

Report to An Bord Pleanála

on

Appeal against Condition No 2

Fire Safety Certificate (7 Day Notice) (Cert No. FSC3364/18/7D)

by

Dublin City Council

for

Material Alteration: The proposed works covered in this Fire Safety Certificate application are for material alterations/refurbishment works in a number of rooms within the building. These works will include the conversion of the 'common room' into two general purpose rooms, a revised layout of the assembly/study area, upgrades to the stage area in the assembly hall and other minor alterations to the existing store rooms on the ground floor and small offices on the second floor.

at

St. Michael's College, Ailesbury Road, Dublin 4

CLIENT	:	AN BORD PLEANALA
AN BORD PLEANALA REF NO	:	ABP-302664-18
BCA CERT No.	:	FSC3364/18/7D
OUR REF.	:	18121_ABP- 302664-18_R01
DATE	:	18 th January 2019

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2.0 Introduction

2.1 Subject Matter of Appeal

This report sets out my findings and recommendations on the appeal submitted by Goldsmith Engineering Ltd [hereafter referenced as GE] on behalf of their Client, St. Michael's College against Condition No 2 attached to the Fire Safety Certificate (7 Day Notice) (Ref No. FA/18/1349/7D) granted by Dublin City Council [hereafter referenced as DCC] in respect of Material Alteration: The proposed works covered in this Fire Safety Certificate application are for material alterations/refurbishment works in a number of rooms within the building. These works will include the conversion of the 'common room' into two general purpose rooms, a revised layout of the assembly/study area, upgrades to the stage area in the assembly hall and other minor alterations to the existing store rooms on the ground floor and small offices on the second floor, at St. Michael's College, Ailesbury Road, Dublin.

The Fire Safety Certificate was granted on 30th August 2018 with 6 conditions attached. Condition 2, which is the subject of the appeal, reads:

Condition 2

The proposed Fire Detection and Alarm System shall be an L1 type system and comply with IS 3218:2013

With the stated reason for the condition being:

Reason:

To comply with Part B of the Second Schedule to the Building Regulations 1997 – 2017.

The appeal is against a single condition. De novo consideration is not warranted and the Board can rely on the provisions of Article 40(2) of the Building Control Regulations and deal with the appeal on the basis of condition only.

2.2 Documents Reviewed

- 1.2.1 Fire Safety Certificate Application and Supporting Documentation submitted by GE on behalf of their Client including all additional information submission
- 1.2.2 Decision and grant by DCC on 30.08.2018 with 6 conditions attached
- 1.2.3 Appeal submission to An Bord Pleanala by GE dated 26.09.2018.
- 1.2.4 Appeal submission to An Bord Pleanala by DCC dated 31.10.2018
- 1.2.5 Appeal submission to An Bord Pleanala by GE dated 26.11.2018.

3.0 Condition 2 – Consideration of Arguments by Appellant and BCA

3.1 Condition 2

The proposed Fire Detection and Alarm System shall be an L1 type system and comply with IS 3218:2013

Case made by GE in respect of Condition 2

GE note that the school has been the subject of two previous Fire Safety Certificate applications FSC Ref F523/95 and FSC Ref 00/1014 whereby the Fire Detection and Alarm system approved was a Category L2/L4 system in accordance with IS 3218.

GE further evaluate the requirements of IS 3218 and Building Bulletin 100 in relation to the requirements for Fire Detection and Alarm system coverage in schools noting that neither cite a Category L1 system.

GE note that the existing fire detection and alarm system is to be upgraded throughout the school with new addressable heads and a new fire alarm panel.

GE go on to confirm that coverage will be provided in the new lab prep areas, new lab stores, new stores, inner rooms and the void under the assembly hall stage.

Case made by DCC in respect of Condition 2

DCC note that the intention of the condition was *“to increase the category of fire detection and alarm system in the areas to which the application relates”* citing the new lab prep areas, new lab stores, new stores, the void under the assembly hall stage and the inner rooms.

The enhancement of the fire detection and alarm system in the areas to which the application relates is not only good practice, but will provided early detection in the event of fire in rooms and areas that are not permanently occupied, giving early warning and thus enabling occupants to escape safely and effectively.

4.0 Assessment

The BCA in the grant state that the *“The proposed Fire Detection and Alarm System shall be an L1 type system and comply with IS 3218:2013 to comply with Part B of the Second Schedule to the Building Regulations 1997 – 2017.”* This condition extends beyond the scope of the application as the application relates to proposed material alterations to limited parts of an existing building.

The application is not for the entire building and therefore the fire detection and alarm system will only ever be modified in, or extended into the relevant areas. As noted by GE the previously approved Fire Safety Certificates for the building have a Category L2/L4 system.

The L2/L4 system will provide coverage to all of the areas which the BCA noted in their additional submission of 31st October 2018 and is specifically noted as being provided by GE in their submission dated 26th November 2018.

BB100, IS 3218: 2013 and The Department Education Technical Guidance Document 003 do not seek the provision of an L1 system in schools of this scale and design.

5.0 Conclusion/Recommendation

In conclusion in my opinion there is no justification for the position being adopted by the BCA in imposing this condition and they have not provided sufficient grounds to justify the condition in their appeal submission to the Board.

6.0 Reasons and Considerations

Having regard to the existing building and the previously approved FSC applications and noting that neither BB100, IS 3218: 2013 or The Department Education Technical Guidance Document 003 seek the provision of an L1 system in schools of this scale and design it is not considered necessary in this instance to provide an L1 system in this school to achieve compliance with Part B of the Building Regulations 1997 to 2017.

7.0 Conditions

Having considered the submissions made by the Appellant and BCA I consider that the BCA should be directed to remove Condition 2.

STEFAN HYDE

Director | Chartered Engineer | BA, BAI, PDip FSP, MA, CEng, MIEI

Date : _____