

Substantive response

Substantive response from the Health and Safety Executive (HSE) to the local planning authority (LPA) as a statutory consultee.

To LPA	Kirklees Council
LPA planning ref no	2021/62/93305/W
Our ref	pgo-0675
Site address	61-65, New Street, Huddersfield, HD1 2BQ
Proposal description	Change of use and conversion of existing buildings, erection of split-level seven storey extension comprising four-storey stairwell, five-storey roof-top tower block and enclosed courtyard to form 31 dwellings and sub-division of the retail unit forming 61-63 New Street (Listed Building within a Conservation Area).
Date on fire statement (Date the fire statement was completed)	29/09/2021
Date application received (Date HSE received notification from LPA)	08/12/2021
Date response sent (Date HSE sent substantive response to LPA)	14/12/2021

Headline response from HSE

Headline Response from HSE ('Advice to LPA' - Significant Concern)

Substantive response

Thank you for consulting HSE about the above application.

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

1. Relevant building

- 1.1 The fire statement indicates at section 6 that block 5 will consist of 7 storeys excluding those storeys below ground level. This is consistent with plan drawings in the Structural Inspection Report, and Phase 1 Desk Study Report, which show basement, ground and first to sixth floors, making seven storeys. However, this is inconsistent with the elevation shown in drawing (100)21, which shows basement, ground and five upper storeys.

For a building to be in scope of planning gateway one it must meet the relevant building threshold. This is defined as a building containing two or more dwellings, with a top storey height of 18m, or 7 storeys.

When counting the number of storeys, any storey which is below ground level is to be ignored. A storey is treated as below ground level if any part of the finished surface of the ceiling of the storey is below the ground level immediately adjacent to that part of the building.

As the fire statement indicates that the building will have 7 storeys above ground and a storey height of 17.9m it is considered that this building is in scope of planning gateway one. The following advice is provided accordingly.

2. Specific technical complexities

- 2.1 Section 6 of the fire statement states that no sprinklers systems will be installed in any of the blocks. As the building has a storey height greater than 11m, sprinkler systems will be required. The HSE also notes the clear intent expressed in the relevant sprinkler design standard that sprinklers should be provided in *all* parts of the premises. The installation of a sprinkler system will require that space be dedicate to water tanks, pumps and pipes to serve the sprinklers. Resolving this issue may affect land use planning considerations such as layout, design and density of the building.

- 2.2 Plan drawings of the basement show that the main and secondary staircases (both of which form part of the only escape routes from flats) descend into the basement. An escape stair forming part of the only escape route from an upper storey should not continue down to serve a basement storey. A basement storey (defined in fire safety guides as a storey with a floor that, at some point, is more than 1.2m below the highest level of ground beside the outside walls) should be served by a separate escape stair to prevent smoke and fire from the basement entering the stair and trapping occupants above. Resolving this issue may affect land use planning considerations such as layout, design and density of the building.

- 2.3 The fire statement proposes that dry rising mains will be installed in the main and secondary staircases. However, the hose laying distances from the dry riser outlets to the furthest points of the most remote flats on the third to sixth storeys, via the intermediate staircases, appear excessive. Buildings without firefighting shafts should be provided with fire mains located within the protected stairway enclosure, with a maximum hose distance of 45m from the fire main outlet to the furthest point inside each flat, measured on a route suitable for laying a hose. Resolving this issue may affect land use planning considerations such as layout, design and density of the building.
- 2.4 The ground floor plan drawing shows that an escape route from the Post Office leads via the main staircase which also serves the flats on upper storeys. Additionally, the main staircase is also shown serving the ground floor bin store; and the secondary stair serves the cycle store and retail basement. If a building contains storeys, or parts of storeys, with different uses or occupancies, the escape routes from different areas should normally be separated. This is necessary to ensure that a fire in other areas does not pose a risk to the residential escape routes. Resolving this issue may affect land use planning considerations such as layout, design and density of the building.
- 2.5 The plan drawings show a timber canopy and faux shop front surround on external walls. It should be ensured that any external wall attachments conform to the fire performance standard expected of relevant building external wall systems and attachments. Resolving this issue may affect land use planning considerations such as design and appearance of the building.
- 2.6 Plan drawings of block 5 show windows of flats recessed, and in close proximity to the glazing of the escape routes leading to staircases. The windows of some adjoining flats are also in close proximity and recessed from each other. Additionally, the windows of first floor flats 203 07 and 206 10 are directly below the glazed escape routes on second floor. The proximity and angle of recess of these windows and escape routes may allow fire spread between flats, or between flats and escape routes. Resolving this issue may affect land use planning considerations such as design, appearance and layout of the building.
- 2.7 Plan drawings show that the fire escape from the first floor flats is via the open court which is situated above the ground floor. There is no confirmation in the fire statement as to the standard of fire resistance of the materials used in the floor separating the ground floor from this courtyard. If a ground floor fire is able to penetrate the roof into the courtyard, this may compromise the escape route and could also allow fire spread

into the flats above. Resolving this issue may affect land use planning considerations such as design, appearance and layout of the building.

2.8 Plan drawings of several storeys show that the escape routes from flats are via lobbies between the flat door and staircase. Lobbies between flat doors and stairs require smoke ventilation to ensure that the escape route is kept free of smoke. However, it is not clear how smoke vents can be provided in lobbies with the proposed layout. Resolving this issue may affect land use planning considerations such as design, density and layout of the building.

2.9 The fire statement does not discuss smoke ventilation of the basement. Given the dimensions of the basement smoke vents will be required at ground floor level. Resolving this issue may affect land use planning considerations such as design and appearance and landscaping around the building.

2.10 If the above issues (paragraphs 1.1 to 2.9) are not resolved at the planning stage, there is a risk that, at subsequent stages, approval may not be given to the proposed design and the plans would need to be revised. Resolving and agreeing solutions at a later stage is likely to have an impact on land use planning considerations such as layout and design, density, materials, appearance and landscape of the development.

3. Supplementary information

(The following points do not contribute to HSE's overall headline response and are meant only for guidance/clarification purposes).

3.1 It is noted that the storey height of the building is cited as being 17.9m. This is 10cm below the height at which firefighting shafts would be required, and should the as-built storey height exceed 18m, firefighting shafts will be required. Firefighting shafts have specific minimum requirements such as width, ceiling height, fire resistance and installation of firefighting lifts. Any exceedance of the 18m threshold will therefore have implications for land use planning considerations such as design, appearance, layout and density of the building.

3.2 It is highly likely that the local Fire and Rescue Service pre-determined attendance of fire appliances to a fire incident in the proposed buildings will include a 'high reach' fire appliance. It is recommended that access route requirements for a high reach fire appliance be considered when assessing the site layout and surrounding landscape, and that the local Fire and Rescue Service be consulted on this matter.

Yours sincerely,

14/12/2021

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.

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**