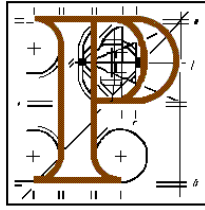


# An Bord Pleanála



BUILDING CONTROL ACTS, 1990 TO 2014

**Galway County**

**Building Control Authority Register Reference Number: FS 52/15**

An Bord Pleanála Reference Number: 07.FV.0008

**APPEAL** by Baswal Limited care of Jeremy Gardner Associates of Office 3, Monterey Court, Salthill, Galway in relation to the decision made on the 26<sup>th</sup> day of June, 2015 by Galway County 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 the said revised fire safety certificate where it is proposed “ not to construct an extension to the function room at upper ground floor. Not to construct an external escape stair from 1<sup>st</sup> floor level and that the 1<sup>st</sup> floor level remains vacant and to omit the requirement for a fire door at the dumb-waiter and for fire rated glazing below the balcony at the Pavillion Building, Glenlo Abbey Hotel, Kentfield, Bushypark, Galway” in accordance with plans and particulars lodged with the said authority:

**WHEREAS** the said appeal relates only to conditions numbers 1 and 4 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, 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 said authority to amend the said conditions numbers 1 and 4 so that they shall be as follows for the reasons set out:

1. The windows adjacent to and underneath the two balcony escape routes serving the front of the building shall comply with Diagram 8 – External Escape Stairways (1.3.9) of Technical Guidance Document B. They shall be 30 minutes fire resisting and fixed shut within 1.8 metres of the external escape route.

**or**

A smoke channelling screen or equivalent shall be provided along the full width of the underside of the balcony in line with the wall separating the reception and reception/meeting room. The construction and size of the channelling screen shall be designed in accordance with BR368.

**Reason:** In order to comply with Part B1 (Means of Escape in Case of Fire) of the Second Schedule to the Building Regulations 1997 to 2014.

4. The exit from the upper ground floor kitchen into the adjoining stair shall be a designated fire exit.

**Reason:** In order to comply with Part B1 of the Second Schedule to the Building Regulations 1997 to 2014.

## **REASONS AND CONSIDERATIONS**

Having regard to the form and layout of the building and the provisions of Technical Guidance Document B, it is considered that the arrangements and works the subject of the revised Fire Safety Certificate would, subject to compliance with the conditions set out, including revised conditions number 1 and number 4 as set out above, provide satisfactory means of escape in the case of fire and would meet the requirements for compliance with Part B1 (Means of Escape in Case of Fire) of the Second Schedule to the Building Regulations 1997 to 2014.

## **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.

---

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

**Dated this            day of            2016.**