



An
Bord
Pleanála

Board Direction
29B.FS0573

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

The Board decided to **refuse the appeal**, for the following reasons and considerations.

Reasons and Considerations:

In the circumstances of this application, it is considered that the approach followed by the Building Control Authority in limiting the occupation of bedrooms by condition is both reasonable and appropriate and is justifiable in relation to satisfying the requirements of the Part B1 of the Second Schedule of the Building Regulations 1997 – 2017. In this regard the Board noted that Table 1.1 of Technical Guidance Document B envisages either a bedroom occupancy load factor of 8.0, or alternatively the 'number of bed spaces provided'. The Board considered it appropriate for the Building Control Authority to scrutinise the number of bed spaces applied for and to limit this where necessary in the interests of fire safety. Recourse to the content of the Housing Act 1966 and to the relevant housing guidance from other jurisdictions was considered a reasonable approach to guiding the assessment of what is an acceptable number of bed spaces, in the absence of specific limits within TGD-B.

In deciding not to accept the Inspector's recommendation to allow the appeal, the Board agreed with the Building Control Authority that the room configuration and room occupancy levels applied for in this case would not provide an acceptable situation in terms of compliance with Part B1 of the Second Schedule of the Building Regulations 1997 – 2017.

Board Member

Date: 4th September 2018

Conall Boland