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Bord  
Pleanála

**Board Direction**  
**BD-004959-20**  
**ABP-305314-19**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 15<sup>th</sup> January 2019.

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

- **AMEND Condition No.3 and UPHOLD condition No.4** as follows

#### **Reasons and Considerations**

In arriving at its decision, the Board had regard to the Fire Safety Certificate application and details that formed part of the application, the subsequent submissions made in connection with the appeal and the reporting inspector's report and recommendation.

It is considered with the amendment of Condition No.3 whereby the entrance door to Unit No.9 should be revised to ensure the travel distance complies with Figure 10(a) of BS 9991:2015 is warranted to demonstrate compliance with Part B1 (Means of Escape) of the Second Schedule to the Building Regulations 1997-2019.

Condition No.4 should be upheld requiring occupants of the open plan residential units to be capable of independent evacuation in the event of an emergency evacuation where no sprinkler system is provided which would in turn demonstrate compliance with Part B1 (Means of Escape) of the Second Schedule to the Building Regulations 1997-2019.

**Amended Condition 3:**

All studio apartments are required to fully comply with the requirements of Figure 10(a) of BS 9991: 2015. In particular, the entrance door to Unit 9 should be revised to ensure full compliance with Figure 10(a) of BS 9991: 2015:

**Reason:** To demonstrate compliance with Part B1 (Means of Escape) of the Second Schedule to the Building Regulations 1997-2019.

**Condition No.4**

The occupants of the open plan residential units shall be capable of independent evacuation in the event of an emergency evacuation:

**Reason:** Section 9.7 “Open-plan flat design” of BS 9991: 2015 states that “open-plan flats should not be provided for accommodation where the occupants are not capable of independent evacuation.

**Board Member****Date:** 20/01/2020

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Stephen Bohan