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**Board Direction**  
**BD-011265-22**  
**ABP-311827-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22/07/2022, where it was decided to defer consideration of the case and to issue a notice under Article 32 of the Building Control Regulations 1997, as amended, and again at a meeting held on 14/09/22 where the submitted responses to the Article 32 notice together with submissions on this file and the Inspector's report were considered.

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 No. 5
- Replace Condition No. 6 as follows:

#### **Condition 6**

All new elements of structure and compartmentation (walls and floors) shall be a minimum of 120 minutes fire resisting construction (load bearing capacity, integrity and insulation) in accordance with Section 3.5.3 of the Technical Guidance Document B and Clause 14.4 of BS 5588 : Part 10.

#### **Reason**

To comply with Part B of the Second Schedule to the Building Regulations, 1997 to 2019.

#### **Reasons and Considerations**

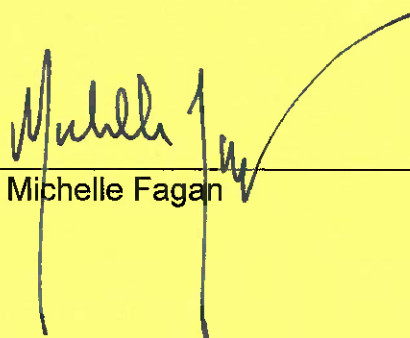
Having regard to the location of the existing fire hose reels, where there is a single fire hose reel adjacent to the lift shaft on each level of the shopping centre, where

fire hose reels are not provided within the existing shop units, and where the subject shop unit is proposed to be fully protected by means of sprinklers, it is considered that this would be in accordance with the existing fire strategy for the building, and would achieve an adequate level of fire safety and would comply with Part B of the Second Schedule of the Building Regulations 1997 to 2019.

The Board was not satisfied that the case for reducing the fire resisting construction for the new elements of structure and compartmentation to less than 120 minutes had been justified, and considered an amended condition to be warranted.

Therefore, it was considered that subject to the removal of Condition Number 5, and the amendment of Condition Number 6 as set out above, that the proposed works would achieve an adequate level of fire safety and would comply with Part B of the Second Schedule of the Building Regulations 1997 to 2019.

**Board Member**



Michelle Fagan

**Date:** 14/09/2022