



An
Bord
Pleanála

Board Order 29B.FS.0563

Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council

Building Control Authority Register Reference Number: FA/16/1263

Appeal by National Paediatric Hospital Development Board care of Michael Slattery Associates of 19 Windsor Place, Lower Pembroke Street, Dublin in relation to the decision made on the 2nd day of May, 2017 by Dublin City Council to grant subject to conditions a fire safety certificate under section 6 (2)(a)(ii) of the Building Control Act, 1990, as amended by section 5(a) of the Building Control Act 2007 in respect of a new National Paediatric Hospital at James's Street, Dublin in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates only to conditions numbers 1, 2 and 3 attached to the decision of the Council:

AND WHEREAS An Bord Pleanála is satisfied, having regard to the nature of the said 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 and by Article 40 (2) of the Building Control Regulations, 1997, and based on the reasons and considerations set out below, hereby directs the said authority to delete the said conditions numbers 1 and 3 and the reasons therefor, to attach condition number 2 and the reason therefor and to attach new conditions numbers 1 and 3 so that they shall be as follows for the reasons set out:

1. In the event of design changes to the atrium, a revised Fire Safety Certificate application shall be required and shall include a reassessment of the atrium smoke venting CFD modelling.

Reason: To ensure compliance with Part B (Fire Safety) of the Second Schedule to the Building Regulations 1997 to 2017.

3. Christmas trees on the base of the atrium are limited to artificial type with fire retardant properties and a maximum height of 2.5 metres.

Reason: To ensure compliance with Part B (Fire Safety) of the Second Schedule to the Building Regulations 1997 to 2017.

Reasons and Considerations

Having regard to the type of use, height, scale, form and layout of the hospital building and the submissions made in connection with the Fire Safety Certificate application and the appeal, it is considered that, subject to the attachment of condition number 2, the deletion of conditions numbers 1 and 3, and to the attachment of two number revised conditions, together with condition number 4 of the Building Control Authority, the proposed works would achieve an adequate level of fire safety that would comply with the requirements of Part B (Fire Safety) of the Second Schedule of the Building Regulations 1997 to 2017.

In deciding not to accept the Inspector's recommendation to delete condition number 2, the Board concurred with the Building Control Authority that in this specific instance, given the nature, height, scale, form and layout of the Hospital that the installation of life-safety sprinklers throughout the building would:

- limit the size of the fire,
- control fire spread,
- provide additional time to escape,
- limit fire damage, and
- be beneficial in terms of operational continuity,

and would, therefore, ensure that the Hospital achieves an adequate level of fire safety that would comply with the requirements of Part B (Fire Safety) of the Second Schedule of the Building Regulations 1997 to 2017.

