

# 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.

<b>To LPA</b>	Kirklees
<b>LPA planning ref no</b>	2025/91221
<b>Our ref</b>	25-0336
<b>Site address</b>	Pearl House (Former HSBC Bank), 2 Cloth Hall Street, Huddersfield, HD1 2EG
<b>Proposal description</b>	Prior notification for change of use of floors 1-5 inclusive from commercial/business/service to 28 flats/studios (within a Conservation Area).
<b>Date on fire statement</b>	16/06/2025
<b>Date consultation received</b>	18/06/2025
<b>Date response sent</b>	09/07/2025

## 1. Substantive response for the local planning authority

Thank you for consulting HSE about this application.

<b>Headline response from HSE</b>
Headline Response from HSE ( <b>'Advice to LPA' - Concern</b> )

### Scope of consultation

1.1. The above **prior approval application** relates to an existing 6-storey (plus basement) office building (former HSBC Bank) in the town centre of Huddersfield, having an upper-most storey height of 25m.

1.2. The prior approval application relates to the change of use from Commercial, Business & Service (Use Class E) to residential dwellings (Use Class C3), creating 28 flats. The building proposes flats located on the 1<sup>st</sup> to 5<sup>th</sup> floor levels, with Ancillary/Storage spaces within the basement; residential Refuse Storage / commercial Waste Storage, and a

commercial unit at the ground floor level; and Plant including all mechanical ventilation and sprinkler water storage on the roof (sixth floor).

1.3. The development will be served by two stairs: an evacuation stair (basement to level 5) and a firefighting stair (basement to level 6 / roof level). Each stair will be provided with an associated lift. The firefighting stair is to be part of a firefighting shaft which will also contain a firefighting lift, a smoke ventilated lobby, and a dry riser outlet within the stair. A commercial lift is proposed connecting the commercial area at the basement level, with the commercial unit at the ground level.

### **Previous consultation**

1.4. HSE issued a substantive response with the headline response: 'Concern', on 05/06/2025, under the reference 25-0198, following a consultation received on 15/05/2025.

### **Consultation**

1.5. A further consultation was received from the LPA on 18/06/2025, providing an updated *Fire Statement* (dated 16/06/2025), and amended *Proposed Floor Plans* drawings. For the avoidance of doubt, this substantive response relates to the applicant's response/re-consultation application.

1.6. Section 6 (Building schedule) of the Fire Statement confirms that the design standard used is Approved Document B (ADB) Volume 1 ('Dwellings'). HSE has assessed the application accordingly.

1.7. Following a review of the information provided in the planning application, HSE has identified the following concern:

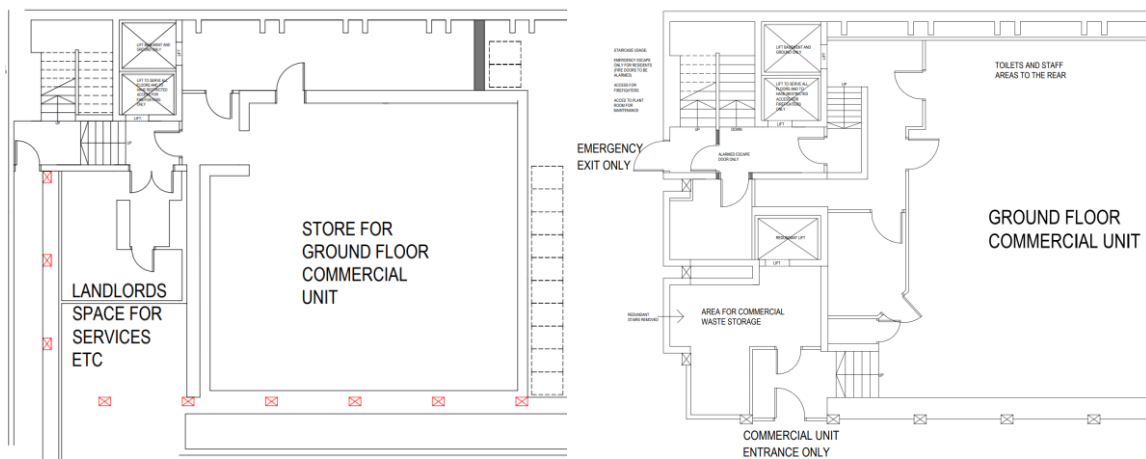
### **Firefighting lift**

1.8. The proposed Basement and Ground Floor Plans drawings, show that the firefighting lift is located within the firefighting stair enclosure. Fire safety standards state that the firefighting lift should not be located within the stair enclosure, even if the building is being refurbished. A firefighting lift should not be installed within a stair enclosure, as it has the potential for increasing the fire load within a means of escape staircase.

1.9. Design changes necessary to reconfigure the layout and to provide a suitable firefighting shaft, with a firefighting lift shaft separated from the staircase, will have a material effect on land use planning considerations such as the layout and appearance of the development, and the space available for dwellings.

### **Means of escape (communication between two different occupancies)**

1.10. The proposed Basement and Ground Floor Plans drawings, show that the Store for Ground Floor Commercial Unit / Ground Floor Commercial Unit, communicate with the firefighting shaft which serves the residential area (flats on upper floors L1 to L5). Therefore, there is a connection between the residential and the commercial areas.



1.11. The adopted fire safety standard provides that residential stairs may only serve other occupancies in buildings up 3 storeys above ground.

1.12. Accordingly, the residential areas should not communicate with the commercial areas. Design changes, to provide a separation between these two different occupancies, are likely to affect land use planning considerations such as the layout and appearance of the development.

## 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.*

### Means of escape (basement stairs)

2.1. The proposed Basement Floor Plan drawing shows that both stairs descend and serve the basement level. The relevant fire safety standard states that in multi-stair buildings, with a basement level, at least one stair should terminate at the ground level.

2.2. Design changes necessary to resolve this issue, are unlikely to affect land use planning considerations, where they can be achieved by way of internal alterations. It will be for the applicant to demonstrate compliance at later regulatory stages.

### Building Safety Regulator

2.3. HSE advises that all higher risk buildings are now required to be registered with the Building Safety Regulator ('BSR') on occupation. Further information can be found at [Applying to register a high-rise residential building - GOV.UK](https://www.gov.uk/government/guidance/apply-to-register-a-high-rise-residential-building). From April 2024 the BSR started the process of inviting accountable persons to submit a safety case for their registered buildings.

Yours sincerely

Sorin Bucur  
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

