 3.3 details). This will result in heat and smoke being drawn into the path of attending fire crews and is therefore inappropriate in our opinion.

Any queries regarding this letter should be addressed to FSR-AdminSupport@london-fire.gov.uk. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

Yours faithfully,



Assistant Commissioner (Fire Safety Regulation)