

**REPORT TO AN BORD PLEANÁLA**

**ON**

**APPEAL AGAINST CONDITION ON A FIRE SAFETY CERTIFICATE**

**ISSUED BY DUBLIN CITY COUNCIL**

**FOR**

**CHANGE OF USE/EXTENSION TO ARMOURY BUILDING AND 24-28 ANGLESEA STREET,  
DUBLIN 2**

Client: An Bord Pleanála  
An Bord Pleanála Ref: ABP-301494-18  
Our Ref: CTA 1836  
Date: Aug 2018

## 1.0 BACKGROUND

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This Report sets out my findings and recommendations on the appeal submitted by Maurice Johnson and Partners (MJP) on behalf of Euronext/Irish Stock Exchange against Condition No. 11 on a granted Fire Safety Certificate (Register Ref. No: FA/16/1446, FSC1754/18) dated 21<sup>st</sup> March 2018, issued by Dublin City Council (DCC) in respect of an application for *Material change of use/extension to a building: new four storey over basement level extension of the Armoury located to the rear (North) of the building linked to ground first and second floor levels of 24-28 Anglesea Street by three story over basement link building with rooftop amenity terrace. The existing Armoury Building was a museum and its use is being changed to office.*

### **Condition 11:**

*The dry riser inlet at Foster Place shall be provided outside the building, at a position clearly visible to any fire appliance. In addition, the route of access from Foster Place to Stair 2 shall be separated from meeting Room G-031 by means of protected corridors.*

**Reason:** *To ensure compliance with Part B5 of the Second Schedule to the Building Regulations 1997 - 2017.*

Having considered the drawings, details and submissions on the file I am satisfied that the determination by the Board of this application as if it had been made to it in the first instance would not be warranted, as no significant matters have been noted other than the subject matter of the appeal. Accordingly, I consider that it would be appropriate to use the provisions of article 40(2) of the Building Control Regulations, 1997 in this case.

## 1.1 SUBJECT MATTER OF THE APPEAL

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- The application for a Fire Safety Certificate was lodged by MJP on 30<sup>th</sup> August 2016.
- The Fire Safety Certificate, with eleven conditions, was issued by DCC, dated 21<sup>st</sup> March 2018.
- An appeal against Condition No. 11 was submitted by MJP, dated 20<sup>th</sup> April 2018.

## 1.2 DOCUMENTS REVIEWED

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- Application for Fire Safety Certificate lodged by CA on 27<sup>th</sup> June 2017, with Compliance Report and Drawings
- Revised information submitted by MJP to DCC on 1<sup>st</sup> November 2017
- Email string 11<sup>th</sup> January 2018 from MJP to DCC.

- Revised information submitted by MJP to DCC 14<sup>th</sup> February 2018, with attached report from David Slattery, Conservation Architect.
- Appeal submission by MJP to An Bord Pleanala on 20<sup>th</sup> April 2018
- Submission to An Bord Pleanala by DCC dated 17<sup>th</sup> May 2018, with fire officers report
- Observations submitted by MJP to An Bord Pleanala 13<sup>th</sup> June 2018

## 2.0 FINDINGS

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### **The case made by the building control authority is summarised as follows:**

- The basis for compliance as set out by the applicant was Technical Guidance Document B, 2006 (TGDB). Condition 11 was appended to the fire safety certificate to ensure design compliance with TGDB, which provides prima facie evidence of compliance with Part B of the building regulations.
- Part B5 of TGDB provides guidance in relation to the provision and installation of fixed fire fighting apparatus, and the dry riser in this case was required to compensate for insufficient perimeter access afforded to the development.
- Section 5.1.5 of TGDB states *“the design and construction of internal fire mains should be in accordance with...BS5306: Part 1: 1988 (excluding Clause 6)”* (BS5306)
- Section 5.2.2 of TGDB states *“in the case of a building with a dry internal fire main, access to a pump appliance should be provided to within 18m and within sight of the inlet connection point”*.
- BS5306 states that *“buildings fitted with dry rising mains .... should have access roads for fire appliances to within 18m of the inlet connection, within sight of them and with unrestricted access thereto”*.
- BS9990: 2015 (which supersedes BS5306) (in Section 4.2.2) states *“ inlet connections for a fire main should be installed in an external wall or in a boundary wall of a building as close as possible to the position of the main which they serve, ideally on the exterior face of the fire fighting shaft and adjacent to the access point. Any run of connecting pipe between the inlet and the vertical run of the main should be kept to a minimum and should be given a fall towards the drain valve”*.

- It is clear that all relevant fire codes require that the inlet point for a fire main should be on the exterior wall of the building that the main serves, and is within sight of the relevant fire appliance. The proposed position of the dry riser inlet is neither on the exterior wall to the building nor could it be within sight of any pumping appliance that accesses the elevation from Foster Place.
- The relevant design code for firefighting access to buildings is BS5588-5: 2004. 7.1.3 of the code states that “ *the route from the fire service entrances to the fire-fighting shaft should be as short as possible and should be protected by fire-resisting construction to ensure that fire does not affect the route or cut off the means of escape for fire service or other personnel within the building*”. The requirement under Condition 11 to separate the route from Foster Place to Stair 2 by means of a protected corridor through Meeting Room G-031 was attached in order to remedy the omission of the above provisions from the design of the building.

**The case made by the Appellant is summarised as follows:**

- Condition No. 11 is in excess of the code requirements.
- It is disagreed that there is insufficient perimeter access to the building. The existing building on Anglesea Street and the proposed extension together will have an overall volume in the range 7,000 – 28,000cum, with a building height over 10m. As per Table 5.1 of TGDB, a high reach appliance should have 50% of the perimeter of the building, which is available at Foster Place and Anglesea Street.
- The building is under 20m in height so, as per 5.1.2 of TGDB, no dry riser is required.
- Notwithstanding the above, the designers took on board fire officer comments to investigate the possibility of installing a dry riser in Staircore 2; this was proposed as an additional measure, with an external inlet point to the dry riser at the Fleet Street entrance to Stair 2 and one inside the Foster Place entry point to the building (adjacent to Stair 4).
- While noting the recommendations of 5.2.2 of TGDB, of BS5306-1 and 4.2.2 of BS9990: 2015 (referenced by DCC in their submission), this should be considered in the context of the assertion

that the provision of a dry riser is in excess of the recommendations of the above codes, and the conservation considerations which apply to the Armoury Building.

- The above arguments were outlined in the MJP additional information submission letter of 14-02-2018., which noted the following:
  - The emphatic advice of the Conservation Architect was that an externally accessed inlet could not be provided due to the conservation considerations (supported by letter from David Slattery, Conservation Architect)
  - The second inlet will be located 1.5m inside the entrance lobby, which is the main entry point to the building, alongside the fire alarm panel. As a fire service vehicle can approach to within a short distance of the entry doorway (considerably less than 18m away), the pump operator will be close enough to verbally communicate with the personnel connecting the fire hose to the inlet.
  - In terms of access to Stair 2 through Meeting Room G-031, if there is a fire in that room, it can be dealt with without a need to access the dry riser.
  - The proposed dry riser will be in order to aid fire fighter access from Parliament Row
  - The proposal to enclose the Meeting Room in 30 minutes fire resisting construction is considered a reasonable alternative to providing a protected corridor through it between the entrance and Stairway 2.

### **3.0 CONSIDERATIONS:**

Condition 11 in effect has two separate parts, one part addressing the location of a proposed dry riser inlet internally in the building (rather than on the external façade), and one addressing fire protection to the route from the Foster Place main entrance to Stairway 2 (passing through Meeting Room G-031).

Based on compliance with the recommendations of TGDB, the height of the building (<20m) does not require a dry riser to be installed. Nonetheless, DCC considers that one is needed to compensate for insufficient perimeter access afforded to the development. However, it is noted that the required 50% access (from Table 5.1 of TGDB) is provided at the Anglesea Street and Foster Place facades, with limited access also available at Parliament Row.

It is noted that Anglesea Street at about 8m total is narrower than the ideal overall high-reach vehicle operating width (10m) for a new building as per Diagram 32 of TGDB, but does have adequate width for the vehicle itself. However, the altered building is mainly within the footprint of existing buildings on existing city-centre streets, including Anglesea Street.

If TGDB recommendations directly indicated that a dry riser was needed (due to building height), then it may be considered reasonable to apply, as far as is reasonably practicable, the requirement that the inlet be external to the building. Where it is provided as an enhancement in order to address other concerns (such as perimeter access for fire service vehicles), then it can be reasonable to provide a 'hybrid' solution.

In this case, conservation considerations are also applicable, and the relevant professional advice in that regard is that an external inlet on such a historic building would not be considered appropriate or acceptable. While conservation concerns per se should not over-ride basic fire safety requirements, it is reasonable to consider them.

In this case, a dry riser is proposed in Stair 2, with an external inlet at the Parliament Row entry to the stairway, which would satisfy the relevant code recommendations. It is also proposed to provide an additional inlet to the same dry riser, but located internally at the Foster Place entrance. A second inlet is sometimes provided where the stairway does not have an external wall, which Stair 2 does, so it is presumed the fire service requested a second inlet, possibly as the Foster Place entrance is the main one to the building, and the one most likely to be approached by the fire service. The Parliament Row access point (entrance to Stair 2) appears to provide more restricted vehicle access. Nonetheless, it appears agreed between DCC and MJP that the dry riser will be located in Stair 2, and there is a direct (code-compliant) external inlet proposed at that stairway.

The second proposed dry riser inlet is in effect located within the Stairway 4 enclosure (but serves the Stair 2 enclosure). In terms of operating the water supply to the inlet, the fire service will normally locate an officer at the entrance door of the building, who will be in radio or visual/verbal contact between the entrance lobby and the pump operator. It is considered reasonable in this case to assume that the officer will be able to communicate with the pump operator with respect to the connection of the fire hose from the pump to the dry riser inlet, and that this can be effectively done whether the inlet, in this case, is just outside or just inside the entrance door.

There is potential for confusion regarding the fact the inlet is within Stair 4 while the upper floor landing valves are within Stair 2. Clear visual notification/plans should be provided at the inlet location to provide sufficient information for the fire service as to the identification and location of the stairway that the inlet serves (this issue arises regardless of whether the inlet is located inside or outside the building).

The condition requires the provision of a protected route between Stair 4 and Stair 2, through the ground floor Meeting Room. BS5588: 5 recommends a protected route from the access point to a firefighting stairway enclosure (which Stair 2 is not), but is not a requirement per se in respect of other stairways. On that basis, a protected route to Stair 2 is not considered essential in this case. In any event, there is direct access to Stair 2 (and the landing valves at other levels) from Parliament Row.

The meeting room is enclosed in fire resisting construction. In the event of a fire in that room, the fire service can fight the fire at that level and it is unlikely that they will seek to gain access through it to reach Stair 2 (to also deal with a fire at another level) and, in any case, there is alternative direct access to Stair 2. In the event of a fire at another level, the fire service can gain direct access to Stair 2 from outside, as well as access from the main entrance through the meeting room to Stair 2.

### **3.1 CONCLUSIONS:**

From the above, it is considered that the provision of a second dry riser inlet located in the main entrance lobby at Stair 4 is reasonable, taking account of the fact that there is another external dry riser inlet to the same internal fire main (located outside the street entrance to Stair 2), there is reasonable fire service vehicle access to the building, and the height of the building does not give rise to a recommendation from TGDB to provide an internal fire main. It is also considered reasonable, in the above circumstances, to take account of the conservation restrictions when considering what is acceptable in this case.

It is also considered reasonable, in terms of potential risk to fire service personnel and the range of access arrangements available, to allow the fire resisting enclosure of Meeting Room G-031 as proposed rather than providing a protected corridor through the room as set out in Condition 11.

Some additional requirements in respect of identification of the internal dry riser are warranted, as reflected in the revised Condition 11 below.

### **4.0 REASONS and CONSIDERATIONS:**

Having regard to the submissions made in connection with the Fire Safety Certificate application and the appeal, the level of fire service vehicle access available, the provision of the internal dry rising main (and the proposed inlet arrangements), and the level of access available from outside the building to Stair 2, it is considered that the functional requirements of Part B5 of the Second Schedule

of the Building Regulations 1997-2017 are being satisfied subject to Condition 11 on the Fire Safety Certificate being removed, but replaced by amended Condition 11 as follows:

**Condition 11:**

*Suitable signage should be provided outside the main entrance at Foster Place stating “Dry riser inlet inside” or similar suitable wording, and a floor plan to be provided adjacent to the dry riser inlet in the main entrance lobby at Foster Place, with suitable information to clearly identify the dry riser inlet locations and the location and route from the internal inlet to the Stair 2 enclosure.*

**Reason:** *To provide adequate facilities for the fire service.*

**Signed by:**

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COLM TRAYNOR BE FIEI Chartered Engineer

**Date:** 31<sup>st</sup> August 2018