



An  
Bord  
Pleanála

**Board Direction  
29B.FS0560**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 11<sup>th</sup> January 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 1 and attach 5 new conditions:

**Condition 1**

The occupancy of the first floor be limited to 518, the ground floor 743 and the smoking terrace 330.

**Reason** To comply with Part B1 of the second schedule to the Building Regulations, 1997 to 2014.

**Condition 2**

The 955mm door from the smoking area into the entrance area be reversed to open in the direction of escape and signed as an exit. The door be either free from fastenings or fitted with panic bolts complying with I.S. EN 1125 2008.

**Reason** To comply with Part B1 of the second schedule to the Building Regulations, 1997 to 2014.

**Condition 3**

The doors between the smoking area and the nightclub are upgraded to FD30s fire resisting door-sets. These doors can be held open with electromagnetic devices to release in the event of a fire.

**Reason** To comply with Part B1 of the second schedule to the Building Regulations, 1997 to 2014.

**Condition 4**

Fire alarm sounders be provided in the smoking terrace linked to the fire detection and alarm system in the nightclub.

**Reason** To comply with Part B1 of the second schedule to the Building Regulations, 1997 to 2014.

**Condition 5**

Emergency lighting will be provided to IS 3217: 2013 and I.S. EN 1838: 2013 to adequately indicate and illuminate all escape routes within and from the smoking area.

**Reason** To comply with Part B1 of the second schedule to the Building Regulations, 1997 to 2014.

**Reasons and Considerations:**

Having regard to the proposed use, form and layout of the building, to the submissions lodged in connection with the Revised Fire Safety Certificate application and the appeal and to the report and recommendation of the reporting Inspector, it is considered that subject to the removal of condition 1 and attachment of 5 no. replacement conditions as set out above and the renumbering of the remaining 3 no. conditions (not subject of the appeal) that the proposed works and use would achieve an adequate level of fire safety that would comply with the requirements of Part B1 (Means of Escape in case of Fire) of the Second Schedule of the Building Regulations 1997 to 2017.

**Board Member**

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 Paul Hyde

**Date:** 11<sup>th</sup> January 2018