

**Freedom of Information request reference number:** 7889.1

**Date of response:** 06/10/2023

**Request:**

Portlands Place, 1 Anthems Way, London E20 1LB FOIA Request

As part of the investigation, I would like to review any and all records you have for the above-referenced property pertaining to the following:

- Are there any unresolved Notice of Violation or Notice to Comply against the property?
- How frequently is the property inspected by the fire department?
- Date of last inspection (if applicable):
- Are there any records related to the following for the property
  - o Current or historical use of hazardous materials/waste
  - o Storage or Releases of hazardous materials/waste
  - o Current of historical underground/aboveground storage tanks
  - o Current or historical clarifiers

I would be grateful for any information.

**Response:**

Further to your request, please see below for a response.

- ***Are there any unresolved Notice of Violation or Notice to Comply against the property?***

There are no Notice of Violation or Notice to Comply.

- ***How frequently is the property inspected by the fire department?***

This property has had Building control consultations every two years.

- ***Date of last inspection (if applicable):***

The last inspection took place on the 16<sup>th</sup> August 2021.

- ***Are there any records related to the following for the property***
  - o ***Current or historical use of hazardous materials/waste***
  - o ***Storage or Releases of hazardous materials/waste***
  - o ***Current of historical underground/aboveground storage tanks***
  - o ***Current or historical clarifiers***

Please see below for details of the following.



Fire Safety Regulation, North East 3 Team  
169 Union Street - London SE1 0LL  
T 020 8555 1200

Minicom 020 7960 9629  
london-fire.gov.uk

Butler & Young Approved Inspectors Ltd  
5th Floor  
Fleet Street  
London  
EC4Y 1EL

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

Date: 20 October 2020  
Our Ref: 17/233749  
Your Ref: 095637

Dear Sir/Madam

## RECORD OF CONSULTATION

### REGULATORY REFORM (FIRE SAFETY) ORDER 2005 ARTICLE 46 BUILDING ACT 1984 - SECTION 15 THE BUILDING (APPROVED INSPECTORS ETC.) REGULATIONS 2010

**SCOPE OF WORKS: Construction of new mixed use buildings**  
**PREMISES: East Village N06 Building Corner of Anthems Way Olympic Park Ave E20**

The London Fire Commissioner (the Commissioner) is the fire and rescue authority for London. The Commissioner is responsible for enforcing the Regulatory Reform (Fire Safety) Order 2005 (The Order) in London.

The Commissioner has been consulted with regard to the above-mentioned premises and makes the following observations:

The plans indicate a fire engineering solution is in place or being proposed and consultation with the Brigade's Fire Engineering Group will delay the return of our comments for up to 12 weeks.

Any queries regarding this letter should be addressed to [REDACTED]. 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)

Reply to [REDACTED]  
Direct T 0208 555 1200 [REDACTED]

To: [REDACTED]  
Tower Hamlets and Newham Fire Safety team

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

Date 06/08/2021

Our File No:3776

Your Ref:17/259749  
Job number:2035539

Dear [REDACTED]

**EAST VILLAGE N06 BUILDING, CORNER OF ANTHEMS WAY/OLYMPIC PARK AVENUE,  
LONDON, E20**

**CONSTRUCTION OF A NEW MIXED USE BUILDING**

**Documents reviewed:**

Letter from Butler & Young, dated 10/09/2020  
RIBA Stage 5 Fire Strategy, BB7, Version P8, dated 04/09/2020  
Fire Strategy Report, Butler & Young, Revision 2, dated September 2020  
Third Party Comments and Response, BB7, Rev 01, dated 02/04/2020  
Structural Fire Analysis Peer Review, Hydrock, Issue 00, dated 03/02/2020

**Plans:**

N06-HBA-SW-31-DR-A-68-0116-C3;  
N06-HBA-SW-26-DR-A-68-0115-C4;  
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N06-HBA-SW-10-DR-A-68-0112- C5;  
N06-HBA-SW-01-DR-A-68-0103- C6;  
N06-HBA-SW-GF-DR-A-68-0102- C5;  
N06-HBA-SW-B1-DR-A-68-0101- C4;  
N06-HBA-SW-01-DR-A-68-0100- C2.

Fire Engineering Group has reviewed the above documents and plans and has the following observations.

**Fire Engineering Group is not satisfied with the proposals**

**Internal note to Inspecting Officer:**

Note we have only considered the fire engineering related aspects of the proposals, and assume that all other areas will be reviewed and commented on by you as part of the formal response to the relevant building control body. Should you require the return of any of the forwarded plans/ documents in order for you to complete your assessment of the submission please contact this office.

Please ensure that a suitable 'D' Job consultation letter is issued to the relevant building control body, clearly reflecting that LFB is **not satisfied** with the proposals, and including the comments sections (1) to (4) below.

In addition, due to the nature of the proposed scheme we recommend (appropriate box ticked if applicable):

- That an FS01 fire safety audit of the premises is programmed in by the Area Fire Safety Team

- That premises information for fire fighters should be provided on site (refer to/ issue GN70)
- That the local Fire Station is formally notified of the premises (using form SFS\_A020\_a2a)
- Other:

**(1) Comments on proposed scheme primarily relating to the Regulatory Reform (Fire Safety) Order 2005**

**Letter from Butler & Young and pro-forma, dated 10/09/2020**

We note in Section 7 of the pro-forma that the building control body (BCB) has made no comments in relation to this project. It is unclear whether this is due to the BCB accepting and agreeing the proposals from BB7.

Our previous letter referred a number of points back to the BCB for their consideration and comment. Whilst we note the responses from BB7 in relation to these points, our view has not changed. Therefore, if we have not made comment below, then our opinion remains as expressed in our previous letter and we request the opinion of the BCB in order to progress these points. Based on this, we have also not reviewed Appendix A and B as we have referred both of these aspects back to the BCB to review and provide confirmation that these have been assessed to be to their satisfaction.

Once we receive the above confirmation from the BCB in relation to this project, we can then provide a full response to this consultation.

**RIBA Stage 5 Fire Strategy, BB7, Version P8, dated 04/09/2020 - Appendix E - Response to LFB Comments**

1. Noted.
2. Noted.
3. Noted. Please clarify the use of the super lobby and entrance lobby spaces. We assume appropriate signage will be in place to indicate the alternative escape route, so that occupants, who would normally be expected to attempt to exit via the same route that they entered, are not led to believe that they are trapped as a result of the presence of an unexpected obstruction (the deployed fire curtain).
4. We note the comments justifying the 120 minute structural fire protection as being acceptable for buildings that are 78m and 95m high. We note also the content of Table 5 in BS 9991:2015 allows for a >50m building, based upon the specific ventilation conditions detailed, to have a structural fire resistance of 105 minutes. In our opinion, this does not negate the recommendation made in Clause 0.7 of BS 9991:2015, to consider a QDR, particularly as the tower is almost double the height stipulated in this guidance. Whilst we acknowledge and welcome the proposed provision of a wet rising main in the tail sections of the building, we however note that point 7.1 in the fire strategy document advises that the tail section of the building will be provided with dry rising mains. Please provide clarification.  
  
We also acknowledge and welcome the proposed application of a BS 9251 Category 3 sprinkler system. However, in our opinion, this does not justify an assumption that 120 minute fire resistance is adequate for buildings of this height.
5. Noted. We assume the contradiction between this answer and the contents of the fire strategy will be resolved and clarified.
6. Noted.

#### Occupancy and Exit Width

7. Section 9 of the design note is entitled 'Relevant Legislation' and does not provide a justification for the residential staircase connecting with the basement whilst constituting the sole method of escape. It is assumed this is a typo and page 9 is the correct reference. We note within this section that there are single stair conditions that serve above and below ground level. In our opinion, and as per the recommendations of guidance, a single staircase should not serve the upper floors along with the basement. See comment no. 9 below.
8. We note the comments regarding the fire curtain and fire door creating a lobby. Figure 14 within the fire strategy indicates the curtain and door are located adjacent to each other, instead of being separated by a lobby. In our opinion, this layout should be reviewed and as per our previous comment should be protected by a ventilated lobby. Ideally there should not be a connection between the two different occupancies as the protection to the single staircase to such tall towers is paramount. Therefore, we would question the benefits of creating this link when the expectation of guidance is that the occupancies should be separated by a minimum of 60 minute fire resisting compartmentation.

#### Escape from the Basement

9. The justification for the car park connecting to the residential staircase is noted. However, it is our opinion, that the ventilation system is a requirement in order to conform to the recommendations of guidance as this is a firefighting shaft. Therefore the only compensatory feature within this design is the introduction of one additional door. In our opinion this does not justify the higher risk that a car park introduces, especially when connected to the only means of escape staircase for the floors above. Upon reviewing the plans, the tail portions also do not appear to be provided with the three door protection as detailed. Consequently, we remain of the opinion that the staircase and car park should not be linked where there is only a single stair available.
10. We presume that the BCB is satisfied with the radiation calculations provided and the methodology used for the analysis and we have no further observations to make.

#### Duplex Apartment – 3B69

11. We note BB7's comments. We refer this matter to the BCB to their consideration.
12. We note BB7's comments. We are still of the opinion that the necessary management and maintenance is unlikely to be carried out by the occupier. Therefore our comments remain. We refer this matter to the BCB for their consideration.

#### Duplex Apartment – 4B69

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14. We note BB7's comments. We refer this matter to the BCB for their consideration.
15. Noted.
16.
  - a) We note that 220 people can use this amenity space from across the estate. In our opinion, this is a place of assembly and recreation and therefore should be designed as such.
  - b) We note that on-site management personnel will be on site at all times to deal with a fire if one starts. We note also that reliance is being placed on occupants reviewing information about the escape routes from this space as detailed within the information pack before attending an event in this space. We suggest this is very unlikely.

We note also an event management plan will be created for each event that takes place. We assume this will include a fire risk assessment for this space. We would question how this will be supported

as, based upon our experience, a resident is very unlikely to have the competency to create such a document. Therefore, we question who will ensure the contents of this document is suitable and sufficient, including ensuring that the hazards and risks associated with each specific event are identified and resolved in so far as is reasonably practicable. We also question who will be responsible for monitoring the event as it takes place to ensure no extra hazards are introduced that have not been anticipated.

We also note in points c), e), g) and h) that a lot of expectation is being placed on the concierge for this building. It is unclear if the concierge and 24/7 security are separate entities. From our experience in interacting with concierges, it is unlikely that a single person will be able to manage the daily running of the building, as well as manage/co-ordinate events within this space, produce any PEEPs as necessary and evacuate potentially multiple people with disabilities from this space.

We welcome the view of the BCB in relation to this space.

- c) Noted. We refer you to point b) above.
  - d) Noted.
  - e) Noted. We refer you to point b) above.
  - f) We note the comments. It is our assumption, based upon the description provided within the fire strategy report, that the occupants will be expected to evacuate from the amenity space and be directed to a final exit regardless of whether they live in the connecting building or not. Please advise if this interpretation is incorrect.
  - g) Noted. We refer you to point b) above.
  - h) Noted. We refer you to point b) above.
  - i) Noted.
  - j) Noted. It is not clear as to whether the concierge is proposed to be based in the residential building or with the on-site security team. If they are separate entities then consideration regarding how the concierge will be alerted to an emergency needs to be considered.
  - k) Whilst we note the daily /routine management for this site, it remains unclear to us as to how this amenity space will be managed and potential for misuse avoided. We refer this to the BCB/responsible person to ensure measures are put in place.
  - l) Noted.
17. It is also unclear to us what the BCB's opinion is in relation to the tenth floor amenity space and it is our expectation that this should be clarified as part of the consultation process.

In our opinion, as this space will be used for events, the purpose group should be reconsidered. Whilst we note the comparison to a single apartment, we remain of the opinion that this comparison is not valid; the expectations of this space are not comparable to that of a flat. We also note the comments regarding the residential sprinkler system. It is our opinion, as previously stated, that this is not appropriate for this space. We await the views of the BCB on these items.

- 18. We note BB7's comments. We refer to comment no. 17 and await the BCB's view on this matter.
- 19. We note BB7's comments. We refer to comment no. 17 and await the BCB's view on this matter.
- 20. We note BB7's comments. We refer to comment no. 17 and await the BCB's view on this matter.



#### Compartmentation

21. Noted. We presume that the BCB will assure themselves that the proposed design is compliant with functional requirement B3 of the Building Regulations.
22. We note BB7's comments. We refer the BCB to comment no. 9 above and expect to be provided with the BCB's observations and approvals decision in relation to this matter.

#### Fire Door

23. Noted. However, we do not appear to have been provided with these plans to review. We refer this matter to the BCB and presume they will satisfy themselves that the location of these proposed hold open devices are appropriate. It is our expectation that hold open devices will not be provided to any door protecting the means of escape staircases.
24. Noted.
25. Noted. We refer this to the BCB for their consideration.

#### Construction of External Walls

26. Noted.
27. Noted.

#### Category of fire alarm system

28. We note the information provided. However, this does not provide any clarification with regards to the duration of the proposed seek and search delay. We refer this point to the BCB for their consideration and to ensure that, if a seek and search delay is proposed, that it is a suitable time period, particularly if the members of staff expected to carry out this search are not located within the building in question.

We note mention of access fobs being made available in the premises information box. It is our preference that a suitable manual override control for use by firefighters (operable by a key carried on LFB pump appliances) is provided that is not reliant on access fobs. It is our experience that access fobs are not always available in an emergency for firefighters due to, for example, their inadvertent omission or conscious removal from the premises information box due to security concerns.

#### Suppression

29. We note a BS 9251:2014, Category 3 sprinkler system is proposed and, whilst we welcome the proposed enhancement, we remain of the opinion that the sole provision of the enhanced category system negates the need to carry out the assessment as detailed in BS 9991.

We draw the BCB's attention to the fact the suppression system is being used to compensate for a large number of aspects of the design as well as the structural protection due to the heights of the towers. We note the following non-exhaustive list of areas where sprinklers are used as a compensation for various aspects of the fire strategy design:

- Open plan flats (3.3)
- Deviations to duplex apartments (3.3)
- Extended travel distances (3.4)
- Amenity space (3.5)
- Car park – management offices and plant rooms exit into car park space. (3.8)
- Extended travel distances in plant rooms (3.8)
- Extended travel distances for firefighters (7.1)



In our opinion, the sprinkler system should be holistically reviewed and assurances given that it is suitable to support the proposed design.

30. We note BB7's comments. We refer the BCB to comment no. 9 above and expect to be provided with the BCB's observations and approvals decision in relation to this matter.

31. Noted.

32. Noted.

#### Access for fire appliances

33. We welcome that the landscaping has been reviewed to ensure that access for fire appliances has been improved.

We note that inlets are now located within the expected 18m from a fire appliance. We assume the means there is an introduction of horizontal dry fire main pipework. We refer to Clause 4.2.2 of BS 9990:2015, which recommends that the run of horizontal connecting pipe (between the inlet and the vertical run) should be a maximum of 18m and should be given a fall towards the drain valve.

We further note that it is proposed that fire appliances reverse 28m to gain closer access to the buildings. It is incorrect to assume that it will be practical for multiple appliances to reverse this distance in an emergency. In addition to the delay introduced as a result of this manoeuvre, this also creates problems when relief appliances are provided in the later stages of an incident and the appliances that initially attended depart, or when appliances must be repositioned.

We note that the proposed provision of a wet rising main is considered to be a justification for the extended travel distances as firefighters will not need to connect to the dry riser inlet. Whilst we acknowledge this benefit, this does not consider the physiological demands imposed upon firefighters as a result of having to carry equipment over extended distances to the firefighting shaft.

Finally, we acknowledge that the provision of sprinklers constitutes a significant benefit in terms of firefighter safety. However, we note that this is an expectation for buildings of this height in order to conform to guidance and therefore we do not consider this to be a suitable compensatory measure for the extended travel distance and resulting physiological demands placed upon firefighters.

34. Noted.

35. Noted.

The following are new points we would like to raise based upon our review of the most recent version of the fire strategy report provided, RIBA Stage 5 Fire Strategy, BB7, Version P8, dated 04/09/2020:

#### 3.4 Common parts to apartments

36. We note the opinion stated that the ancillary accommodation which exits into the accommodation corridor to be a lower fire risk than apartments. In our opinion, this does not take into consideration that ancillary accommodation spaces are only visited occasionally and are thus not under regular surveillance, which is a key reason given in the commentary to BS 9991:2015, Clause 37, for ancillary spaces to be considered a greater fire hazard than dwellings (not simply the fire hazard posed by the use of these spaces). It is our expectation that the recommendations given in guidance will be met or suitable alternative justification will be provided. We refer this matter to the BCB and request that their observations and approvals decision be provided.

#### 3.5 Tenth floor – Amenity space

37. We note that a non fire rated glazed wall and door is proposed to be provided to separate the kitchen from the rest of the amenity space. In our opinion, a single sprinkler head or dedicated suppression system serving the cooker is not a suitable compensation for the lack of fire resisting separation. In our opinion, this point needs to be reviewed.

### 3.9 Commercial units – Means of escape

38. We note that non residential units are proposed on the ground floor but the layout of these units is currently unknown. It is our expectation that the sprinkler system will also cover these units.

### 4.4 Fire doors

#### Door fastenings

39. We request that consideration is given to firefighter access in an emergency and it is our expectation that firefighters will be able to undertake firefighting and search and rescue operations without excessive delays resulting from security measures.

### Appendix C and Structural Fire Analysis Peer Review, Hydrock, Issue 00, dated 03/02/2020

40. We note the structural calculations included within this section. We (LFB) highlight that we are not specialists in structural engineering. Therefore, being that the structural fire engineering analyses submitted are primarily a Building Regulations matter, we refer the finer review/approval of this aspect of the scheme to the BCB, and recommend (due to the nature and significance of the structural fire engineering proposed and use of finite element analyses) that consideration is given to the completion of a third party review.

### Appendix D BB7 Sprinkler System Technical Specification

43. We note within this section that reference is made to bathroom pods. No mention has been made within this strategy or accompanying documentation to this building being of modular construction. Please confirm whether this design is a modular build or not.

If modular structural design is proposed then we would draw the following to the attention of the BCB.

Current design guides such as Approved Document B or BS 9991 do not specifically consider modular design. The expected performance in fire will need to be fully understood to justify such a design, and in our opinion this will require analysis which may also include full scale testing if this has not been completed already.

In our opinion the following areas would need to be considered. This should not be considered an exhaustive list, but it is indicative of what we expect the design team and BCB to understand as a minimum:

- The performance of the fire protection from both sides of a wall or floor;
- The reliance on each unit to maintain structural integrity for another unit during and after a fire;
- Design and manufacturing tolerances, and any post installation work required to complete fire compartmentation;
- The impact of heating one structural component and the interaction between other structural elements which may be subject to differing heating regimes (such as adjacent structural columns);
- The extent of any voids between modules, how consistent or variable these are, and how these are provided with fire barriers at compartment lines;
- The effect of any penetrations (e.g. for services) and how these interact with compartmentation and voids;
- Ongoing maintenance requirements of any fire resisting protection;

- The interaction between elements of construction of significantly different material properties such as concrete/steel with timber;
- Any challenges for firefighting given the unique construction. This will need to particularly consider voids between flats, or between flats and common parts and how to access these during firefighting;
- The allowance of unprotected openings. In our opinion given the unique nature of construction, reliance cannot be placed on allowances within guides such as for unprotected openings. These were not incorporated into guidance for traditional construction methods and cannot be assumed to be appropriate for modular design without significant analysis;
- The presence of pre-installed fire stopping which would normally be fitted on site such as window cavity barriers.

While this analysis may have taken place, there is nothing included within the consultation package provided to us to suggest this is the case. Without that analysis, and in depth design detail, we do not understand how the functional requirements of the Building Regulations have been satisfied, how the building is expected to support safe occupation, and how the ultimate occupier will be able to meet their duties under the Regulatory Reform (Fire Safety) Order. We assume that the BCB will be reviewing any test data relevant to this construction technique and will provide an appropriate degree of oversight to this project to be able to ensure that the compartmentation and fire stopping detailing is undertaken appropriately and in accordance with design specifications and tolerances.

If modular structural design is proposed to be used then, in conjunction with our concerns detailed above, we are strongly of the view that the general design approach has failed to consider the building holistically, which should be a fundamental expectation relating to the unique features of modular construction and its fire performance, particularly given the height of the proposed buildings. We would question the acceptance by the BCB of the proposed departures from guidance, including, but not limited to:

- sprinkler design restrictions,
- single stairs continuing to basement,
- use of multiple amenity spaces.

## **(2) Comments on proposed scheme primarily relating to the Building Regulations**

See comments made in section 1 above.

## **(3) Additional observations and recommendations relating to proposed scheme**

No further comments to make.

## **(4) Expected outcome of consultation**

Based on the nature of the items raised above in sections (1) to (3):

- We refer our observations/ comments to the building control body for resolution as the approving authority, and do not expect to be consulted further unless the proposed scheme significantly changes in the future
- We would expect to be consulted further to this letter due to the significant issues raised in relation to matters under the Regulatory Reform (Fire Safety) Order 2005 and/or B5 fire service access arrangements. In our view further information should be provided in regards to the following:
- Items in section 1 above where a response is requested.

Notwithstanding the above, we presume that all comments raised in this consultation letter will be forwarded to the client/ project design team for consideration.

The above observations are in relation to the current proposal and may not be relevant to any future proposal.

Should you require any further assistance please do not hesitate to contact this office.

Yours sincerely

  
E 



Fire Safety Regulation, North East 3 Team  
169 Union Street London SE1 0LL  
T 020 8555 1200

Minicom 020 7960 9629  
london-fire.gov.uk

Butler & Young  
Approved Inspectors  
5th Floor  
80/81 Fleet Street  
London  
EC4Y 1EL

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

Date 9 August 2021  
Our Ref 17/233749

Dear Sir/Madam

**REGULATORY REFORM (FIRE SAFETY) ORDER 2005 ARTICLE 46  
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16.

a) We note that 220 people can use this amenity space from across the estate. In our opinion, this is a place of assembly and recreation and therefore should be designed as such.

b) We note that on-site management personnel will be on site at all times to deal with a fire if one starts. We note also that reliance is being placed on occupants reviewing information about the escape routes from this space as detailed within the information pack before attending an event in this space. We suggest this is very unlikely.

We note also an event management plan will be created for each event that takes place. We assume this will include a fire risk assessment for this space. We would question how this will be supported as, based upon our experience, a resident is very unlikely to have the competency to create such a document. Therefore, we question who will ensure the contents of this document is suitable and sufficient, including ensuring that the hazards and risks associated with each specific event are identified and resolved in so far as is reasonably practicable. We also question who will be responsible for monitoring the event as it takes place to ensure no extra hazards are introduced that have not been anticipated.

We also note in points c), e), g) and h) that a lot of expectation is being placed on the concierge for this building. It is unclear if the concierge and 24/7 security are separate entities. From our experience in interacting with concierges, it is unlike that a single person will be able to manage the daily running of the building, as well as manage/co-ordinate events within this space, produce any PEEP<sub>s</sub> as necessary and evacuate potentially multiple people with disabilities from this space.

We welcome the view of the BCB in relation to this space.

c) Noted. We refer you to point b) above.

d) Noted.

e) Noted. We refer you to point b) above.

f) We note the comments. It is our assumption, based upon the description provided within the fire strategy report, that the occupants will be expected to evacuate from the amenity space and be directed to a final exit regardless of whether they live in the connecting building or not. Please advise if this interpretation is incorrect.

g) Noted. We refer you to point b) above.

h) Noted. We refer you to point b) above.

i) Noted.

j) Noted. It is not clear as to whether the concierge is proposed to be based in the residential building or with the on-site security team. If they are separate entities then consideration regarding how the concierge will be alerted to an emergency needs to be considered.

k) Whilst we note the daily /routine management for this site, it remains unclear to us as to how this amenity space will be managed and potential for misuse avoided. We refer this to the BCB/responsible person to ensure measures are put in place.

l) Noted.

17. It is also unclear to us what the BCB's opinion is in relation to the tenth floor amenity space and it is our expectation that this should be clarified as part of the consultation process.

In our opinion, as this space will be used for events, the purpose group should be reconsidered. Whilst we note the comparison to a single apartment, we remain of the opinion that this comparison is not valid; the expectations of this space are not comparable to that of a flat. We also note the comments regarding the residential sprinkler system. It is our opinion, as previously stated, that this is not appropriate for this space. We await the views of the BCB on these items.

18. We note BB7's comments. We refer to comment no. 17 and await the BCB's view on this matter.

19. We note BB7's comments. We refer to comment no. 17 and await the BCB's view on this matter.
20. We note BB7's comments. We refer to comment no. 17 and await the BCB's view on this matter.

#### Compartmentation

21. Noted. We presume that the BCB will assure themselves that the proposed design is compliant with functional requirement B3 of the Building Regulations.
22. We note BB7's comments. We refer the BCB to comment no. 9 above and expect to be provided with the BCB's observations and approvals decision in relation to this matter.

#### Fire Door

23. Noted. However, we do not appear to have been provided with these plans to review. We refer this matter to the BCB and presume they will satisfy themselves that the location of these proposed hold open devices are appropriate. It is our expectation that hold open devices will not be provided to any door protecting the means of escape staircases.
24. Noted.
25. Noted. We refer this to the BCB for their consideration.

#### Construction of External Walls

26. Noted.
27. Noted.

#### Category of fire alarm system

28. We note the information provided. However, this does not provide any clarification with regards to the duration of the proposed seek and search delay. We refer this point to the BCB for their consideration and to ensure that, if a seek and search delay is proposed, that it is a suitable time period, particularly if the members of staff expected to carry out this search are not located within the building in question.

We note mention of access fobs being made available in the premises information box. It is our preference that a suitable manual override control for use by firefighters (operable by a key carried on LFB pump appliances) is provided that is not reliant on access fobs. It is our experience that access fobs are not always available in an emergency for firefighters due to, for example, their inadvertent omission or conscious removal from the premises information box due to security concerns.

#### Suppression

29. We note a BS 9251:2014, Category 3 sprinkler system is proposed and, whilst we welcome the proposed enhancement, we remain of the opinion that the sole provision of the enhanced category system negates the need to carry out the assessment as detailed in BS 9991.

We draw the BCB's attention to the fact the suppression system is being used to compensate for a large number of aspects of the design as well as the structural protection due to the heights of the towers. We note the following non-exhaustive list of areas where sprinklers are used as a compensation for various aspects of the fire strategy design:

- Open plan flats (3.3)
- Deviations to duplex apartments (3.3)
- Extended travel distances (3.4)
- Amenity space (3.5)
- Car park – management offices and plant rooms exit into car park space. (3.8)
- Extended travel distances in plant rooms (3.8)
- Extended travel distances for firefighters (7.1)

In our opinion, the sprinkler system should be holistically reviewed and assurances given that it is suitable to support the proposed design.

30. We note BB7's comments. We refer the BCB to comment no. 9 above and expect to be provided with the BCB's observations and approvals decision in relation to this matter.

31. Noted.

32. Noted.

#### Access for fire appliances

33. We welcome that the landscaping has been reviewed to ensure that access for fire appliances has been improved.

We note that inlets are now located within the expected 18m from a fire appliance. We assume the means there is an introduction of horizontal dry fire main pipework. We refer to Clause 4.2.2 of BS 9990:2015, which recommends that the run of horizontal connecting pipe (between the inlet and the vertical run) should be a maximum of 18m and should be given a fall towards the drain valve.

We further note that it is proposed that fire appliances reverse 28m to gain closer access to the buildings. It is incorrect to assume that it will be practical for multiple appliances to reverse this distance in an emergency. In addition to the delay introduced as a result of this manoeuvre, this also creates problems when relief appliances are provided in the later stages of an incident and the appliances that initially attended depart, or when appliances must be repositioned.

We note that the proposed provision of a wet rising main is considered to be a justification for the extended travel distances as firefighters will not need to connect to the dry riser inlet. Whilst we acknowledge this benefit, this does not consider the physiological demands imposed upon firefighters as a result of having to carry equipment over extended distances to the firefighting shaft.

Finally, we acknowledge that the provision of sprinklers constitutes a significant benefit in terms of firefighter safety. However, we note that this is an expectation for buildings of this height in order to conform to guidance and therefore we do not consider this to be a suitable compensatory measure for the extended travel distance and resulting physiological demands placed upon firefighters.

34. Noted.

35. Noted.

The following are new points we would like to raise based upon our review of the most recent version of the fire strategy report provided, RIBA Stage 5 Fire Strategy, BB7, Version P8, dated 04/09/2020:

#### 3.4 Common parts to apartments

36. We note the opinion stated that the ancillary accommodation which exits into the accommodation corridor to be a lower fire risk than apartments. In our opinion, this does not take into

consideration that ancillary accommodation spaces are only visited occasionally and are thus not under regular surveillance, which is a key reason given in the commentary to BS 9991:2015, Clause 37, for ancillary spaces to be considered a greater fire hazard than dwellings (not simply the fire hazard posed by the use of these spaces). It is our expectation that the recommendations given in guidance will be met or suitable alternative justification will be provided. We refer this matter to the BCB and request that their observations and approvals decision be provided.

### 3.5 Tenth floor – Amenity space

37. We note that a non fire rated glazed wall and door is proposed to be provided to separate the kitchen from the rest of the amenity space. In our opinion, a single sprinkler head or dedicated suppression system serving the cooker is not a suitable compensation for the lack of fire resisting separation. In our opinion, this point needs to be reviewed.

### 3.9 Commercial units – Means of escape

38. We note that non residential units are proposed on the ground floor but the layout of these units is currently unknown. It is our expectation that the sprinkler system will also cover these units.

### 4.4 Fire doors

#### Door fastenings

39. We request that consideration is given to firefighter access in an emergency and it is our expectation that firefighters will be able to undertake firefighting and search and rescue operations without excessive delays resulting from security measures.

#### Appendix C and Structural Fire Analysis Peer Review, Hydrock, Issue 00, dated 03/02/2020

40. We note the structural calculations included within this section. We (LFB) highlight that we are not specialists in structural engineering. Therefore, being that the structural fire engineering analyses submitted are primarily a Building Regulations matter, we refer the finer review/approval of this aspect of the scheme to the BCB, and recommend (due to the nature and significance of the structural fire engineering proposed and use of finite element analyses) that consideration is given to the completion of a third party review.

#### Appendix D BB7 Sprinkler System Technical Specification

43. We note within this section that reference is made to bathroom pods. No mention has been made within this strategy or accompanying documentation to this building being of modular construction. Please confirm whether this design is a modular build or not.

If modular structural design is proposed then we would draw the following to the attention of the BCB.

Current design guides such as Approved Document B or BS 9991 do not specifically consider modular design. The expected performance in fire will need to be fully understood to justify such a design, and in our opinion this will require analysis which may also include full scale testing if this has not been completed already.

In our opinion the following areas would need to be considered. This should not be considered an exhaustive list, but it is indicative of what we expect the design team and BCB to understand as a minimum:

- The performance of the fire protection from both sides of a wall or floor;
- The reliance on each unit to maintain structural integrity for another unit during and after a fire;



- Design and manufacturing tolerances, and any post installation work required to complete fire compartmentation;
- The impact of heating one structural component and the interaction between other structural elements which may be subject to differing heating regimes (such as adjacent structural columns);
- The extent of any voids between modules, how consistent or variable these are, and how these are provided with fire barriers at compartment lines;
- The effect of any penetrations (e.g. for services) and how these interact with compartmentation and voids;
- Ongoing maintenance requirements of any fire resisting protection;
- The interaction between elements of construction of significantly different material properties such as concrete/steel with timber;
- Any challenges for firefighting given the unique construction. This will need to particularly consider voids between flats, or between flats and common parts and how to access these during firefighting;
- The allowance of unprotected openings. In our opinion given the unique nature of construction, reliance cannot be placed on allowances within guides such as for unprotected openings. These were not incorporated into guidance for traditional construction methods and cannot be assumed to be appropriate for modular design without significant analysis;
- The presence of pre-installed fire stopping which would normally be fitted on site such as window cavity barriers.

While this analysis may have taken place, there is nothing included within the consultation package provided to us to suggest this is the case. Without that analysis, and in depth design detail, we do not understand how the functional requirements of the Building Regulations have been satisfied, how the building is expected to support safe occupation, and how the ultimate occupier will be able to meet their duties under the Regulatory Reform (Fire Safety) Order. We assume that the BCB will be reviewing any test data relevant to this construction technique and will provide an appropriate degree of oversight to this project to be able to ensure that the compartmentation and fire stopping detailing is undertaken appropriately and in accordance with design specifications and tolerances.

If modular structural design is proposed to be used then, in conjunction with our concerns detailed above, we are strongly of the view that the general design approach has failed to consider the building holistically, which should be a fundamental expectation relating to the unique features of modular construction and its fire performance, particularly given the height of the proposed buildings. We would question the acceptance by the BCB of the proposed departures from guidance, including, but not limited to:

- sprinkler design restrictions,
- single stairs continuing to basement,
- use of multiple amenity spaces.

## **(2) Comments on proposed scheme primarily relating to the Building Regulations**

See comments made in section 1 above.

## **(3) Additional observations and recommendations relating to proposed scheme**

No further comments to make.



**(4) Expected outcome of consultation**

Based on the nature of the items raised above in sections (1) to (3):

We would expect to be consulted further to this letter due to the significant issues raised in relation to matters under the Regulatory Reform (Fire Safety) Order 2005 and/or B5 fire service access arrangements. In our view further information should be provided in regards to the following:

- Items in section 1 above where a response is requested.

Notwithstanding the above, we presume that all comments raised in this consultation letter will be forwarded to the client/ project design team for consideration. The above observations are in relation to the current proposal and may not be relevant to any future proposal.

Any queries regarding this letter should be addressed to [REDACTED]. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

Yours faithfully,

[REDACTED]

Assistant Commissioner (Fire Safety Regulation)

Reply to [REDACTED]  
Direct T 0208 555 1200 [REDACTED]

**The London Fire Brigade promotes the installation of sprinkler suppression systems, as there is clear evidence that they are effective in suppressing and extinguishing fires; they can help reduce the numbers of deaths and injuries from fire, and the risk to firefighters.**

**From:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Newham Licensing: Get Living London, High Tail Point, 1 Anthems Way, E20 1JY and attached Skylark Point, 1 Portlands Court, E20 1JW  
**Date:** 09 February 2022 13:16:00

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Dear Sir/Madam

**LICENSING ACT 2003**

**Premises: Get Living London, High Tail Point, 1 Anthems Way, E20 1JY and attached Skylark Point, 1 Portlands Court, E20 1JW**

The London Fire Commissioner (the Commissioner) is the fire and rescue authority for London. The Commissioner is responsible for enforcing the Regulatory Reform (Fire Safety) Order 2005 (The Order) in London.

With reference to the application we received on 7.1.2022, the Commissioner **does not propose to make any representation** to the Licensing Authority, provided that the premises are constructed and managed in accordance with the information supplied with your application.

This email is without prejudice to the powers of the licensing authority and to any requirements or recommendations that may be made by enforcing authorities under other legislation. It is also without prejudice to any requirements or recommendations that may be made by the Commissioner under the Regulatory Reform (Fire Safety) Order 2005 or the Petroleum (Consolidation) Act 1928. All alterations should comply with the appropriate provisions of the current Building Regulations.

If you are dissatisfied in any way with the response given, please send an email to [REDACTED] quoting our reference: **17/233749/EM**

Regards  
London Fire Brigade  
Fire Safety Regulation Admin  
169 Union Street  
London  
SE1 0LL  
T: Helpdesk [REDACTED]  
E: [REDACTED]

We have dealt with your request under the Freedom of Information Act 2000. For more information about this process please see the guidance we publish about making a request on our website:  
<https://www.london-fire.gov.uk/about-us/transparency/request-information-from-us/>