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March 2023

Sprinklers in care homes, removal of national classes, and staircases in residential buildings

Consultation response from The Housing Forum

Response submitted by:

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About The Housing Forum

The Housing Forum is the UK's cross-sector, industry-wide organisation that represents the entire housing supply chain. Our growing membership drawn from over 150 organisations across the public and private sectors and includes local authorities, housing associations, housebuilders, architects and manufacturers. All share our determination to drive quality in the design, construction and decarbonisation of UK homes. They have a commitment to partnership working and share in our vision of 'A Quality Home for All'.

In order to achieve this, we have advocate for policy change needed for everyone to live in a good quality, sustainable and affordable home.

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Introduction

We thank the government for the opportunity to respond to this consultation on building safety. Our focus is just on the second staircase element as this is the big concern to our members. As a membership body, we have consulted with our members and also held a Spotlight webinar on the issue of second staircases which was attended by over 200 people. This response draws together views from across the housing sector – including those of housebuilders, housing associations, the public sector, surveyors and architects.

We appreciate the ambition of the proposals for a second staircase in tall buildings, on the basis of calls from the National Fire Chiefs' Council (NFCC) relating to improving firefighting access in the event of voluntary self-evacuation.

We are aware that this issue is part of a wider drive to improve building safety and think it is important to note the how the industry – and many of our members in particular – have proactively responded to measures that DLUHC has taken over recent years to increase the safety of buildings. Many across the housing sector and been seeking to stay ahead of changes and many have taken a leading role with product manufacturers and consultants to contribute to the industry adapting to new requirements. The complete ban of combustible materials on facades and introduction of sprinklers has radically improved the safety of buildings. The Building Safety Act, golden thread and gateway controls, which many have adopted ahead of implementation, also greatly improve demonstration of building quality assurance and establish far more robust arrangements for building management.

Whilst some within the housing sector have taken the initiative ahead of government and elected to include secondary stairs some time ago, others – including many in the not for profit sector - have followed the rules in place at the time and prioritised keeping costs down and maximising housing capacity instead. The lack of transitional arrangements are causing significant problems for this group. We call on government to take a clearer lead on this issue, and others in building safety. Housebuilders, including not-for-profits, should not have to be gambling on what may be coming next.

We have three main concerns around the second staircase proposals relating to:

- Clarity over the **technical requirements** and purpose of second staircases
- Transitional arrangements
- The need for a **clear roadmap** that sets out how these proposals fit within other building safety changes, giving certainty and confidence in investing for the future.

We also feel that it vital that DLUHC and the wider industry is clear on the messaging on existing high rise blocks with a single staircase. We note that paragraph 53 of the consultation document states that these do not pose a life safety risk, but it is important to ensure that residents, potential buyers, mortgage lenders, and insurers do not interpret the requirement for a second staircase in new housing as a signal that older single-staircase blocks are inherently unsafe.

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Q19: Do you agree that Approved Document B should include a maximum threshold for the provision of a single staircase in residential buildings?

Agree

Question 20 – Do you agree with our proposed threshold of 30 metres+?

Agree

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Question 22 – What evidence do you have to support this threshold?

Taller buildings present greater difficulties for evacuating residents than shorter ones. There is no precise threshold beyond which these risks appear – but rather a pragmatic approach is needed to decide on the appropriate height of building above which a second staircase is judged to be a proportional requirement.

It is also important to remember that a second staircase is not the only fire safety measure that matters. Buildings of under 30m might want to include a second staircase, but alternatively might want to address fire safety by other means.

At The Housing Forum many of our members are involved in partnerships between local authorities, housing associations and housebuilders, often in complex arrangements involving Joint Venture and one party leasing a building or part of a building from others. Without clarity from government there are situations (already arising) when one partner feels that there is a need for a second staircase on buildings of 18+m, or fears that this may become mandatory in the near future, causing delays and renegotiations. We urge government to give clarity over the requirements for buildings of 18-30m in height both now and in the future.

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Question 23 – Do you agree that additional measure should be provided to ensure sufficient separation between staircases?

No answer

Question 24 – What additional measures should be provided to ensure the appropriate separation between staircases? Please provide any additional evidence to support your view

It is not possible to answer question 23 without greater clarity being provided by Government as to the purpose and proposed technical specifications of a second staircase. Grenfell has highlighted how critical it is to ensure buildings perform in accordance with design intent. It is important that we are able to keep building management as simple as possible. We anticipate a period of several months for revisions to Approved Document B, and BS9991 to be formalised. Early clarity around certain design principles is therefore required to enable industry to continue to invest and for the delivery of new homes in tall buildings not to be stalled completely. It is important to know:

- a) Whether a full second core is required, or whether this depends on circumstances? A second core would require additional lifts and fire mains, and so increase the space required by a factor of 2-3 times as much, with a

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significant impact on costs. However, a second staircase without a second core may offer less by way of increased safety.

- b) Whether the second staircase is proposed as an evacuation staircase (and if so, does this mean the 'stay put' advice is to change, or just a recognition that post-Grenfell it may not be followed)?. Or is intended for firefighter access? Or a reserve staircase in case one is filled with smoke?
- c) Whether second staircases are for regular usage by residents, or reserved only for firefighters?
- d) Whether disabled people requiring specialist equipment to evacuate would need to be able to use either staircase or just one of them?
- e) Confirmation of the 30m threshold
- f) The required minimum separation distance between staircases – a required minimum would increase the cost and space required for a second staircase.
- g) Any requirements for pressurisation or mechanical ventilation. The terms 'adequate separation' and 'adequate ventilation' need to be clearly defined, with respect to the intended purpose of the staircase. If naturally ventilated shafts are not judged sufficient this will have a significant impact on costs.
- h) Clarity over whether an outside (enclosed) staircase is a possibility.

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We call for a panel of industry stakeholders to include the DLUHC, GLA, BRAC, HBF, CIC, the fire brigade, warranty providers and architects to support the regulation drafting to agree the technical guidance within the shortest period of time possible.

Question 25 – Do you have a view on how long the transitional should be, and what evidence do you have to support your proposed transition?

The transitional arrangements need urgent clarification and should ensure that developments already with planning permission can proceed without amendment or modification. Putting out this major consultation on the last working day before Christmas and stating that the transition period will be "very short" has caused a lot of disruption to the housing sector, which seems disproportionate given that it is nearly six years since the Grenfell fire, and that existing tall buildings with single staircases are likely to continue to house residents for many decades.

At present we are aware of new housing developments which are stalling, or being turned down at late stages of planning consultation, causing delays of up to a year as they are redesigned, which typically takes several months and can take up to a year or more if new planning permission is required. In the current high inflationary environment delays lead to increased costs (in addition to the costs incurred by adding a second staircase), which threaten financial viability of many new developments.

It is critically important for both new housing output and the stability of the industry that DLUHC establishes clear transitional arrangements which enable industry to prepare to meet new requirements whilst preventing live schemes from stalling or not going ahead at all due to unviability. Delays and increased costs will lead to renegotiation of S106 agreements and a reduction in affordable housing, as well as

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an increase in local authority workload dealing with these negotiations and processing changes to planning applications.

The transitional arrangements should include:

- a) encouraging planning authorities to fully approve schemes that have successfully achieved resolution to grant prior to the commencement of the transition period
- b) instructing the Health and Safety Executive, London Fire Brigade and all other parties that may be engaged for building control approvals to accept pre-consultation arrangements for transitional schemes
- c) instructing affordable housing providers utilising Homes England or Greater London Authority grant to continue to invest in transitional schemes
- d) encouraging / enabling additional grant funding to be used to maintain the viability of schemes that have already been submitted for planning but are revised to accommodate second staircases
- e) confirming the 30m threshold and defining key technical assumptions and requirements in April this year so that the design of projects that have not already been submitted for planning are able to progress
- f) clarity over large sites where phased development and phased planning applications are in use.

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The overriding principle is that changes should be made to future projects, and not introduced in such a way as to cause major delays for existing housing designed under the existing regime.

If changes are required to projects which are already approved for funding under the Affordable Homes Programme then flexibility over deadlines will be required to ensure that these can go ahead. The timing is particularly problematic given the deadlines for the 2016-23 AHP.

Question 28 – Please provide any additional evidence on costs, risks and benefits which should be considered in an assessment of impacts in the following areas:

c) Residential Buildings above 30m in height being recommended to include 2 staircases

At The Housing Forum we support the requirement for a second staircase in building of over 30m in height coming into effect in a way that does not jeopardise existing construction projects.

There are, however, some ongoing costs and risks:

A second staircase takes up space, roughly equivalent to 1-3 rooms per storey (one room per storey if only the staircase is required; 2-3 rooms per story if a full second core is required). This will:

- reduce the amount of housing that can be built in a given block-size

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- increase the cost of development – our members have calculated the construction cost of between £18-22,000 per storey, and the total loss including the loss of saleable floor space to between £65,000 and upwards of £130,000 per storey depending on size of the staircase and location of the building and whether a full second core is required.
- reduce the cross-subsidy that is available for infrastructure, CIL or affordable housing.
- increase the carbon footprint of new housing
- cause new high-rise blocks to become wider in order to accommodate the second staircase. This will reduce daylight into lower floor levels and at street level, affecting commercial usage on the ground floor.

There will be an increase service charges to cover the ongoing maintenance of the second stairwell, which will impact hardest on low income people including social housing tenants. Increased service charges also reduce the market value of flats for sale, so have a further knock-on impact on scheme viability and S106 potential. We do not think there is much opportunity for a second staircase to create useful additional communal space or utility value for residents because most people in tall buildings would use the lift rather than either staircase on a regular basis.

The design potential of flats built around a dual-staircase building is more limited. It is difficult to build flats with a dual aspect, meaning that flats will have less sunlight and be more in need of heating and cooling.

We note that one of the intended benefits is an increase to wellbeing if people feel safer as a result of this improvement in building safety. Whilst this may be true of those moving into the newer blocks, the government and wider housing sector (including the fire brigade) need to be careful about the messaging on second staircases in existing housing. There is no plan to require second staircases to be retrofitted, nor for these to be demolished and rebuilt, so many people will go on living in such blocks. There is a clear risk of detriment to their wellbeing if they become worried that they are unsafe. These risks would be compounded if mortgage lenders or insurance providers become wary of single-staircase buildings. There is also a risk that an increased focus and increased costs of newbuild will take focus and money away from retrofitting, which could have a detrimental effect on both the safety and carbon emissions of poorer quality older housing stock.

These potential risks and negative consequences can be mitigated by ensuring greater clarity over timelines. We would like to see a roadmap to set out the changes that are being made to building safety, with clarity over timelines and transitional arrangements. Additional funding for affordable housing would help to mitigate the likely impact on reductions in affordable housing via S106 renegotiations. A proactive lead from government towards identifying new land for housing would help mitigate the reduction on housing capacity within high-rise blocks which will occur in order to make space for second staircases.

Question 29 - Are you aware of any particular equalities impacts for these proposals? How could any adverse impact be reduced and are there any ways we could better advance equality of opportunity or foster good relations

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**between people who share a protected characteristic and those who do not?
Please provide evidence to support your response.**

There is a potential benefit to disabled people who may be less able to evacuate a building quickly in the event of a fire. A second staircase gives more potential for specialist equipment needed, which should help reduce this inequality, though this depends on the technical details of the second staircase, the purpose of it, fire brigade advice around staying put, and the provision of specialist equipment.

There are potential negative impacts on young people who are most disadvantaged by the housing shortage as a second staircase requirement will reduce overall housing supply, unless other measures are taken to increase supply (eg by building higher, or in more areas). It is also likely that the added cost of a second staircase (especially on sites purchased by developers before the requirement for a second staircase was announced) will lead to viability challenges – this is likely to reduce the amount of affordable housing built, which will negatively impact on those on the lowest incomes and most likely to be reliant on social housing (young people, women, families with children, disabled people and most BME groups).

These can be reduced by ensuring clear roadmap to achieving the new higher standards of building safety which look at building safety in the round with clarity over timelines, and also by other government policies to support housebuilding and fund affordable housing across the country.

Question 30 – Are you aware of any particular environmental impacts for these proposals? How could any adverse impact be reduced and are there any opportunities to advance positive environmental impacts? Please provide evidence to support your response.

A second staircase takes up space – roughly equivalent to 1-3 rooms per storey. If this is to be added without reducing overall housing space, it will mean:

- Taller and/or wider buildings, reducing daylight at street level
- Additional carbon emissions associated with the additional construction materials and construction process.

These impacts can be reduced and mitigated by ensuring a clear roadmap to achieving the new higher standards of building safety with clarity over timelines.

Conclusion

We support the move to require second staircases on buildings of over 30m, as part of a wider reform of building safety.

We urge the government to provide clarity around technical requirements, transitional arrangements and a clearer roadmap of building safety changes, in order to provide leadership to the sector and enable the industry to plan for the future.

We look forward to working with Government at The Housing Forum to help take forward the ambition of 300,000 new homes a year, and work towards our ambition of a **Quality Home for All**.

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