



Building Control Acts 1990 to 2014

Building Control Authority: Galway City Council

Building Control Authority Register Reference Number: FS 161/19

Appeal by Bonham Dock Limited care of Ryan and Associates of 50 Lower Salthill, Galway in relation to the decision made on the 28th day of January, 2020 by Galway City Council to grant, subject to conditions, a revised fire safety certificate under section 6 (2)(a)(vi) of the Building Control Act, 1990, as amended by section 5 of the Building Control Act 2007, in respect of material alterations to the existing details of Fire Safety Certificate number 14/19 at Bonham Dock, Dock Road, Galway in accordance with plans and particulars lodged with the Building Control Authority:

WHEREAS the said appeal relates to conditions numbers 1 and 2 attached to the decision of the Building Control Authority:

AND WHEREAS An Bord Pleanála is satisfied, having regard to the nature of the conditions, that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 7 of the Building Control Act, 1990, as amended by section 6 of the Building Control Act 2007, and by Article 40 (2) of the Building Control Regulations, 1997, and based on the Reasons and Considerations set out below, hereby directs the Building Control Authority to amend conditions numbers 1 and 2 so that they shall be as follows for the reasons set out:

1. The fire-fighting shaft shall be configured in accordance with the principles contained in Figure 21(a) of BS 9999:2017, including specifically the provision of a direct connection between the fire-fighting stairway and the fire-fighting lift, and the removal of any direct connection between the foyer/reception and the passageway from the fire-fighting stairway.

Reason: To demonstrate compliance with Part B1 (Means of Escape) to the Second Schedule to the Building Regulations 1997-2020.

2. All external-escape stairs and external-disabled refuges shall be provided throughout with weather protection.

Reason: To demonstrate compliance with Part B1 (Means of Escape) to the Second Schedule to the Building Regulations 1997-2020.

Reasons and Considerations

Having regard to the ground-floor layout, whereby the foyer/reception area connects directly with the fire-fighting stairway and the fire-fighting lift lobby, and as the fire-fighting lift can only be accessed via the reception/foyer area, the attachment of an amended condition number 1, requiring the reconfiguration of the fire-fighting shaft so as to demonstrate compliance with Part B1 of the second schedule to the current Building Regulations, is considered reasonable.

It is further considered reasonable to require the external-escape stairs, including their disabled refuges, to be protected against the weather elements as reflected in the amended condition number 2, in order to demonstrate compliance with Part B1 of the second schedule to the current Building Regulations.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Building Control Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Paul Hyde

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2020.