An Bord Pleanála

Board Direction
BD-018896-25
ABP-317600-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/02/2025.

The Board decided to treat this case under Article 40 of the Building Control Regulations 1997, as amended. The Board also decided, based on the Reasons and Considerations set out below that the Building Control Authority be directed as follows:

Amend Condition 4 and 11 to read as follows:

Condition No. 4

The atrium enclosure shall have a minimum period of fire resistance of 60 minutes (integrity and insulation and where applicable, load-bearing capacity) with the exception of fixed-shut glazing systems, which shall have a minimum period of fire resistance of 60 minutes (integrity only). This exception does not extend to glazing of the type referred to as "modified toughened".

Reason: To comply with Part B of the Second Schedule to the Building Regulations 1997 as amended.

Condition 11

Fire Hazard Rooms as defined in Appendix A of HTM 05-02:2015 shall be enclosed in not less than 30 minutes fire-resisting construction complete with FD30S fire door-sets.

Reason: To comply with Part B of the Second Schedule to the Building Regulations 1997 as amended.

Attach Condition 19 and 24

and

Remove Condition 10, 25, 27

Reasons and Considerations

Having regard to the presented design of the extension and material alteration to a previously approved new hospital building and the accompanying technical compliance report, to the submissions made in connection with the Revised Fire Safety Certificate application and the appeal, and to the report and recommendation of the reporting Inspector, the Board concluded as follows:

(a) with respect to condition number 4, it is considered that, by reference to the appellant's bespoke fire engineering design calculations, fire-resisting (integrity only) glazing to the upper levels of the atrium is sufficient in this case and accordingly, the Board was satisfied that the Building Control Authority be, therefore, directed to amend condition number 4 and the reason therefor,

(b) with respect to condition number 11, the Board was not satisfied that it has been adequately demonstrated by the first party/appellant in the Revised Fire Safety Certificate application and appeal documentation that the fire-resisting enclosure to fire hazard rooms could be omitted and accordingly concluded that the Building Control Authority be directed to amend condition number 11 and the reason therefor,

(c) with respect to condition number 19, the Board concluded that the external plant rooms at grid lines R-S/14-17 accommodating two number transformer rooms, an MV switch-room and a Medical Gas Plant, and at gridlines F-G/15-17 accommodating two number transformer rooms, and an MV switch-room, all communicate with the main St. Vincent's University Campus and was,

therefore, satisfied that the Building Control Authority be directed to attach condition number 19 and the reason therefor,

(d) with respect to condition number 24, the Board concluded that it has not been demonstrated by the first party/appellant in the Revised Fire Safety Certificate application and appeal documentation that the fire-fighting shaft, including stair core 1, meets the requirements of HTM 05-02:2015. The Board was satisfied that it would be appropriate to attach condition number 24 and the reason therefor and, therefore, to direct the Building Control Authority to attach condition number 24,

(e) with respect to condition number 10, the Board was satisfied that it has been demonstrated by the first party appellant in the fire safety application and appeal that the fire-resisting enclosure proposed to protect dead-end corridors meets the requirements of HTM 05-02:2015. Therefore, condition number 10 as originally attached by the Building Control Authority to the Revised Fire Safety Certificate is not necessary to meet the guidance set out in HTM 05-02:2015 or accordingly to demonstrate compliance with Part B1 of the Second Schedule to the Building Regulations 1997, as amended, and, therefore, the Board considered it appropriate to direct the Building Control Authority to remove condition number 10,

(f) with respect to condition number 25, the Board was satisfied that it has been demonstrated by the first party appellant in the fire safety application and appeal that the level of risk to fire-fighting personnel arising from their use of the fire-fighting shaft (core 1) as proposed to be designed is commensurate with equivalent level of risk arising from design in accordance with HTM 05-02:2015 guidance and, therefore, considered it appropriate to direct the Building Control Authority to remove condition number 25, and

(g) with respect to condition number 27, the Board was satisfied that it has been demonstrated by the first party appellant in the fire safety application and appeal that the additional FD60S door-set is not required to meet the guidance contained in HTM 05-02:2015 or accordingly to demonstrate

compliance with Part B5 of the Second Schedule to the Building Regulations 1997, as amended, and, therefore, considered it appropriate to direct the Building Control Authority to remove condition number 27.

The Board was further satisfied that, subject to conditions, including the amended conditions numbers 4 and 11, attached conditions numbers 19 and 14 and removal of conditions numbers 10, 25 and 27, it has been demonstrated that the subject works, if constructed in accordance with the design presented with the application and appeal, would comply with the requirements of Part B of the Second Schedule to the Building Regulations 1997, as amended.

Board Member: Patricia Calleary **Date:** 12/02/2025

Patricia Calleary