



An
Bord
Pleanála

Board Direction
BD-001510-18
ABP-301398-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 4th of September 2018.

The Board decided to allow the appeal, generally in accordance with the Inspector's recommendation, and to direct the Building Control Authority as follows:

- Remove Condition numbers 1 and 4
- Amend Condition numbers 2 and 3 as follows:

Condition 2

In the event of design changes to the building requiring a revised Fire Safety Certificate, the smoke control strategy and design shall be reassessed if necessary to ensure that tenable conditions are still maintained on the atrium balconies.

Reason: To ensure compliance with Part B of the Second Schedule to the Building Regulations 1997-2017.

Condition 3

A total of 118m² of openable ventilation should be provided to the lower ground floor, of which 82m² may be via permanently open voids linking the circulation corridors to the ground floor above. The remaining openable vents may be via knock out pavement lights to external and be dispersed so that each room between gridlines 5-8 are provided with ventilation.

Reason: To ensure compliance with Part B of the Second Schedule to the Building Regulations 1997-2017.

Reasons and Considerations

Having regard to the proposed form, use and layout of the building, to the submissions lodged in connection with the Fire Safety Certificate application and the appeal, the use of the provisions of BS9999 as a basis for design and to achieve compliance with the functional requirements of Part B of the Building Regulations and to the report and recommendation of the reporting Inspector, it is considered that subject to the removal of condition number 1 and 4, the attachment of the amended condition numbers 2 and 3 as set out above and to consequent renumbering of the remaining conditions of the fire safety certificate that the proposed works and use would achieve an adequate level of fire safety that would comply with the requirements of Part B (Fire Safety) of the Second Schedule of the Building Regulations 1997 to 2017.

Board Member

Date: 01/11/2018

Michelle Fagan