

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.

To LPA	Camden
LPA planning ref no	2022/0528/P
Our ref	pgo-2020
Site address	The O2 Masterplan Site Finchley Road London NW3 6LU
Proposal description	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.
Date on fire statement	28/01/2022
Date consultation received	27/09/2022
Date response sent	21/10/2022

Headline response from HSE

Headline Response from HSE ('content')

1. Substantive response for the LPA

Thank you for consulting HSE about this application.

« Nature of Response | HSE is satisfied with the information provided with the application. | 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.
- 1.6 The fire statement dated 28/01/2022 states that the adopted fire safety design standards are British Standards 9991 and 9999.

Previous consultation

1.1 HSE issued a substantive response (some concern) dated 05/07/2022 in relation to a consultation received on 16/02/2022.

Current consultation

1.2 A further consultation was received on 27/09/2022 providing a document titled 'O2 Masterplan Site, Finchley Road Fire Statement Addendum' dated September 2022 ('the applicant's response'). For the avoidance of doubt, this substantive response is in relation to the applicant's response.

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

2. Supplementary information

The following points do not contribute to HSE's substantive response, as they are unlikely to affect land use planning considerations and are intended only as advice.

2.1 The previous response contained a concern relating to the provision of a 'qualitative design review (QDR). In relation to this matter, the applicant's response states:

'The design team on behalf of the applicant has considered the recommendations of BS 9991 and has since enhanced upon these to provide further robustness to the fire strategy.

This includes, but is not limited to :

- The provision of a stair and lift pressurisation system,*
- a dedicated evacuation lift lobby,*
- an evacuation alert system for use by the fire service.*

These enhancements improve upon the fire safety recommendations of BS 9991 for buildings greater than 50m in height, therefore provide an enhanced level of safety compared with providing the minimum provision to meet the guidance. The project has also been developed from concept design in consultation with the Building Control Authority who have reviewed the scheme for compliance with the Building Regulations.'

2.2 This is noted and will be subject to later regulatory consideration.

2.3 The previous substantive response contained concerns relating to the connection of single staircases with covered car parks, ancillary accommodation and commercial uses in blocks N3-E, N4 and N5. In relation to this, the applicant's response states:

'Following a review of the HSE comments received 5th July '22, The design team has revised the plans such that a single stair core remains, however the stair no longer serves commercial or ancillary accommodation. The stair therefore exits directly out of the building by means of an imperforate corridor, and separate means of access is provided to commercial and ancillary areas. This approach seeks to prioritise the comments received from HSE in the balance of other consultee comments received. The resubmitted proposals have therefore been updated address the HSE comments received.'

2.4 This is noted and will be subject to later regulatory consideration.

2.5 The previous substantive response contained a concern relating to roof top amenity areas accessed from single staircases, and the potential for conflicting flows occupants and firefighters in staircases . In relation to this, the applicant's response states:

'The HSE responses dated 5th July '22, note that rooftop amenity areas are accessed from a single staircase, similar to most schemes across London and they note a potential risk that if occupants sought to exit the roof terrace whilst a fire was occurring, this may conflict with firefighters entering the building or fighting a fire within the building.

In our expert opinion, we would consider this situation in line with requirements and expectations of the Building Regulations for apartments within a single stair core building. The fire safety provisions provided by the fire strategy allow occupants to safely "stay put" during a fire in a neighbouring apartment. The Fire Service operate procedures to position personnel on the non-fire floors to control evacuation of other occupants if necessary, so we would consider it reasonable to assume this control would apply to the rooftop terraces equally.

Depending on the management facilities on-site, for any organised events on the rooftops (which may have higher number of people than normal occupancy levels) it may be possible to evacuate rooftop occupants prior to arrival of the fire service, through notification of smoke detection within the building. This will be developed further at Building Regulations stage, and additional management procedures put in place if required.'

2.6 There are regulatory requirements to ensure that the means of escape is capable of being safely and effectively used at all material times; and to provide reasonable facilities to assist firefighters in the protection of life. It will be for the applicant, at subsequent regulatory stages, to demonstrate that the means of escape is capable of being effectively used at all material times, including when single staircases contain firefighting personnel and equipment.

Yours sincerely,



21/10/2022



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**