

## Substantive response

Substantive response to the local planning authority (LPA) from the Health and Safety Executive (HSE) as a statutory consultee for developments that include a relevant building.

<b>To LPA</b>	Camden
<b>LPA planning ref no</b>	2022/0528/P
<b>Our ref</b>	pgo-1528
<b>Site address</b>	The O2 Masterplan Site Finchley Road London NW3 6LU
<b>Proposal description</b>	Detailed planning permission for Development Plots N3-E, N4, and N5 including demolition of existing above ground structures and associated works, and for residential development (Class C3) and commercial, business and service (Class E) uses in Development Plot N3-E, residential development (Class C3) and local community (Class F2) and commercial, business and service (Class E) uses in Development Plot N4, and residential development (Use Class C3) and commercial, business and service uses (Class E ) uses in Development Plot N5 together with all landscaping, public realm, cycle parking and disabled car parking, highway works and infrastructure within and associated with those Development Plots. Outline planning permission for Development Plots N1, N2, N3, N6, N7 ,S1 and S8 including the demolition of all existing structures and redevelopment to include residential development (Class C3) commercial, business and service uses (Class E), sui generis leisure uses (including cinema and drinking establishments) together with all landscaping, public realm, cycle parking and disabled car parking, highway works and infrastructure within and associated with those Development Plots.
<b>Date on fire statement</b>	28/01/2022
<b>Date consultation received</b>	16/02/2022
<b>Date response sent</b>	05/07/2022

**Headline response from HSE**Headline Response from HSE **'Advice to LPA' - Some Concern**

## 1. Substantive response for the LPA

Thank you for consulting HSE about this application.

◀ Nature of Response Advice provided to the planning authority Nature of Response ▶

### Scope of consultation

- 1.1 The above consultation relates to a hybrid application comprising a detailed application for plots N3-E, N4, and N5; and an outline application for plots N1, N2, N3, N6, N7, S1 and S8.
- 1.2 As there is presently insufficient fire safety information available in relation to the outline planning application, HSE is unable to comment in full on the outline application.
- 1.3 Should the LPA be minded to grant permission for the hybrid application, we strongly recommend the following:
  - the planning permission is subject to a suitable condition requiring the submission of a satisfactory fire statement with any reserved matters application, and
  - that HSE (Planning Gateway One) is consulted in conjunction with the Local Planning Authority's consideration of any reserved matters application.
- 1.4 This would ensure that the purpose of HSE being made a statutory consultee for such applications is achieved.
- 1.5 Of the detailed application, blocks N3-E, N4 A-D and N5 A-D have storey heights of 33.975m, 44.125m and 51.375m respectively. Each block is served by a single staircase. The single staircases constitute the only escape staircases and only firefighting staircase serving dwellings.

### Qualitative design review

- 1.6 It is noted that block N5 is to have a storey height of 51.375m. The fire safety design guide cited in the fire statement states that where a building has a storey above 50m,

a qualitative design review ('QDR') may be needed to determine whether the fire safety provisions are appropriate. It is not apparent from the information provided that a QDR has been undertaken, such that it has informed the design of the building.

- 1.7 A QDR should assess the implications of fire safety systems failure or foreseeable events. Fire safety design guidance on the QDR process includes the provision of a 'what if' study; and advises that an assessment of 'what if' events should be made to identify system failures or foreseeable events that might have a significant influence on the outcome of the study. This may include fire safety system failures, management failures, workmanship failures, or the potential for fire conditions to deteriorate, thereby requiring immediate building evacuation concurrently with firefighting operations in the single stair.
- 1.8 The outcome of a QDR may affect land use planning considerations such as layout and appearance of the development, and the number and configuration of dwellings.

### **Means of escape**

- 1.9 Block N3-E drawings show a single staircase serving both residential and commercial uses; and places of special fire hazard and ancillary accommodation of similar fire risk on the ground and first floors. Such ancillary areas include refuse stores, a plant room and bike stores (which may store electric cycles containing lithium batteries). Where a single staircase is provided, the staircase should not serve both residential and commercial uses, nor places of special fire hazard and ancillary accommodation of similar fire risk. Design changes necessary to provide separated access and escape from such areas will affect land use planning considerations such as the appearance and layout of the development.
- 1.10 Block N4 drawings show single staircases serving places of special fire hazard and ancillary accommodation of similar fire risk on the ground floor. Such areas include a covered car park, refuse stores, and plant rooms. Where a single staircase is provided, the staircase should not serve places of special fire hazard or ancillary accommodation of similar fire risk. Design changes necessary to provide separated access and escape from such areas will affect land use planning considerations such as the appearance and layout of the development.
- 1.11 Block N5 drawings show single staircases serving both residential and commercial uses; and places of special fire hazard and ancillary accommodation of similar fire risk on the ground floor. Such areas include a covered car park, refuse stores, and plant rooms. Where a single staircase is provided, the staircase should not serve places of special fire hazard or ancillary accommodation of similar fire risk. Design changes necessary to provide separated access and escape from such areas will affect land use planning considerations such as the appearance and layout of the development.

1.12 The block N4 and N5 ninth floor drawings show roof top amenity areas accessed from a single staircase. It is likely that, if occupants of these areas become aware of a fire incident on a lower floor (for instance by seeing fire engines on the street below), they will descend down the single staircase. This is likely to result in conflicting flows of occupants and firefighters (who will be running firefighting operations from within the staircase). It will be for the applicant to demonstrate a means of escape is available for use at all material times including during firefighting operations. Any design changes necessary will affect land use planning considerations such as the layout and appearance of the development.

Yours sincerely

05/07/2022



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Signed by: jon.bryan

**This substantive response provides fire safety advice to the local planning authority. It's based on the information provided as it relates to land use planning.**

**It takes into account any fire safety information from section 9 of the fire statement form (where it relates to land use planning).**

**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**