

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.

To LPA	Reading
LPA planning ref no	PL/25/1204
Our ref	25-0905
Site address	'The Pinnacle', 20 Tudor Road, Reading, RG1 1NH
Proposal description	Change of use from Class E (offices) to C3 (dwelling houses) to comprise 58 flats (28x 1b1p 26x 1b2p 4x 2b3p) flats with associated car and cycle parking. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.
Date on fire statement	24/10/2025 rev.A
Date consultation received	24/10/2025
Date response sent	04/11/2025

1. Substantive response for the local planning authority

Thank you for consulting HSE about this application.

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

Scope of consultation

- 1.1 The above Prior Approval (Class MA) application relates to an existing non-residential (office) building; The Pinnacle, having 7-storeys (ground plus six upper floor levels – no basement) and an upper-most floor height of approximately 21.5m.
- 1.2 It is noted the applicant asserts that the proposed changes will render the building below the height threshold (18m storey height or 7 storeys) of a relevant building and higher-risk building (HRB).

- 1.3 The revised fire statement states: *“The building height when measured in accordance with Approved Document B (i.e. external ground level on the lowest side of the building to finished floor level on the fourth floor) is approximately 15.35m. Note: As solely plant space on the fifth floor is not designated as a storey.”*
- 1.4 This is noted. However, HSE disagrees and highlights that buildings in scope of planning gateway one are defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO).
- 1.5 Article 9A(7) of the DMPO, states that storeys consisting exclusively of plant can only be ignored when measuring height, not when determining the number of storeys:
- “(a) the **height of a building** is to be measured from ground level to the top floor surface of the top storey of the building (ignoring any storey which is a **roof-top** machinery or plant area or consists exclusively of machinery or plant rooms).”*
- 1.6 The updated fire statement also states: *“At completion of these planning proposed works the office accommodations in the existing building will be converted into a series of individual apartments that access the two staircases via central common corridors. This will apply consistently to the first to fourth floors inclusive. The fifth floor will have the unnecessary plant decommissioned and removed however this floor will still be retained as solely a plant level. At ground floor the existing car parking areas will be retained. The office areas at ground floor will be converted to two residential apartments plus the main building entrance”*. It is noted that the revised fire statement does not account for the 6th floor (plant/services) level.
- 1.7 As such, it is understood, from the floor plan drawings, that the building will consist of 7-storeys with two residential units at ground floor level, 14 residential units at 1st, 2nd, 3rd and 4th floor levels, decommissioned/removed plant at 5th floor level, operational plant and services located 6th floor levels and access to the roof level for maintenance purposes only. Being a 7-storey building containing dwellings, it is considered that the building will be a relevant building for the purposes of DMPO, and in scope of Planning Gateway One.
- 1.8 There is a discrepancy in the information provided as part of this Prior Approval application where the floor plan drawings indicate that the building will contain 58 apartments. However, the Planning Statement proposes 70 self-contained apartments. HSE has assessed this application on the basis that 58 apartments (located at ground to 4th floors) are proposed.
- 1.9 It is noted that the building is not located in a Conservation Area, is not a Listed Building and that the site is partially located within a Flood Zone 2 area.
- 1.10 The building will be served by two protected staircases with two lifts located near to the main staircase.
- 1.11 The revised fire statement demonstrates that the development has been designed using Approved Document B volume 1 (ADBv1) and British Standard 9991 (BS9991). For the avoidance of doubt, HSE has assessed the application using ADBv1 and BS9991:2024.

Previous consultation

- 1.12 HSE received a consultation request on 18/09/2025 for the aforementioned prior approval application and responded on 07/10/2025, under the HSE reference 25-0739, with the headline: 'Further Information Required'.

Current consultation

- 1.13 A subsequent email was received from the LPA on 24/10/2025 requesting further consultation, providing an amended fire statement, dated 24/10/2025 ('the applicant's response').
- 1.14 For the avoidance of doubt, this substantive response is in relation to the applicant's response.

Consultation

- 1.15 Following a review of the information provided in the planning application, HSE has identified the fire safety concern described below;

Fire service access and facilities

- 1.16 The existing 7-storey building is more than 18m in height.
- 1.17 It is noted that the previous fire statement (dated 23/06/25) stated that a firefighting shaft would be provided, and the current proposed floorplans, available on the planning register, demonstrate the inclusion of a firefighting lift. However, the revised fire statement states that a firefighting shaft will not be provided, and a dry riser main will be provided within the main protected staircase.
- 1.18 Fire safety standards state that a building with a storey above 18m should have at least one firefighting shaft.
- 1.19 It is also noted that measurements made by HSE of the floor area of the 6th floor, exceeds 900m². Fire safety standards state that where a building has a floor area in excess of 900m² above 18m from fire and rescue service access level, a minimum of two firefighting shafts should be provided.
- 1.20 Ensuring compliance with the fire safety standard recommendations regarding the provision of a suitable number of firefighting shafts in the building, with a protected access route at fire service access level, is likely to affect land use planning considerations such as layout and appearance of the development, including the number and configuration of dwellings provided.

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.

Higher-Risk Buildings

- 2.1 HSE highlights that buildings in scope of BSR Gateway 2 (Building Control) and the BSR In-Occupation regime, are defined in The Higher-Risk Buildings (Descriptions and Supplementary Provisions) Regulations 2023 ('the Descriptions Regulations').
- 2.2 The requirements relating to determining the number of storeys that a building has are detailed in Reg 6 of the 'Descriptions Regulations':

“6.—(1) Subject to paragraph (2), when determining the number of storeys a building has the following is to be ignored—

- (a) any storey which is below ground level;*
- (b) any storey which is a roof-top machinery or roof-top plant area or consists exclusively of roof-top machinery or roof-top plant rooms; and*
- (c) any storey consisting of a gallery with an internal floor area that is less than 50% of the internal floor area of the largest storey vertically above or below it which is not below ground level.”*

- 2.3 Accordingly, as the 6th floor level is not roof-top plant (as it has a roof above it), it does not fall within the specified storeys which can be ignored when determining the number of storeys. As such, the building, consisting of ground plus 6 storeys (7-storeys), is a Higher-Risk Building.

Means of escape – covered car park

- 2.4 The ground floor plan drawing shows the covered car park connects directly with a means of escape staircase and entrance lobby.
- 2.5 With the publication of BS9991:2024 and subsequent changes therein, the applicant should reconsider the ancillary area and the inclusion of appropriate lobby provision.
- 2.6 Clause 34 e) of BS9991:2024 states: *“In multi-stair buildings:*
- ancillary areas should be separated from any stair by a protected lobby or protected corridor at the storey in which the ancillary area is situated; and,*
 - ancillary areas should be separated from any common corridors by a protected lobby where the escape route is in a single direction”.*
- 2.7 It will be for the applicant to demonstrate that the means of escape is capable of being safely and effectively used at all material times, including during firefighting operations, and that an equivalent level of fire safety to that of code compliance is provided.
- 2.8 Design changes necessary to provide lobby protection are unlikely to affect land use planning considerations in this instance, where the matter can be resolved by way of internal alterations. It will be for the applicant to demonstrate compliance at later regulatory stages.

External wall system

- 2.9 Page 5 of the revised fire statement states: *“The building is over 11m high and therefore the entire external wall build ups for the building will be formed of non-combustible materials (i.e. Euroclass A2 or better materials)”.*
- 2.10 This is noted. However, no information has been provided as part of this Prior Approval application identifying that a suitable assessment of the existing external walls has been conducted to demonstrate that the existing external walls of the building shall adequately resist the spread of fire over the walls and from one building to another.
- 2.11 HSE highlights the requirements of building regulations relating to material change of use of a building, particularly the requirements relating to buildings becoming relevant buildings where previously they were not. It is understood that the proposed development, being the conversion of office space to dwellings, would be within the

definition of a material change of use. It will be for the applicant to demonstrate compliance with such requirements at subsequent regulatory stages.

- 2.12 The applicant is advised that any consequential alteration to the appearance of the building from remediation work will affect land use planning considerations and may require HSE consultation.

Design analysis

- 2.13 Page 3 of the revised fire statement identifies that mechanical smoke ventilation to the common corridors will be provided, and page 5 states that the covered car park will be provided with natural ventilation.
- 2.14 No supporting evidence has been provided as part of this planning application to confirm that design analysis supports the proposed design, including mechanical smoke ventilation, as presented to the LPA.
- 2.15 Where active performance-based solutions are proposed, fire engineering guidance requires a 'what if' study to assess the consequence of issues such as system failures.
- 2.16 It will be for the applicant to demonstrate that the means of escape is capable of being safely and effectively used at all material times, including during firefighting operations, and that an equivalent level of fire safety to that of code compliance is provided.

Open-plan flats

- 2.17 Page 2 of the revised fire statement identifies that open-plan apartments are proposed within the development. The floor plans also show open-plan apartments on each floor level.
- 2.18 It is noted that in some dwellings the cooking facilities are not located at the most remote point of the flats. No information has been provided that demonstrates that design analysis supports this design proposal, as presented to the LPA.
- 2.19 No information has been provided in the revised fire statement to confirm that accessible (M4(2) and M4(3)) accommodation is proposed. However, it should be noted that BS9991:2024 states: *"Open-plan flat layouts should not be provided for accommodation designed for occupants who require assistance to evacuate the flat"*.
- 2.20 Additionally, *"Open-plan flats that do not have protected corridors or hallways but have bedrooms that are inner rooms without having an alternative means of escape, and that are accessed directly from a lounge or similar type accommodation, should be fitted throughout with a Grade D, Category LD1 fire detection and fire alarm system in accordance with BS 5839-6:2019+A1, and a sprinkler system (see Clause 17)"*.
- 2.21 Open-plan flats should meet the following specific recommendations;
- "a) The size of the open-plan flat should not exceed 16 m × 12 m.
NOTE 1 - Open-plan flats larger than 16 m × 12 m are outside the scope of this British Standard.*
 - b) Open-plan flats should be situated on a single level only.
NOTE 2 - Single level flats exclude flats with galleries.*
 - c) The ceilings within the open-plan flat should have a height of not less than 2.25m.*

d) *Open-plan kitchens should meet the recommendations of BS991:2024 Clause 5.6*".

- 2.22 Design analysis should provide appropriate hazard assessment and tenability criteria, which include smoke levels, toxicity of smoke, heat production and human behaviours.
- 2.23 As part of the human behaviour analysis consideration should also be given to the occupancy characteristics of the resident/s including mobility impaired people, wheelchair users, people who are deaf or hard of hearing and blind or partially sighted people, as part of the analysis. The physiological and psychological effects of exposure to a fire environment must not adversely affect a person/s travel to a place of safety or that of ultimate safety.
- 2.24 If design changes are required comprising internal alterations only, these are unlikely to affect land use planning, in this instance, and it will be for the applicant to demonstrate compliance at later regulatory stages.

Building structure

- 2.25 Page 4 of the fire statement states: *"All elements of structure across the building will afford 60minutes fire resistance as applicable for buildings that are **less than 18m high**"*.
- 2.26 The existing building has a floor level over 18m in height. It is noted that fire safety standards indicate that fire resistance periods for elements of structure for buildings over 18m but less than 30m in height, is 60minutes (where sprinkler installations are proposed). It will be for the applicant to demonstrate the structural integrity of the building at later regulatory stages.

Electric Vehicles

- 2.27 The ground floor plan drawing shows 4no. electric vehicle parking spaces. However, no information has been provided in the revised fire statement that confirms that electric vehicle charging points are provided.
- 2.28 It is advisable to consider the risk to fire safety due to the presence of electric vehicles (EV) as they contain lithium-ion batteries. Lithium-ion batteries may suffer thermal runaway and cell rupture, releasing large quantities of toxic gases, heat, and smoke before catching fire, as well as post-ignition. When they burn, a large amount of water is required to flow on the batteries, however, fire keeps flaring up even after it appears to have been extinguished. Furthermore, there is a danger of electrical shock to firefighters whilst tackling a fire due to the high voltage used in EVs.
- 2.29 Any design changes may affect land use planning considerations relating to vehicle parking provision within the development. It will be for the applicant to demonstrate compliance at later regulatory stages.

Hydrant provision

- 2.30 Page 5 of the revised fire statement states: *"... an existing fire hydrant in Caversham Road just beyond the junction with Tudor Road. This fire hydrant is less than 40m from the building entrance and associated dry main inlet positions"*.

- 2.31 No information has been provided that confirms the existing hydrant facilities are functional/useable. Without confirmation that there is a suitable water supply and that the existing hydrants are useable, the development might be relying on a disused water main or faulty hydrant. Resolving this issue may affect land use planning considerations such as the landscaping around the development, should additional hydrant installations be required. It will be for the applicant to demonstrate compliance at later regulatory stages.

Means of escape – escape windows

- 2.32 Page 2 of the revised fire statement states: *“The two ground floor apartments will both be provided with an escape window direct to outside for secondary escape purposes should a fire event impede the main entrance”*.
- 2.33 This is noted. However, it should be considered that escape via a window would not be appropriate by people with mobility impairment.

Photovoltaic (PV) panels

- 2.34 It is noted that the proposed design includes the roof-top installation of PV panels. For information, it should be noted that fire safety standards require suitable support of cabling to avoid obstruction of escape routes and firefighting access due to the failure of fixings and consideration should be given to ensure that all power supplies, electrical wiring and control equipment is provided with appropriate levels of protection against fire. It will be for the applicant to demonstrate compliance at later regulatory stages.

Building Safety Regulator

- 2.35 HSE advises that all higher risk buildings are now required to be registered with the Building Safety Regulator (‘BSR’). Once the building has been registered, the BSR will invite accountable persons to submit a safety case for their buildings. [Applying to register a high-rise residential building - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/register-a-high-rise-residential-building)
- 2.36 It will be for the Accountable Person to submit a safety case to demonstrate how the building’s safety risks are managed. This would include the risks to the safety of people in or about a building arising from the spread of fire. .

Yours sincerely,

S Peacock

Sara Peacock
Fire Safety Information Assessor

Guidance on Planning Gateway One is available on the Planning Portal: [Planning and fire safety - Planning Portal](https://www.planningportal.co.uk/advice-and-guidance/development-types/buildings-and-structures/planning-gateways/gateway-one/).

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**